

(Published at www.mcpcity.com beginning on _____, 2025.)

ORDINANCE NO. 3442

**AN ORDINANCE OF THE CITY OF MCPHERSON, KANSAS
ADDING SECTION 586 TO CHAPTER 18, ARTICLE IX OF THE
CODE OF THE CITY OF MCPHERSON, KANSAS REGARDING
IDENTIFYING AND MANAGING LEAD SERVICE LINES
WITHIN THE CITY OF MCPHERSON'S WATER
DISTRIBUTION SYSTEM.**

WHEREAS, the Board of Public Utilities ("BPU") requests changes to the existing City Code regarding lead service lines to enable the City and BPU to track lead service lines as required by federal law;

WHEREAS, the purpose of this ordinance is to protect public health by identifying and managing lead service lines within the City of McPherson's water distribution system;

WHEREAS, the governing body has reviewed the BPU's recommendation; and

WHEREAS, the governing body of the City believes it is in the best interest of the City to amend the City Code as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS:

Section 1. Addition of Code Section. Code Section 18-586 is hereby added as follows:

Section 586 Lead Pipe Inventory.

(a) **Pre-Permit Requirement.** In order to allow the City in coordination with BPU to create, maintain and update an inventory of lead service lines as required by law, the following requirements shall apply to the issuance of any and all plumbing permits for plumbing systems existing as of July 1, 2025 and for which a plumbing permit pursuant to this Chapter is issued.

(b) **Definitions.** The following definitions shall apply to this section.

(i) **Lead Service Line.** A service line made of lead or pipe that is lined with lead that connects a City water main to a building's plumbing system.

(ii) **Plumbing Permit.** A permit issued by the City of McPherson for the installation, repair, alteration, or replacement of plumbing systems within the City limits pursuant to Chapter 18 of this Code.

(c) Lead Inventory Required. Whenever a Plumbing Permit is requested for the installation, repair, alteration, or replacement of plumbing within the City of McPherson, the permit applicant shall conduct a lead service line inventory of the property for which the permit is sought.

- (i) The lead service line inventory shall include an inspection of the service line connecting from the water meter, through the property (a basement or crawl space) and the internal water plumbing of the house, structure, or business.
- (ii) The inventory shall be conducted by the property owner or a qualified contractor such as a home inspector or licensed plumber.
- (iii) Upon completion of the lead service line inventory, the permit applicant, homeowner, or inspector, shall submit a written report to the BPU detailing the findings of the inventory on forms provided by the BPU.

(d) Enforcement.

- (A) The City shall not issue a plumbing permit under this Chapter unless and until the lead inventory required under subsection (c) above is completed and filed with the City.
- (B) In the event any inventory is willfully misrepresented or a required plumbing permit is not issued, the owner of the property and any individual performing any work for which the plumbing permit was required shall each be subject to a fine of \$250 and shall be required to file the lead inventory required herein.

Section 5. Repeal. All or parts of the Code conflicting with the provisions of this Ordinance are hereby repealed.

Section 6. Publication and Effective Date. This ordinance shall take effect and be in full force and effect from and after its passage, signature and publication in the official city newspaper and posting of the full text of the ordinance on the city's website in compliance with K.S.A. 12-3007(b).

ADOPTED by the governing body this 22nd day of April, 2025.

CITY OF MCPHERSON, KANSAS

Thomas A. Brown

Thomas A. Brown, Mayor



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Leah Kawanguzi, City Clerk