

ORDINANCE NO. 2013-11-4347

AN ORDINANCE MODIFYING MUNICIPAL CODE OF THE CITY OF ARKANSAS CITY SECTION 14-200 REGARDING APPEALS FROM THE BUILDING TRADES BOARD.

WHEREAS, according to the legal aspects of code administration, staff is recommending a change regarding appeals from the Building Trades Board.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS AS FOLLOWS:

Section 1. The Governing Body hereby modifies Section 14-200 of the Arkansas City Municipal Code to read as follows (new provisions in italics; deleted provisions struck through):

Sec. 14-200. Appeals ~~to building trades advisory board.~~

- (a) *Appeals from any final decision of the code enforcement officer may be made to the building trades advisory board in writing, within ten days after the appellant has been notified of the code enforcement officer's decision.*

~~Any person, firm or corporation may file an appeal with the board for a review of any decisions of the code enforcement officer; provided that such appeal is made in writing within ten days after such person, firm or corporation has been notified of such decision of the code enforcement officer. Upon receipt of such appeal, the board shall proceed to determine whether the action of the code enforcement officer complies with this code and within ten days shall make a decision in accordance with its findings.~~

- (b) *Appeals from a final decision of the building trades advisory board may be made to the Cowley County District Court within 30 days of issuance of the board's decision.*

~~Any person, firm or corporation who feels the decision of the building trades advisory board is arbitrary or in error, may appeal to the board of city commissioners within 30 days from the date of the decision of the board.~~

- (c) *For purposes of this Section, a final decision does not include any decision that is preliminary, preparatory, procedural or intermediate with regard to subsequent action.*

Section 2. This ordinance shall be in full force and effect from and after its publication in the official City newspaper.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City on the 19th day of November, 2013.

Jay Warren, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED FOR FORM BY:

TAMARA L. NILES, City Attorney

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of the Ordinance No. 2013-11-4347 of the City of Arkansas City, Kansas adopted by the Board of Commissioners on November 19, 2013 as the same appears of record in my office.

DATED: _____.

Lesley Shook, City Clerk