

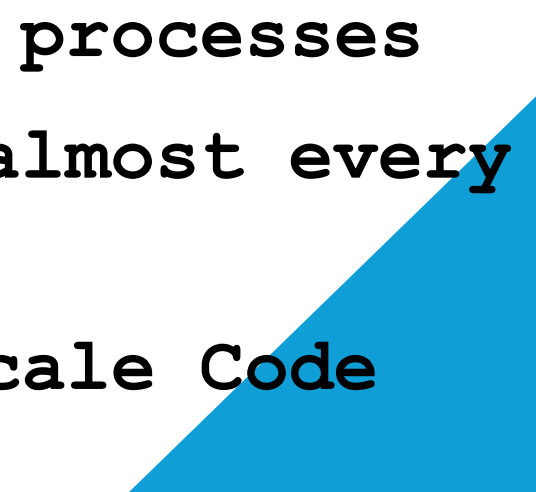


City Council
Meeting
Sept. 9, 2025



Comprehensive Water Code Revision

The Water Code refresh is intended to:

- Increase the transparency of City processes
 - Improve City's interactions with almost every citizen
 - Serve as the first step to wide-scale Code improvement
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Clearer communication with water users

The Water Code refresh will:

- Make code language simpler to understand
- Make code sentence structure more straightforward
- Eliminate redundancies and conflicts that have crept in through incremental changes

Improving interactions with water users

The Water Code refresh will also accomplish:

- Providing the required due process protections for customers
- Implementing industry best practices that have developed
- Engaging available enforcement tools for code compliance
- Improving service delivery processes

Article 4 substantive changes

This Article addresses system cross connection and backflow devices. It is technical in nature, and its requirements are supported by the City's Plumbing Code.

- 16.4.1 and 16.4.3 The Community Development Director's role in initial residential plumbing inspections and code enforcement is identified
- 16.4.1 Clearer definitions are provided for potable water and plumbing systems
- 16.4.4 The right of entry for administrative searches is made consistent with similar provisions throughout the Water Code
- 16.4.5 The City Engineer is granted authority to

Article 4 substantive changes

- 16.4.5 Technical plumbing system requirements are made subject to the more stringent of this Code or the then-currently recognized plumbing code
- 16.4.6 The account holder is identified as the person responsible for maintenance and reporting
- 16.4.6 The exception to the requirement for annual inspections granted to lawn sprinkler systems (currently biennially) is eliminated
- 16.4.6 The filing fee associated with annual backflow reports is eliminated
- 16.4.7 The City's enforcement options (water shut-off and/or nuisance citations) are extended to failure to file the required backflow report

Article 5 substantive changes

This Article sets out the City's powers under water emergency situations.

- All of the substantive changes to this Article are presented to bring it into conformity with the City's 2025 Municipal Water Conservation Plan
- That Plan and the provisions of Article 5 would be consistent if approved
- 16.5.1 Recognizes the City's contractual obligation to its wholesale water vendors to follow escalating drought stage water use restrictions
- 16.5.3 Sets out a Water Watch, a Bel Aire-specific advance notice to its citizens of possible water use restrictions due to an impending drought

Article 5 substantive changes

- 16.5.4 Sets out a Water Warning, the first level of water restrictions and the triggering criteria
- 16.5.5 Sets out a Water Emergency, with its higher level of water restrictions and the triggering criteria
- 16.5.7 Acknowledgement that the City must, by contract, follow the more restrictive of these or its vendors' current restrictions
- 16.5.11 Sets out the due process procedures to be followed before water service can be shut off for a violation of water use restrictions
- 16.5.12 Escalating fees are to be set in the Master Fee Schedule to address repeat offenders

Article 6 substantive changes

This Article sets the framework for enforcement of violations of the prior five Articles.

- 16.6.2 The Enforcing Officer is required to get consent to enter residences, with entry to property subject to warrantless search limits
- 16.6.4 Municipal Court violations only pursued on approval of the City Attorney and only for intentional violations
- 16.6.5 Detailed service of notice procedure added for due process
- 16.6.6 Administrative hearing requests and procedures are consistent with procedures in prior Articles

Article 6 substantive changes

- 16.6.6 Intentional violations are declared a misdemeanor with a penalty of up to \$2,500, subject to City Attorney prosecution approval
- 16.6.9 Retains for the City the ability to abate violations that impact the public health, safety and welfare, and provides for collection of that expense from the account holder responsible
- 16.6.10 Authorizes the City to use third party contractors for abatement, and recover the costs incurred
- 16.6.11 City liability disclaimed arising from regulatory inspections

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Article 7 substantive changes

- This article applies the permanent water use restrictions required of Bel Aire through its wholesale water purchase contracts.
- 16.7.1 Removes definitions tied to the Wichita City Code and substitutes definitions that are uniformly used throughout the Bel Aire Water Code.
- 16.7.2-5 Replaces the City of Wichita definitions with Bel Aire Water Code definitions that are applied throughout this Article 7.
- 16.7.5 Removes the separately stated due process procedures and replaces them by reference to the Article 6 procedures that uniformly apply to violations of the Bel Aire Water Code.



LIFE'S *better* ON THE EDGE!

BEL AIRE, KANSAS

