

ORDINANCE NO. 1800

AN ORDINANCE AMENDING CHAPTER IV, ARTICLES 1,2,4, 6, AND 9 RELATING TO BUILDING, PLUMBING, PROPERTY MAINTENANCE, MECHANICAL, SOLAR ENERGY PROVISIONS, RESIDENTIAL CODE, NATIONAL ELECTRIC CODE, FUEL GAS, ZONING, EXISTING BUILDING, GREEN CONSTRUCTION, PRIVATE SEWER, WILDLAND-URBAN INTERFACE, CODE COUNCIL PERFORMANCE, SWIMMING POOL AND SPA, ENERGY CONSERVATION, LIFE SAFETY AND FIRE CODES, SECTIONS 4-101, 4- 102, AND 4-103; SECTIONS 4-201,4-210; SECTIONS 4-401,4-402, 4-411, AND 4-412; SECTIONS 4-001,4-602 4-606; AND SECTION 4-901 OF THE CODE OF THE CITY OF HERINGTON, KANSAS, AS CURRENTLY IN EFFECT; PERTAINING TO THE ADOPTION BY REFERENCE OF THE INTERNATIONAL BUILDING CODES, 2015 EDITION, NFPA-101 2015 EDITION AND THE NFPA 1911 AND THE ATTENDANT AMENDMENTS AS MAY BE PERIODICALLY ADOPTED AS IT RELATES BY REFERENCE THROUGHOUT CHAPTER IV OF THE CODE OF THE CITY OF HERINGTON, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HERINGTON, KANSAS:

SECTION 1. That CHAPTER IV, ARTICLE 1,2,4,6, & 9 of the Code of the City of Herington, Kansas, is hereby amended and modified to read as follows:

4-101. INTERNATIONAL BUILDING CODES INCORPORATED.

There is hereby incorporated by reference for the purpose of providing minimum regulations for the construction, erection, remodeling, alteration, repair, or expansion of any building or structure, the latest known published standard codes known as the "INTERNATIONAL BUILDING CODES, 2015 Edition," INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION and the NFPA-101 and/or the latest edition being used by the City of Herington including all Appendix Chapters hereby adopted and published by the International Code Council, be and is hereby adopted as the Building Code of the City of Herington, in the State of Kansas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees

therefore; and each and all of the regulation, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Herington are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any by the City of Herington, including all appendices to each, prepared and published in book form the by International Code Council, Inc. Any errata officially published by the International Code Council, Inc., shall become part of the International Building Code and/or the International Residential Code when placed on file by the administrative authority. If any conflict or discrepancy exists between this article and the referenced International Building Code or the International Residential Code, the provisions of this article shall rule.

Not less than three (3) copies of the latest known published standard codes known as the "INTERNATIONAL BUILDING CODES, 2015 Edition," and /or the latest edition being used by the City of Herington including all Appendix chapters hereby adopted and published by the International Code Council, shall be marked or stamped "Official Copy as Incorporated by Reference by the City of Herington, Kansas", a copy of this ordinance shall be attached and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. All administrative departments of the City charged with enforcement of the Code shall be supplied, at the cost of the City, such number of official copies of the Code similarly marked, deleted and changed as may be expedient.

Any person violating any provisions of such Code shall be punished as provided in Section 4-104 of this Code.

4-102. DELETIONS FROM INTERNATIONAL BUILDING CODES.

The following portions are deleted from the International Building Codes as currently adopted:

- (a) No such deletions are currently made.

4-103. AMENDMENTS TO INTERNATIONAL BUILDING CODES.

(a) No building or structure shall be erected, enlarged, remodeled, or moved within the City without a permit therefore from the City Clerk who shall require a site plan and may require a plan of the proposed work together with a statement of the estimated cost of materials and labor to be used. Such permit shall be issued upon approval of the building official and conditional upon the compliance of the provisions of this article.

- (b) For the purposes of this section, "remodeling" shall mean the

reconstruction or alteration of any portion of a structure in which rooms are added, load bearing members are altered, or the alteration affects the life safety of the occupants of the structure.

(c) If construction is not started within six (6) months from the date of application, application shall be void and a new building application shall be made to the City Clerk.

(d) The fees for building permits shall be five dollars (\$5.00) for the first one thousand dollars (\$1,000.00) of project cost and an additional two dollars (\$2.00) for each additional one thousand dollars (\$1,000.00) or fraction thereof.

(e) Upon sale or any change of current ownership, including changes in any leasehold interests, all residences and commercial properties within the city limits shall be subject to both a structural and mechanical inspection by the City or qualified licensed mechanical inspector prior to occupancy provided the structure meets minimum code. An inspection form will be presented to the City of Herington before permanent utilities are turned on, thus allowing for repairs and no habitation of structure. An inspection fee of ten dollars (\$10) at the time of utility turn-on or transfer shall be required to cover minimal costs.

ARTICLE 2 ELECTRICAL CODES

4-201. INTERNATIONAL ELECTRICAL CODE INCORPORATED BY REFERENCE and the standard code known as the "National Electrical Code", (Latest Edition in City Possession) is hereby incorporated by reference herein and made a part of this article, except such portions as may hereafter be deleted or amended.

4-210. INSPECTION FEES. No certificate of inspection shall be issued until there shall have been paid to the City Clerk an inspection fee of Twenty dollars (\$20.00) per hour.

ARTICLE 4. PLUMBING CODE

4-401. INTERNATIONAL PLUMBING CODE INCORPORATED BY REFERENCE TO THE LATEST INTERNATIONAL BUILDING CODE. The standard plumbing code is hereby incorporated by reference to the latest International Building Code as currently adopted by the City of Herington including all Appendix Chapters adopted and published by the International Code Council, shall be and

is hereby adopted as the Standard Plumbing Code of the City of Herington, in the State of Kansas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulation, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Herington are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any by the City of Herington.

4-402. DELETIONS FROM INTERNATIONAL PLUMBING CODE. The following portions are deleted from the International Building Codes as currently adopted:

(a) No such deletions are currently made.

4-404. PLUMBING INSPECTOR, QUALIFICATIONS. The City Manager shall appoint a Plumbing Inspector. The plumbing inspector shall be of good moral character and shall be experienced in plumbing and well versed in the rules and regulation of the IBC Plumbing Appendix Chapters therefore referring. An Assistant Plumbing Inspector may be appointed if deemed necessary by the City Manager.

4-411. PLASTIC FITTINGS AND JOINTS. Plastic joints and fittings shall be utilized and installed so as to conform with and to the currently adopted International Building Code incorporated herein by reference. All design, construction and workmanship shall be performed in accordance with the requirements of recognized standards of practice and by qualified mechanics to secure the results sought to be obtained by this code.

4-412. GROUNDING. Grounding shall be done in accordance with and so as to conform to the currently adopted International Building Code incorporated herein by reference as well as the National Electric Code (NEC).

ARTICLE 6. MECHANICAL CODE

4-601. INTERNATIONAL MECHANICAL CODE INCORPORATED BY REFERENCE TO THE CURRENTLY ADOPTED INTERNATIONAL BUILDING CODE REGULATING MECHANICAL STANDARDS.

The standard code known as the International Mechanical Code, as currently adopted, is hereby incorporated by reference herein and made a part of the Building Codes for the City of Herington, Kansas, except such portions as may hereafter be deleted or amended.

4-602. DELETIONS FROM INTERNATIONAL BUILDING CODES. The following portions are deleted from the International Building Codes as currently adopted:

(a) No such deletions are currently made.

4-606. FEES. No certification of inspection shall be issued until there shall have been paid to the City Clerk and inspection fee of twenty dollars (\$20.00) per hour.

ARTICLE 9. FIRE CODE

4-901. INTERNATIONAL FIRE CODE INCORPORATED BY REFERENCE TO THE LATEST INTERNATIONAL BUILDING CODE AND NFPA-101.

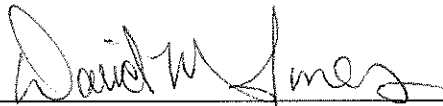
The standard fire code is hereby incorporated by reference to the latest International Building Code and NFPA-101 adopted by the City of Herington including all Appendix Chapters adopted and published by the International Code Council, shall be and is hereby adopted as the Standard Fire Code of the City of Herington.

SECTION 2. Said International Building Code, 2015 Edition, and International Residential Code, 2015 Edition, are incorporated herein by reference as if set out in full herein, including all appendices and amendments thereto and all references in Chapter IV to standard codes known as the International Building Code, 2006 Edition and are hereby replaced and to be read as "International Building Code, 2015 Edition and the NFPA-101 as applicable.

SECTION 3. This ordinance shall be published one (1) time in the *Herington Times*, the official newspaper of said City, and shall take effect and be in force from and after said publication.

PASSED AND ADOPTED by the Governing Body of the City of Herington,
Kansas, this 6th day of March, 2018.

Signed by the Mayor, this 6th day of March, 2018.



David Jones, Mayor

ATTEST:



Brenda Wildman, City Clerk