

ORDINANCE NO. 2233

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL BUILDING CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR BUILDING PERMITS, PROVIDING FOR BUILDING PERMIT FEES, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. PURPOSE. The purpose of this ordinance is to establish standards of public health, safety and welfare for all buildings, other than one- and two-family dwellings and all structures accessory to a one- or two-family dwelling, within the corporate limits of Council Grove, Kansas and within the Council Grove Lake Park.

Section 2. INTERNATIONAL BUILDING CODE OF 2015 ADOPTED. The International Building Code, edition of 2015 including appendix chapters C, E, F, G, I & K; as published by the International Code Council is hereby incorporated by reference as though fully set out herein save and except the revisions, deletions, insertions, modifications or amendments set forth in Section 3 of this ordinance and may be accompanied by a commentary supplement. Not less than three copies of the International Building Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2233." All sections or portions of the filed copies of the International Building Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 3. REVISIONS. The following sections are hereby revised:

- A. Section 101.1. **Name of Jurisdiction** - Inserted "City of Council Grove".
- B. Section 105.2. **Work Exempt from Permit** – Building permit exemptions not adopted, but are set forth in Section 6.
- C. Section 107.7. **Existing Buildings**-Not adopted but are as set forth in the most recently enacted ordinance adopting the International Existing Building Code.
- D. Section 109.2. **Schedule of Permit Fees** – Permit fees are set forth in Section 8.
- E. Section 113. **Board of Appeals** - Not adopted but are as set forth in other ordinances.
- F. Section 114.4. **Violation Penalties** – Not adopted but are as set forth in Section 9.
- G. Section 115.3 **Unlawful Continuance**-Modified to: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 9."
- H. Chapter 11. **Accessibility**- Not adopted but are as set forth in the most recently enacted version of the ADA Standards for Accessible Design.
- I. Section 1612.3. **Name of Jurisdiction** - Inserted "City of Council Grove".
- J. Section 1612.3. **Flood Hazard Map Date** - Inserted "April 3, 1987".

Section 4. CONSTRUCTION WORK. No person, other than a duly licensed contractor, shall engage in the building construction trade within the limits of the City or the Council Grove Lake Park. Exception 1: Building construction work that is exempt from a building permit as set forth in Section 6. Exception 2: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 ft<sup>2</sup>. Exception 3: Fences, retaining walls, driveways, and sidewalks. Exception 4: Building construction work in a one- or two-family dwelling used exclusively for living purposes, and all structures accessory to the dwelling, when such person is the owner of record of such dwelling and accessory structures, and when such owner shall personally perform the principal labor in connection therewith, rather than act in a supervisory capacity.

Section 5. BUILDING PERMIT. Any person who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to cause any such work to be done, shall first make application for a Building Permit from the city clerk of the city. A building owner may not secure a permit for a contractor. No permit as required by the city building code shall be issued until the fee prescribed has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the construction has been paid. Failure to take out a permit prior to beginning construction will result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 6. PERMIT EXEMPTIONS. Building Permits shall not be required for the following:

- A. Lake walls and retaining wall that are not over 4 feet in height measured from
- B. Non-enclosed and non-covered decks not more than 30 inches above adjacent grade at any point, are not over any story or basement below and are not part of a vertical egress route or attached to the structure.
- C. Repairs where no major structural repairs are being made to the building or improvement.
- D. Roofing and siding where no other work requiring a building permit is being done.
- E. Window replacement requiring no structural modifications and where no other work requiring a building permit is being done.
- F. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
- G. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work where no other work requiring a permit is being done.
- H. Temporary motion picture, television and theater stage sets and scenery.
- I. Prefabricated swimming pools that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
- J. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- K. Swings and other playground equipment.
- L. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
- M. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
- N. Changes of occupancy to an equal or lesser hazard category as denoted in both Table 1012.4 and Table 1012.5 of the 2015 International Existing Building Code where no other work requiring a permit is being done.

Section 7. GRANDFATHER CLAUSE. Parts of structures erected prior to December 15, 1958, which project beyond the street or building line may be maintained as constructed subject to the authority of the governing body.

Section 8. BUILDING PERMIT FEES. Fees for Building Permits will be those stipulated in Appendix L of the International Residential Code of 2009, multiplied by an approximate adjustment factor of 75%. Building permit fees shall be based on the value of the completed construction and installation of a building, accessory building or other structure, other than one- and two-family dwellings and all structures accessory to a one- or two-family dwelling, per the following schedule, which includes a \$20 minimum permit issuing and inspection fee. Exception 1: The building permit fee for fences and sheds having a floor area of 120 ft<sup>2</sup> or less shall be the \$20 minimum permit issuing and inspection fee. Exception 2: The permit fee is waived for sidewalks that are on the City of Council Grove Sidewalk Program.

VALUE	PERMIT FEE
\$1 to \$500	\$20

\$501 to \$2,000	\$20 for the first \$500; plus \$2 for each additional \$100 or fraction thereof, to and including \$2,000.
\$2,001 to \$40,000	\$50 for the first \$2,000; plus \$8 for each additional \$1,000 or fraction thereof, to and including \$40,000.
\$40,001 to \$100,000	\$354 for the first \$40,000; plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$774 for the first \$100,000; plus \$5 for each additional \$1,000 or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$2,774 for the first \$500,000; plus \$4 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
\$1,000,001 and over	\$4,774 for the first \$1,000,000; plus \$2 for each additional \$1,000 or fraction thereof.

Section 9. VIOLATION PENALTIES. In addition to any remedies set forth in the International Building Code of 2015, any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100.00 nor more than \$1,000.00 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 10. REPEAL. This ordinance does hereby repeal Chapter IV, Article 2 of Ordinance No. 2223 adopting the codification of ordinances of Council Grove, Kansas, hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 11. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk

ORDINANCE NO. 2234

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL MECHANICAL CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR MECHANICAL PERMITS, PROVIDING FOR MECHANICAL PERMIT FEES, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. PURPOSE. The purpose of this ordinance is to establish standards of public health, safety and welfare for mechanical systems in all buildings and their accessory structures, within the corporate limits of Council Grove, Kansas and within the Council Grove Lake Park.

Section 2. INTERNATIONAL MECHANICAL CODE OF 2015 ADOPTED. The International Mechanical Code, edition of 2015, including appendix chapter A, as published by the International Code Council is hereby incorporated by reference as though fully set out herein save and except the revisions, deletions, insertions, modifications or amendments set forth in Section 4 of this ordinance and may be accompanied by a commentary supplement. Not less than three copies of the International Mechanical Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2234." All sections or portions of the filed copies of the International Mechanical Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 3. EXCEPTION: Mechanical systems in detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with Part V - Mechanical (Chapters 12 – 23) of the 2015 International Residence Code and Sections 5 - 9 of this Ordinance.

Section 4. DELETIONS, INSERTIONS AND MODIFICATIONS. The following sections are hereby revised:

- A. Section 101.1. **Name of Jurisdiction** - Inserted "City of Council Grove".
- B. Section 106.1.1. **Annual Permit**, -Not Adopted.
- C. Section 101.6.2. **Annual Permit Records**. - Not adopted.
- D. Section 106.5.2. **Fee Schedule** - Permit fees are set forth in Section 7.
- E. Section 106.5.3. **Fee Refund** - Inserted "100%" in two locations.
- F. Section 108.4. **Violation Penalties** - Not adopted, but are as set forth in Section 8.
- G. Section 108.5. **Stop Work Orders** - Modified last sentence to: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 8."
- H. Section 109. **Means of Appeal** – Not adopted, but is as set forth in other ordinances.

Section 5. MECHANICAL WORK. No person, other than a duly licensed contractor, shall engage in the mechanical trade within the limits of the City or the Council Grove Lake Park. Exception 1: Mechanical work that is exempt from a mechanical permit as set forth in Section 7. Exception 2: Mechanical work in a single-family dwelling used exclusively for living purposes, including the usual accessory structures in connection with the single-family dwelling, when such person is the owner of record of such dwelling and accessory structures, and when such owner shall personally perform the principal labor in connection therewith, rather than act in a supervisory capacity.

Section 6. MECHANICAL PERMIT. Any person who intends to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system, or to cause any such work to be done, shall first make application for a Mechanical Permit from the city clerk of the city. A building owner may not secure a permit for a contractor. No permit as required by the city

mechanical code shall be issued until the fee prescribed has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the mechanical work has been paid. Failure to take out a permit prior to beginning the mechanical work will result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 7. MECHANICAL PERMIT EXEMPTIONS. Mechanical Permits shall not be required for the following:

1. Portable heating appliances and equipment.
2. Portable ventilation appliances and equipment.
3. Portable cooling units.
4. Portable evaporative coolers.
5. Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by this code.
6. Replacement of any minor part that does not alter the approval of the equipment or appliance or make such equipment or appliance unsafe.
7. Self-contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Section 8. MECHANICAL PERMIT FEES. Mechanical permit fees shall include a \$20 minimum permit-issuing and inspection fee plus the following fees.

A. <u>UNIT FEE SCHEDULE</u>	FEE
<b>1. Furnaces:</b>	
a. For the installation, relocation or replacement of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/hr (29.3 kW). . . . .	\$ 18
b. For the installation, relocation or replacement of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, over 100,000 Btu/hr (29.3 kW). . . . .	\$ 22
c. For the installation or relocation of each floor furnace, including vent. . . . .	\$ 18
d. For the installation, relocation or replacement of each suspended heater, recessed wall heater or floor-mounted unit heater. . . . .	\$ 18
<b>2. Appliance Vents:</b> For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit. . . . .	\$ 9
<b>3. Repairs or Additions:</b> For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the mechanical Code. . . . .	\$ 16
<b>4. Boilers, Compressors and Absorption Systems:</b>	
a. For the installation, relocation or replacement of each boiler or compressor up to and including three horsepower (10.6 kW), or for each absorption system up to and including 100,000 Btu/hr (29.3 kW). . . . .	\$ 17
b. For the installation, relocation or replacement of each boiler or compressor over three horsepower (10.6 kW), up to and including 15 horsepower (52.7 kW), or for each absorption system over 100,000 Btu/hr (29.3 kW) up to and including 500,000 Btu/hr (146.6 kW). . . . .	\$ 32
c. For the installation, relocation or replacement of each boiler or compressor over 15 horsepower (52.7 kW), up to and including 30 horsepower (105.5 kW), or for each absorption system over 500,000 Btu/hr (146.6 kW) up to and including 1,000,000 Btu/hr (293.1 kW). . . . .	\$ 44

d.	For the installation, relocation or replacement of each boiler or compressor over 30 horsepower (105.5 kW), up to and including 50 horsepower (176 kW), or for each absorption system over 1,000,000 Btu/hr (293.1 kW) up to and including 1,750,000 Btu/hr (512.9 kW). . . . .	\$ 66
e.	For the installation, relocation or replacement of each boiler or compressor over 50 horsepower (176 kW), or for each absorption system over 1,750,000 Btu/hr (512.9 kW). . . . .	\$ 110
<b>5.</b>	<b>Air Handlers:</b>	
a.	For each air-handling unit up to and including 10,000 cubic feet per minute (4720 L/s), including ducts attached thereto. . . . .	\$ 13
b.	For each air-handling exceeding 10,000 cubic feet per minute (4720 L/s). . . . .	\$ 21
	NOTE: These fees do not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	
<b>6.</b>	<b>Evaporative Coolers:</b> For each evaporative cooler other than portable type. . . . .	\$ 13
<b>7.</b>	<b>Air Conditioner:</b>	
a.	For each air-conditioning unit up to and including 5 ton or 60,000 Btu/hr, <b>including</b> ducts attached thereto. . . . .	\$ 13
b.	For each air-conditioning unit exceeding 5 ton or 60,000 Btu/hr. . . . .	\$ 21

<b>8.</b>	<b>Ventilation and Exhaust:</b>	
a.	For each ventilation fan connected to a single duct. . . . .	\$ 9
b.	For each ventilation system which is not a portion of a heating or air-conditioning system authorized by a permit. . . . .	\$ 13
c.	For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood. . . . .	\$ 13
<b>9.</b>	<b>Incinerators:</b>	
a.	For the installation or relocation of each domestic-type incinerator. . . . .	\$ 22
b.	For the installation or relocation of each commercial- or industrial-type incinerator. . . . .	\$ 88
<b>10.</b>	<b>Miscellaneous:</b> For each appliance or piece of equipment not classed in other appliance categories or for which no fee is listed in this ordinance. . . . .	\$ 13
<b>II. <u>OTHER INSPECTIONS AND FEES</u></b>		
1.	Inspections outside of normal business hours, per hour (minimum charge – two hours). . . . .	\$ 40
2.	Inspections for which no fee is specifically indicated, per hour (minimum charge – one-half hour). . . . .	\$ 40
3.	Additional plan review required by changes, additions or revisions to approved plans, per hour (minimum charge – one-half hour). . . . .	\$ 40

Section 9. VIOLATION PENALTIES. In addition to any remedies set forth in the International Mechanical Code of 2015, any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100.00 nor more than \$1,000.00 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 10. REPEAL. This ordinance does hereby repeal Chapter IV, Article 7 of Ordinance Number 2223 adopting the codification of ordinances of Council Grove, Kansas, hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 11. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk  
(SEAL)

ORDINANCE NO. 2235

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR PENALTIES FOR FAILUTRE TO COMPLY AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. INTERNATIONAL PROPERTY MAINTENANCE CODE OF 2015 ADOPTED. The International Property Maintenance Code, edition of 2015 including appendix chapter A, as published by the International Code Council is hereby incorporated by reference as though fully set out herein save and except the additions, deletions, modifications or amendments prescribed in this ordinance and may be accompanied by a commentary supplement. Not less than three copies of the International Property Maintenance Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2235." All sections or portions of the filed copies of the International Property Maintenance Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 2. REVISIONS. The following sections are hereby revised:

- A. Section 101.1. **Title** - Insert "City of Council Grove".
- B. Section 103.5. **Fees**- Not adopted.
- C. Section 106.4. **Violation Penalties**- Not adopted, but as set forth in Section 4.
- D. Section 111. **Means of Appeal**-- but as set forth in other ordinances.
- E. Section 112.4. **Failure to Comply**- Not adopted. Modified to: Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 4."
- F. Section 302.4. **Weeds**- Not adopted.
- G. Section 302.8 Motor **Vehicles**- Not adopted.
- H. Section 304.14 Insect **Screens**- Insert "April 1 to December 1".
- I. Section 602.3 Heat **Supply**-Insert "October 1 to May 15".
- J. Section 602.4. **Occupiable Work Space**- Insert "October 1 to May 15".

Section 3. FEES. Fees under this code shall be the same as provided for in the applicable Code adopted by the city. Failure to take out a permit prior to beginning construction will result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 4. VIOLATION PENALTIES. Any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100.00 nor more than \$1,000.00 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 5. GRANDFATHER CLAUSE. Parts of structures erected prior to December 15, 1958, which project beyond the street or building line may be maintained as constructed subject to the authority of the governing body.

Section 6. REPEAL. This ordinance does hereby repeal Chapter IV, Article 8 of Ordinance Number 2223 adopting the codification of ordinances of Council Grove, Kansas,



hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 7. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk  
(SEAL)

ORDINANCE NO. 2236

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL RESIDENTIAL CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR BUILDING PERMITS, PROVIDING FOR BUILDING PERMIT FEES, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. PURPOSE. The purpose of this ordinance is to establish standards of public health, safety and welfare for all one- and two-family dwellings, and all structures accessory to the dwellings, within the corporate limits of Council Grove, Kansas and within the Council Grove Lake Park.

Section 2. INTERNATIONAL RESIDENTIAL CODE OF 2015 ADOPTED. The International Residential Code, edition of 2015 including appendix chapters A, B, C, D, E, F, G, H, I, J, K, M, N, P & Q; as published by the International Code Council is hereby incorporated by reference as though fully set out herein save and except the revisions, deletions, insertions, modifications or amendments set forth in Section 3 of this ordinance and may be accompanied by a commentary supplement. Not less than three copies of the International Residential Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2236." All sections or portions of the filed copies of the International Residential Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 3. REVISIONS. The following sections are hereby revised:

- A. Section R101.1. **Name of Jurisdiction** - Inserted "City of Council Grove".
- B. Section R105.2. **Work Exempt from Permit** – Building permit exemptions not adopted, but are set forth in Section 6.
- C. Section 108.2. **Schedule of Permit Fees** – Permit fees are set forth in Section 8.
- D. Section R112. **Board of Appeals** - Not adopted, but is as set forth in other ordinances.
- E. Section R113.4. **Violation Penalties** – Not adopted, but are as set forth in Section 9.
- F. Section 108.5. **Unlawful Continuance**- Modified to: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 9."
- G. Table R301.2(1). **Climatic and Geographical Design Criteria** - Inserted data for the City of Council Grove, KS.
- H. Section R313. **Automatic Fire Sprinkler Systems** - Deleted Section R313.2. One- and Two-Family Dwellings Automatic Fire Systems in its entirety.
- I. Section N1101.9. **Certificate** - Deleted in its entirety.
- J. Section P2603.5.1. **Sewer Depth** - Inserted "12 inches" in two locations.
- K. Part VIII (Chapters 34 – 43). **Electrical**. Deleted in its entirety. All electrical work shall comply with the NFPA 70, National Electrical Code (NEC), version adopted by the City of Council Grove.

Section 4. CONSTRUCTION WORK. No person, other than a duly licensed contractor, shall engage in the building construction trade within the limits of the City or the Council Grove Lake Park. Exception 1: Building construction work that is exempt from a building permit as set forth in Section 6. Exception 2: One-story detached accessory structures used as tool and storage

sheds, playhouses and similar uses, provided the floor area does not exceed 120 ft<sup>2</sup>. Exception 3: Fences, retaining walls, driveways, sidewalks and non-covered decks. Exception 4: Building construction work in a one- or two-family dwelling used exclusively for living purposes, and all structures accessory to the dwelling, when such person is the owner of record of such dwelling and accessory structures, and when such owner shall personally perform the principal labor in connection therewith, rather than act in a supervisory capacity.

Section 5. BUILDING PERMIT. Any person who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a one- or two-family dwelling, and all structures accessory to the dwelling, or to cause any such work to be done, shall first make application for a Building Permit from the city clerk of the city. A building owner may not secure a permit for a contractor. No permit as required by the city building code shall be issued until the fee prescribed has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the construction has been paid. Failure to take out a permit prior to beginning construction will result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 6. BUILDING PERMIT EXEMPTIONS. Building Permits shall not be required for the following:

- A. Lake walls and retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall.
- B. Non-enclosed and non-covered decks not more than 30 inches above adjacent grade at any point, unless it is attached to the house; are not over any story or basement below and are not part of a vertical egress route or attached to the house.
- C. Repairs where no major structural repairs are being made to the building or improvement.
- D. Roofing and siding where no other work requiring a building permit is being done.
- E. Window replacement requiring no structural modifications and where no other work requiring a building permit is being done.
- F. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
- G. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work where no other work requiring a permit is being done.
- H. Temporary motion picture, television and theater stage sets and scenery.
- I. Prefabricated swimming pools that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
- J. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- K. Swings and other playground equipment.
- L. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
- M. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
- N. Changes of occupancy to an equal or lesser hazard category as denoted in both Table 1012.4 and Table 1012.5 of the 2015 International Existing Building Code where no other work requiring a permit is being done.

Section 7. GRANDFATHER CLAUSE. Parts of structures erected prior to December 15, 1958, which project beyond the street or building line may be maintained as constructed subject to the authority of the governing body.

Section 8. BUILDING PERMIT FEES. Fees for Building Permits will be those stipulated in Appendix L of the International Residential Code of 2009, multiplied by an approximate adjustment factor of 75%. Building permit fees shall be based on the value of the completed construction and installation of a dwelling, and all structures accessory to the dwelling, per the

following schedule, which includes a \$20 minimum permit issuing and inspection fee. Exception 1: The building permit fee for fences and sheds having a floor area of 120 ft<sup>2</sup> or less that require a building permit shall be the \$20 minimum permit issuing and inspection fee. Exception 2: The permit fee is waived for sidewalks that are on the City of Council Grove Sidewalk Program.

VALUE	PERMIT FEE
\$1 to \$500	\$20
\$501 to \$2,000	\$20 for the first \$500; plus \$2 for each additional \$100 or fraction thereof, to and including \$2,000.
\$2,001 to \$40,000	\$50 for the first \$2,000; plus \$8 for each additional \$1,000 or fraction thereof, to and including \$40,000.
\$40,001 to \$100,000	\$354 for the first \$40,000; plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$774 for the first \$100,000; plus \$5 for each additional \$1,000 or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$2,774 for the first \$500,000; plus \$4 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
\$1,000,001 and over	\$4,774 for the first \$1,000,000; plus \$2 for each additional \$1,000 or fraction thereof.

Section 9. VIOLATION PENALTIES. In addition to any remedies set forth in the International Residential Code of 2015, any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100.00 nor more than \$1,000.00 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 10. REPEAL. This ordinance does hereby repeal Chapter IV, Article 3 of Ordinance Number 2223 adopting the codification of ordinances of Council Grove, Kansas, hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 11. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk  
(SEAL)

ORDINANCE NO. 2237

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR BUILDING PERMITS, PROVIDING FOR BUILDING PERMIT FEES, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. PURPOSE. The purpose of this ordinance is to establish standards of public health, safety and welfare for all buildings, within the corporate limits of Council Grove, Kansas and within the Council Grove Lake Park.

Section 2. INTERNATIONAL SWIMMING POOL AND SPA CODE OF 2015 ADOPTED. The International Swimming Pool and Spa Code, edition of 2015 including American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins, approved October 8, 2013, appendix chapters A & B, as published by the International Code Council is hereby incorporated by reference as though fully set out herein save and except the revisions, deletions, insertions, modifications or amendments set forth in Section 3 of this ordinance and may be accompanied by a commentary supplement. Not less than three copies of the International Swimming Pool and Spa Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2237." All sections or portions of the filed copies of the International Building Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 3. REVISIONS. The following sections are hereby revised:

- A. Section 101.1. **Name of Jurisdiction** - Inserted "City of Council Grove".
- B. Section 105.2. **Work Exempt from Permit** – Building permit exemptions not adopted, but are set forth in Section 6.
- C. Section 105.6.2. **Schedule of Permit Fees** – Permit fees are set forth in Section 8.
- D. Section 105.6.3. **Permit Fee Refunds** - Not adopted.
- E. Section 107.4. **Violation Penalties** – Not adopted, but are as set forth in Section 9.
- F. Section 107.5 **Stop Work Orders** -Modified last sentence to: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 9."
- G. Section 108. **Means of Appeal**- Not adopted, but are as set forth in other ordinances.

Section 4. CONSTRUCTION WORK. No person, other than a duly licensed contractor, shall engage in the building construction trade within the limits of the City or the Council Grove

Lake Park. Exception 1: Building construction work that is exempt from a building permit as set forth in Section 6. Exception 2: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 ft<sup>2</sup>. Exception 3: Fences, retaining walls, driveways, sidewalks and non-covered decks. Exception 4: Building construction work in a one- or two-family dwelling used exclusively for living purposes, and all structures accessory to the dwelling, when such person is the owner of record of such dwelling and accessory structures, and when such owner shall personally perform the principal labor in connection therewith, rather than act in a supervisory capacity.

Section 5. BUILDING PERMIT. Any person who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to cause any such work to be done, shall first make application for a Building Permit from the city clerk of the city. A building owner may not secure a permit for a contractor. No permit as required by the city building code shall be issued until the fee prescribed has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the construction has been paid. Failure to take out a permit prior to beginning construction will result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 6. BUILDING PERMIT EXEMPTIONS. Building Permits shall not be required for the following:

- A. 1. Repairs where no major structural repairs are being made to the building or improvement.
- B. 2. Prefabricated swimming pools that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

Section 7. GRANDFATHER CLAUSE. Parts of structures erected prior to December 15, 1958, which project beyond the street or building line may be maintained as constructed subject to the authority of the governing body.

Section 8. BUILDING PERMIT FEES. Fees for Building Permits will be those stipulated in Appendix L of the International Residential Code of 2009, multiplied by an approximate adjustment factor of 75%. Building permit fees shall be based on the value of the completed construction and installation of a building, accessory building or other structure, other than one- and two-family dwellings and all structures accessory to a one- or two-family dwelling, per the following schedule, which includes a \$20 minimum permit issuing and inspection fee. Exception 1: The building permit fee for fences and sheds having a floor area of 120 ft<sup>2</sup> or less and sidewalks that require a building permit, but are not on the City of Council Grove Sidewalk Program, shall be the \$20 minimum permit issuing and inspection fee. Exception 2: The permit fee is waived for sidewalks that are on the City of Council Grove Sidewalk Program.

VALUE	PERMIT FEE
\$1 to \$500	\$20

\$501 to \$2,000	\$20 for the first \$500; plus \$2 for each additional \$100 or fraction thereof, to and including \$2,000.
\$2,001 to \$40,000	\$50 for the first \$2,000; plus \$8 for each additional \$1,000 or fraction thereof, to and including \$40,000.
\$40,001 to \$100,000	\$354 for the first \$40,000; plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 to \$500,000	\$774 for the first \$100,000; plus \$5 for each additional \$1,000 or fraction thereof, to and including \$500,000.
\$500,001 to \$1,000,000	\$2,774 for the first \$500,000; plus \$4 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.
\$1,000,001 and over	\$4,774 for the first \$1,000,000; plus \$2 for each additional \$1,000 or fraction thereof.

Section 9. VIOLATION PENALTIES. In addition to any remedies set forth in the International Swimming Pool and Spa Code of 2015, any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100.00 nor more than \$1,000.00 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 10. REPEAL. This ordinance does hereby repeal Chapter IV, Article 2 and Article 3 of Ordinance No. 2223 adopting the codification of ordinances of Council Grove, Kansas, hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 11. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk

ORDINANCE NO. 2238

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL EXISTING BUILDING CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR BUILDING PERMITS, PROVIDING FOR BUILDING PERMIT FEES, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. PURPOSE. The purpose of this ordinance is to establish standards of public health, safety and welfare for all existing buildings within the corporate limits of Council Grove, Kansas and within the Council Grove Lake Park.

Section 2. INTERNATIONAL EXISTING BUILDING CODE OF 2015 ADOPTED. The International Existing Building Code, edition of 2015, including appendix chapters A, B, and Resource A as published by the International Code Council is hereby incorporated by reference as though fully set out herein save and except the revisions, deletions, insertions, modifications or amendments set forth in Section 3 of this ordinance and may be accompanied by a commentary supplement. Not less than three copies of the International Existing Building Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2238." All sections or portions of the filed copies of the International Existing Building Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 3. REVISIONS. The following sections are hereby revised:

- A. Section 101.1. **Name of Jurisdiction** - Inserted "City of Council Grove".
- B. Section 105.2. **Work Exempt from Permit**- Building permit exemptions not adopted, but are set forth in Section 6.
- C. Section 108.2. **Schedule of Permit Fees** – Permit fees are set forth in Section 7.
- D. Section 112. **Board of Appeals** - Not adopted, but is as set forth in other ordinances.
- E. Section 113.4. **Violation Penalties** – Not adopted, but are as set forth in Section 8.
- F. Section 114.3. **Unlawful Continuance**- Modified to: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 8.
- G. Section 1401.2. **Applicability** - Inserted "December 15, 1958".

Section 4. CONSTRUCTION WORK. No person, other than a duly licensed contractor, shall engage in the building construction trade within the limits of the City or the Council Grove Lake Park. Exception 1: Building construction work that is exempt from a building permit as set forth in Section 6. Exception 2: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet. Exception 3: Fences, retaining walls, driveways, and sidewalks. Exception 4: Building construction work in a single-family dwelling used exclusively for living purposes, including the usual accessory structures in connection with the single-family dwelling, when such person is the owner of record of such dwelling and accessory structures, and when such owner shall personally perform the principal labor in connection therewith, rather than act in a supervisory capacity.

Section 5. BUILDING PERMIT. Any person who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of an existing building or structure, or to cause any such work to be done, shall first make application for a Building Permit from the city clerk of the city. A building owner may not secure a permit for a contractor. No permit as required by the city building code shall be issued until the fee prescribed has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the construction has been paid. Failure to take out a permit prior to beginning construction will



result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 6 BUILDING PERMIT EXEMPTIONS. Building Permits shall not be required for the following:

- A. Lake walls and retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall.
- B. Non-enclosed and non-covered decks not more than 30 inches above adjacent grade at any point, are not over any story or basement below and are not part of a vertical egress route or attached to the structure.
- C. Repairs, it is not necessary to secure a building permit for repairs where no major structural repairs are being made to the building or improvement.
- D. Roofing and siding where no other work requiring a building permit is being done.
- E. Window replacement requiring no structural modifications and where no other work requiring a building permit is being done.
- F. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
- G. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work where no other work requiring a permit is being done.
- H. Temporary motion picture, television and theater stage sets and scenery.
- I. Prefabricated swimming pools that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
- J. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- K. Swings and other playground equipment.
- L. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
- M. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
- N. Changes of occupancy to an equal or lesser hazard category as denoted in both Table 1012.4 and Table 1012.5 of the 2015 International Existing Building Code where no other work requiring a permit is being done.

Section 7. FEES. Fees under this code shall be the same as provided for in the applicable Building Code adopted by the city.

Section 8. VIOLATION PENALTIES. In addition to any remedies set forth in the International Existing Building Code of 2015, any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100.00 nor more than \$1,000.00 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 9. REPEAL. This ordinance does hereby repeal Chapter IV, Article 4 of Ordinance Number 2223 adopting the codification of ordinances of Council Grove, Kansas, hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 10. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_

Nick Jones  
City Clerk

ORDINANCE NO. 2239

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PLUMBING CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR PLUMBING PERMITS, PROVIDING FOR PLUMBING PERMIT FEES, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. PURPOSE. The purpose of this ordinance is to establish standards of public health, safety and welfare for plumbing and plumbing systems in all buildings and their accessory structures, within the corporate limits of Council Grove, Kansas and within the Council Grove Lake Park.

Section 2. INTERNATIONAL PLUMBING CODE OF 2015 ADOPTED. The International Plumbing Code, edition of 2015 including appendix chapters B, C, D & E; as published by the International Code Council is hereby incorporated by reference as though fully set out herein save and except the revisions, deletions, insertions, modifications or amendments set forth in Section 4 of this ordinance and may be accompanied by a commentary supplement. Not less than three copies of the International Plumbing Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2239." All sections or portions of the filed copies of the International Plumbing Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 3. EXCEPTION: Plumbing and plumbing systems in detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with Part VII - Plumbing (Chapters 25 – 33) of the 2015 International Residence Code and Sections 5 - 9 of this Ordinance.

Section 4. REVISIONS. The following sections are hereby revised:

- A. Section 101.1. **Name of Jurisdiction** - Inserted "City of Council Grove".
- B. Section 106.2. **Exempt Work** – Not adopted, but are as set forth in Section 7.
- C. Section 106.6.2. **Fee Schedule** - Permit fees are set forth in Section 8.
- D. Section 106.6.3. **Fee Refund** - Inserted "100%" in two locations.
- E. Section 108.4. **Violation Penalties** - Not adopted, but are as set forth in Section 9.
- F. Section 108.5. **Stop Work Orders** - Modified last sentence to: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 9."
- G. Section 109. **Means of Appeal** - Not adopted, but are as set forth in other ordinances.
- H. Section 305.4.1. **Sewer Depth** - Inserted "12 inches" in two locations.
- I. Section 608.16.1. **Beverage Dispensers** - Modified the standards reference from "ASSE 1022" to "ASSE 1013, AWWA C511, CSA B64.4, CSA B64.4.1".
- J. Section 904.1. **Roof Extension** - Inserted "6 inches".

Section 5. PLUMBING WORK. No person, other than a duly licensed contractor, shall engage in the plumbing trade within the limits of the City or the Council Grove Lake Park. Exception 1: Plumbing work that is exempt from a plumbing permit as set forth in Section 7. Exception 2: Plumbing work in a single-family dwelling used exclusively for living purposes,

including the usual accessory structures in connection with the single-family dwelling, when such person is the owner of record of such dwelling and accessory structures, and when such owner shall personally perform the principal labor in connection therewith, rather than act in a supervisory capacity.

Section 6. PLUMBING PERMIT. Any person who intends to erect, install, enlarge, alter, repair, remove, convert or replace a plumbing system, or to cause any such work to be done, shall first make application for a Plumbing Permit from the city clerk of the city. A building owner may not secure a permit for a contractor. No permit as required by the city plumbing code shall be issued until the fee prescribed has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the plumbing work has been paid. Failure to take out a permit prior to beginning the plumbing work will result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 7. PLUMBING PERMIT EXEMPTIONS. Plumbing Permits shall not be required for the following:

- A. The clearing of stoppages or the repairing of leaks in fixtures, valves and water, soil, waste or vent pipes, provided such clearing or repairing does not involve or require the replacement or rearrangement of normally concealed pipes or tubing.
- B. The removal and reinstallation or rearrangement of fixtures provided such removal, reinstallation or rearrangement does not involve or require the replacement or rearrangement of normally concealed pipes or tubing.

Section 8. PLUMBING PERMIT FEES. Plumbing permit fees shall include a \$20 minimum permit-issuing and inspection fee plus the following fees.

A. <u>UNIT FEE SCHEDULE</u>	FEE
1. For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection) . . . . .	\$ 7
2. For each building sewer and each trailer park sewer. . . . .	\$ 15
3. Rainwater systems – per drain (inside building). . . . .	\$ 7
4. For each cesspool (where permitted). . . . .	\$ 25
5. For each private sewage disposal system. . . . .	\$ 40
6. For each water heater and/or vent. . . . .	\$ 7
7. For each gas piping system:	
• 1 to 5 outlets. . . . .	\$ 5
• Over 5 outlets, each. . . . .	\$ 1
8. For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps . . . . .	\$ 7
9. For each installation, alteration or repair of water, sewer or septic piping and/or water treating equipment. . . . .	\$ 7
10. For repair or alteration of drainage or vent piping, each fixture. . . . .	\$ 7
11. For each lawn sprinkler system on any one meter including the backflow protection device. . . . .	\$ 7
12. For atmospheric-type vacuum breakers not included in item 12:	
• 1 to 5. . . . .	\$ 5
• Over 5, each. . . . .	\$ 1

13. For each backflow protective device other than atmospheric type vacuum breakers:	
• 2 inch diameter and smaller. ....	\$ 7
• Over 2 inch diameter. ....	\$ 15
14. For each graywater system. ....	\$ 40
15. For initial installation and testing for a reclaimed water system. ....	\$ 30
16. For each annual cross-connection testing of a reclaimed water system. ....	\$ 30
<b>II. <u>OTHER INSPECTIONS AND FEES</u></b>	
1. Inspections outside of normal business hours, per hour (minimum charge – two hours). ....	\$ 30
2. Inspections for which no fee is specifically indicated, per hour (minimum charge – one-half hour). ....	\$ 30
3. Additional plan review required by changes, additions or revisions to approved plans, per hour (minimum charge – one-half hour). ....	\$ 30

Section 9. VIOLATION PENALTIES. In addition to any remedies set forth in the International Plumbing Code of 2015, any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100 nor more than \$1,000 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 10. REPEAL. This ordinance does hereby repeal Chapter IV, Article 5 of Ordinance Number 2223 adopting the codification of ordinances of Council Grove, Kansas hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 11. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk  
(SEAL)

ORDINANCE NO. 2240

AN ORDINANCE ADOPTING THE 2014 NATIONAL ELECTRICAL CODE, EXCEPT AS NOTED HEREIN, PROVIDING FOR ELECTRICAL PERMITS, PROVIDING FOR ELECTRICAL PERMIT FEES, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ANY AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE, IN THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS, AND WITHIN THE COUNCIL GROVE LAKE PARK.

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

Section 1. PURPOSE. The purpose of this ordinance is to establish standards of public health, safety and welfare for electrical circuits and electrical systems in all buildings and their accessory structures, within the corporate limits of Council Grove, Kansas and within the Council Grove Lake Park.

Section 2. NATIONAL ELECTRICAL CODE OF 2014 ADOPTED. The 2014 National Electric Code (NEC), NFPA-70, published by the National Fire Protection Association is hereby incorporated by reference as though fully set out herein. Not less than three copies of the National Electric Code shall be kept on file in the Office of the City Clerk for inspection by and use of the public at all reasonable business hours. The filed copies shall be marked or stamped "Official copy as Incorporated by the Code of the City of Council Grove, Kansas, Ordinance No. 2240." All sections or portions of the filed copies of the National Electric Code shall be clearly marked to show revisions, deletions, insertions, modifications or amendments thereto.

Section 3. ELECTRICAL WORK. No person, other than a duly licensed contractor, shall engage in the electrical trade within the limits of the City or the Council Grove Lake Park. Exception 1: Electrical work that is exempt from an electrical permit as set forth in Section 5. Exception 2: Electrical work in a single-family dwelling used exclusively for living purposes, including the usual accessory structures in connection with the single-family dwelling, when such person is the owner of record of such dwelling and accessory structures, and when such owner shall personally perform the principal labor in connection therewith, rather than act in a supervisory capacity.

Section 4. ELECTRICAL PERMIT. Any person who intends to erect, install, enlarge, alter, repair, remove, convert or replace an electrical circuit or electrical system, or to cause any such work to be done, shall first make application for an Electrical Permit from the city clerk of the city. A building owner may not secure a permit for a contractor. No permit as required by the city electric code shall be issued until the fee prescribed has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the electrical work has been paid. Failure to take out a permit prior to beginning the electrical work will result in a doubling of the permit fee. Every permit issued by the administrative authority under the provisions of this ordinance shall expire by limitation and become null and void if the work authorized by such permit is not inspected within 180 days from date of issuance to extend permit life. If a permit becomes null and void, a new permit will be required as well as all fees. No new permits of any type will be issued if there are outstanding or expired permits existing.

Section 5. STOP WORK ORDERS. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set forth in Section 8.

Section 6. ELECTRICAL PERMIT EXEMPTIONS. Electrical Permits shall not be required for the following: The installation and removal of listed cord-and-plug connected temporary decorative lighting.

- A. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
- B. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 50 volts.
- C. Minor repair and maintenance work, including the replacement of lamps, switches and receptacles where no installation or removal of electrical wiring is involved.
- D. The connection of approved portable electrical equipment to approved permanently installed receptacles.
- E. The installation of electrical equipment used for radio and television transmissions, except for the installation of towers and antennas.
- F. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Section 7. ELECTRICAL PERMIT FEES. Electrical permit fees shall include a \$20 minimum permit-issuing and inspection fee plus the following system fees and/or unit fees.

<b><u>I. SYSTEM FEE SCHEDULE</u></b>	<b><u>FEE</u></b>
A. <u>New Residential Buildings</u> - The following fees include all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time.	
1. New single- and two-family residential buildings not including the area of garages, carports and other minor accessory buildings constructed at the same time, per square foot. . . . .	\$ 0.046
2. New multifamily residential buildings (apartments and condominiums) having three or more living units not including the area of garages, carports and other noncommercial automobile storage areas constructed at the same time, per square foot. . . . .	\$ 0.04
NOTE: Use the UNIT FEE SCHEDULE. for other types of residential occupancies and alterations, additions and modifications to existing residential buildings	
B. <u>Private Swimming Pools</u>	

New private, residential, in-ground, swimming pools for single-family and multi-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each. . . . . \$ 40.00

NOTE: Use the UNIT FEE SCHEDULE for other types of swimming pools, therapeutic whirlpools, spas and alterations to existing swimming pools.

C. Carnivals and Circuses or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions.

- 1. Electric generators and electrically driven rides, each. . . . . \$ 20.00
- 2. Mechanically driven rides and walk-through attractions or displays having electric lighting, each. . . . . \$ 6.00
- 3. A system of area and booth lighting, each. . . . . \$ 6.00

NOTE: Use the UNIT FEE SCHEDULE. for permanently installed rides, booths, displays and attractions.

D. Temporary Power Service

- 1. A temporary service power pole or pedestal including all pole or pedestal mounted receptacle outlets and appurtenances, each. . . . . \$ 20.00
- 2. A temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative light, Christmas tree sales lots, firework stands, etc., each. . . . . \$ 10.00

**II. UNIT FEE SCHEDULE**

**FEE**

A. Receptacle, Switch and Lighting Outlets

Receptacle, switch, lighting or other outlets at which current is used or controlled, except services, feeders and meters.

- First 20, each. . . . . \$ 1.00
- Additional outlets, each. . . . . \$ 0.60

NOTE: Each 5 feet or fraction thereof of multioutlet assemblies are considered as one outlet.

B. Lighting Fixtures

- 1. Lighting fixtures, sockets or other lamp-holding devices. \$ 1.00



<ul style="list-style-type: none"> <li>• First 20, each. . . . . \$ 0.60</li> <li>• Additional lighting fixtures, each. . . . .</li> </ul>	
2. Pole or platform-mounted lighting fixtures, each. . . . .	\$ 1.00
3. Theatrical-type lighting fixtures or assemblies, each. . . . .	\$ 1.00
<b>C. <u>Residential Appliances</u></b>	
1. Appliances, or receptacle outlets for same, including electric ranges; wall-mounted electric ovens and counter-mounted cooking tops, each.	\$ 4.00
2. Self-contained room, console, or through-wall air conditioners; water heaters and space heaters, each . . . . .	\$ 4.00
3. Food waste grinders; dishwashers; washing machines; clothes dryers; or other motor-operated appliances not exceeding one horsepower (HP) in rating, each. . . . .	\$ 4.00
NOTE: See Power Apparatus for other types of air conditioners and other motor-driven appliances having larger electrical ratings.	
<b>D. <u>Nonresidential Appliances</u></b>	
Nonresidential appliances, or receptacle outlets for same, not exceeding one horsepower (HP), one kilowatt (KW), or one kilovolt-ampere (KVA), in rating, including medical and dental devices; food, beverage and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each. . . . .	
	\$ 4.00
NOTE: See Power Apparatus for other types of air conditioners and other motor-driven appliances having larger electrical ratings.	
<b>E. <u>Services</u></b>	
1. Services of 600 volts or less and not over 200 amperes in rating, each.	\$ 25.00
2. Services of 600 volts or less and over 200 amperes to 1000 amperes in rating, each. . . . .	\$ 50.00
3. Services over 600 volts or over 1000 amperes in rating, each. . . . .	\$ 100.00
<b>F. <u>Power Apparatus</u></b>	
Motors, generators, transformers, rectifiers, synchronous converters,	\$4.00
capacitors, industrial heating, air conditioners and heat pumps, cooking	\$ 10.00
or baking equipment and other apparatus rated in horsepower (HP),	\$20.00
	\$ 40.00

kilowatts (KW), kilovolt-amperes (KVA) or kilovolt-amperes-reactive (KVAR): \$ 60.00

- Up to and including 1 HP, KW, KVA or KVAR, each. . . . .
- Over 1, but not over 10 HP, KW, KVA or KVAR, each. . . . .
- Over 10, but not over 50 HP, KW, KVA or KVAR, each. . . . .
- Over 50, but not over 100 HP, KW, KVA or KVAR, each. . . . .
- Over 100 HP, KW, KVA or KVAR, each. . . . .

NOTE 1: For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined rating should be used.

NOTE 2: Fees include all switches, circuit breakers, contactors, thermostats, relays and other directly related control equipment.

G. Busways

Trolley and plug-in-type busways, each 100 feet or fraction thereof. . . . . \$ 6.00

NOTE: Additional fee required for lighting fixtures, motors, and other appliances that are connected to trolley and plug-in-type busways.

H. Signs, Outline Lighting and Marquees

1. Signs, outline lighting and marquees supplied from one branch circuit, each. . . . . \$20.00
2. Additional branch circuits within the same sign, outline lighting system or marquee, each. . . . . \$ 4.00

I. Miscellaneous Apparatus, Conduits and Conductors

1. Electrical wiring for Advanced Wastewater Treatment Systems (ATUs). . . . . \$ 15.00
2. Electrical apparatus, conduits and conductors for which a permit is required, but for which no fee is herein set forth. . . . . \$ 15.00

NOTE: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs, etc.

J. <u>Other Inspections and Fees</u>	
1. Inspections outside of normal business hours, per hour (minimum charge – two hours). . . . .	\$ 40.00
2. Inspections for which no fee is specifically indicated, per hour (minimum charge – one-half hour). . . . .	\$ 40.00
3. Additional plan review required by changes, additions or revisions to approved plans, per hour (minimum charge – one-half hour). . . . .	\$ 40.00
.	\$ 40.00

Section 8. VIOLATIONS AND PENALTIES. In addition to any remedies set forth in the National Electrical Code of 2014, any person violating any provision of this ordinance shall be deemed guilty of a code violation and, upon conviction thereof, shall be punishable by a fine of not less than \$100 nor more than \$1,000 and up to one year in jail. Each separate day or any portion thereof, during which any violation of this article occurs or continues, shall be deemed to constitute a separate offense.

Section 9. REPEAL. This ordinance does hereby repeal Chapter IV, Article 6 of Ordinance Number 2223 adopting the codification of ordinances of Council Grove, Kansas, hereafter referred to as the City Code 2019, and any other ordinances in conflict with this ordinance.

Section 10. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Daily Republican, the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 19 day of May, 2020.

\_\_\_\_\_  
Debi Schwerdtfeger, Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk