

(First Published in the Larned Tiller and Toiler on May 11, 2023)

## **ORDINANCE NO. 1618**

### **AN ORDINANCE REGULATING ADDITIONS TO AND MODIFICATIONS OF THE UNIFORM BUILDING CODE**

*BE IT ORDAINED AND ENACTED by the Governing Body of the City of Larned, Kansas:*

**SECTION 1. Permit required. 12.05.010.** Subpart 12.05.010 is hereby amended to read as follows: 12.05.010 It shall be unlawful to construct, reconstruct or repair any sidewalk within the City until the plans first have been approved by the City Building Inspector and a permit issued for such work *in the public right of way* by the City Building Inspector. *The permit fee is \$10.00.*

**SECTION 2. Additions and modifications to the Uniform Building Code. 15.04.020** is hereby amended to read as follows: 15.04.020:

A. Building Permits. The provisions for the issuance of building permits pursuant to the provisions of the Uniform Building Code shall be accompanied by the following:

1. New Construction.

a. *Regarding structural improvements only, all applications for building permits for new residential and new commercial buildings shall be accompanied by a complete set of building, HVAC, electrical and plumbing plans, and shall be stamped by an engineer or architect.*

2. Repair or Remodeling.

a. Applications for permits for renovations, additions, remodeling, garages, and accessory buildings shall be accompanied by a plan or sketch, plus any additional documents that the building inspector may require.

B. Building Permit Fees. Applications for the issuance of building permits pursuant to the provisions of the Uniform Building Code shall be accompanied by a fee computed as follows:

1. New Construction.

a. Main structure including attached garages; three cents (\$0.03) for each square foot of ground floor space.

b. Basements, secondary floors, and detached garages; one cent (\$0.01) for each square foot of floor space.

c. Fences; one cent (\$0.01) for each lineal foot, with the minimum fee being five dollars (\$5.00).

d. Curb breaks; five dollars (\$5.00).

e. ~~Sidewalks and driveways; exempt~~ Driveways and accessory buildings 120 square feet or less are exempt from the permit process

2. Repair or Remodeling.

a. Ten dollars (\$10.00) for projects with an estimated cost of not more than one thousand dollars (\$1,000.00).

b. Fifteen dollars (\$15.00) for projects with an estimated cost of one thousand one dollars (\$1,001.00) to ten thousand dollars (\$10,000.00).

c. Fifteen dollars (\$15.00) plus two dollars (\$2.00) for each one thousand dollars (\$1,000.00) of estimated cost or portion thereof over ten thousand dollars (\$10,000.00).

3. Provided, however, any person starting or commencing any work for which a permit is required by the ordinance codified in this subpart without first securing such permit and paying the prescribed fees, shall be charged a fee in an amount triple that prescribed above.

C. Use of Ungraded Lumber.

1. Ungraded lumber may be used for fences, nonstructural and non-load-bearing walls, interior partitions, and outbuildings with less than one hundred twenty (120) square feet of ground floor area.

2. Ungraded lumber may be used in any construction if a representative sampling is inspected and approved by a licensed engineer or agency and the building inspector has inspected and approved specifically identified additional pieces of such ungraded lumber as being of like quality.

*D. Required Inspection. "Permitted work" means work to be completed that requires a building permit from the City of Larned. Permitted work is subject to the following:*

1. *Required Inspections. The Building Inspector or his/her assistant(s) shall inspect all new installations of permitted work.*

2. *Notification of Inspections. It shall be the responsibility of each service trade to call for their individual required trade inspections. However, it is the responsibility of the permit holder to schedule and notify the building inspection department for any Certificate of Occupancy.*

3. *The Building Inspector or his/her assistant shall inspect installations within a reasonable time period (not including Saturdays, Sundays, or legal holidays) from notice of receipt that same is ready for inspection. Whenever possible, the inspection department will strive to meet the inspection needs of any licensed contractor. Inspections shall be carried out during regular business hours of 8 am to 5 pm --*

*Monday through Friday. Non-emergency inspections outside regular business hours are subject to an additional fee of \$50.*

- 4.** *INSPECTION OF WORK INSTALLATIONS. The inspector shall inspect all new permitted work to any structure within the city limits. The inspector shall enforce or cause to be enforced, the provisions of this subpart, and shall have the right during reasonable hours to enter any building for the purpose of making any inspection required by this subpart.*
- 5.** *CONCEALMENT OF WORK. No work shall cover or in any manner conceal any required inspection until such inspection shall have been made and approved. No gas piping, framing, roofing, plumbing, or mechanical shall be covered or concealed from view, nor concrete poured until the same has been inspected and approved by the inspector.*
- 6.** *Violation of requirements listed or against the orders of the Inspection Department will be subject to a Citation.*

  - a. DEFECTIVE INSTALLATION. In case any work which the inspector is required to inspect shall be found not to comply with the provisions of this article, or to be unsafe or defective, the inspector shall at once notify the permit holder of such defect, and order them to change, rearrange, or remove the same. Upon the person's failure or refusal to correct such defect within a reasonable time, such person shall be deemed guilty of a violation of the provisions of this subpart and each and every day which shall elapse after the expiration of the time set for correction without a compliance with the order, shall be considered a separate offense.*
- 7.** *The inspector shall complete a building inspection record to remain as a permanent attachment to the building department files. Inspection records shall show time and date of all inspections, inspector performing inspections, and any and all violations requiring correction. Upon issuing a Final Certificate of Occupancy, a copy of the finished building department's inspection record shall be provided to the permit holder.*
- 8.** *To appeal any provision of this subpart, an appeals application shall be completed within five working days of the discrepancy and a hearing will be scheduled.*

**SECTION 3.** *New Title 15.28.025 Demolition Application. (a) No building or structure (excluding signs and fences) exceeding 120 square feet shall be demolished or removed from the property without first applying for and obtaining a demolition permit. Permit applications cannot be completed without the following:*

- 1. Dig safe ticket number*
- 2. Identification and location of all utilities in the area of the structure being demolished, and,*
- 3. Shutoff and/or removal of utilities to the structure.*

- (b) *The cost of the permit shall be \$10.00.*
- (c) *Before demolition is completed, a licensed plumber must perform capping of the sewer line. Location of the capped sewer line must be given to the City of Larned Building Inspection Department to keep on file.*

**SECTION 5. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or resolution, or any part thereof, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions or any part thereof. The city council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sub-divisions, paragraphs, sentences, clauses, or phrases be declared invalid.

**SECTION 6. Repeal.** Subparts 12.05.010, 15.04.020, and 15.04.100 of the City of Larned Code of Ordinances is hereby repealed.

**SECTION 7. Publication.** This Ordinance shall take effect and be in force from and after its publication in the official city newspaper of the City of Larned, Kansas or from and after compliance with K.S.A. 2012 Supp. 12-3007(b).

PASSED BY THE LARNED CITY COUNCIL AND APPROVED BY THE MAYOR  
on \_\_\_\_\_, 20\_\_.

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WILLIAM NUSSER, MAYOR

ATTEST:

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Kara Rath, City Clerk