

ORDINANCE NO. 4424

AN ORDINANCE ESTABLISHING A COMPREHENSIVE SET OF CODES AND STANDARDS TO THE CODE OF ORDINANCES FOR THE CITY OF LIBERAL, KANSAS, FOR BUILDING AND BUILDING REGULATIONS, CODE ENFORCEMENT REGULATIONS; BY INCORPORATING BY REFERENCE TO THE LIBERAL MUNICIPAL CITY CODE; THE INTERNATIONAL BUILDING CODE 2009 EDITION, INCLUDING THE GENERIC FIRE-RESISTIVE ASSEMBLIES LISTED IN THE FIRE RESISTANCE DESIGN MANUAL, 20TH EDITION DATED JUNE 2012, PUBLISHED BY THE GYPSUM ASSOCIATION; THE INTERNATIONAL RESIDENTIAL CODE 2009 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE 2009 EDITION; THE INTERNATIONAL PLUMBING CODE 2009 EDITION, INCLUDING APPENDIX CHAPTERS, B,C,D,E,F & G, AND REPEALING ORDINANCE NO. 4382; THE INTERNATIONAL MECHANICAL CODE 2009 EDITION, INCLUDING CHAPTERS A & B, AND REPEALING ORDINANCE 4383; THE INTERNATIONAL FUEL GAS CODE 2009 EDITION, INCLUDING CHAPTERS, A,B,C & D, AND REPEALING ORDINANCE NO. 4384; THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2009 EDITION; THE INTERNATIONAL SWIMMING POOL AND SPA CODE 2012 EDITION; THE ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES 2009 EDITION; THE NFPA NATIONAL ELECTRICAL CODE 2008 EDITION WITH THE ICC ELECTRICAL CODE-ADMINISTRATIVE PROVISIONS, 2009 EDITION, WITH CERTAIN OMISSIONS, ADDITIONS OR CHANGES WITHIN THESE CODES AND STANDARDS SET.

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

PURPOSE AND INTENT: The purpose and intent of this code of regulations is to establish a comprehensive set of codes and standards, designed to be compatible with, and reference one another, which will provide better building construction and greater safety to the public through a nationally recognized set of regulations.

UNLAWFUL TO INTERFERE: It shall be a violation of this chapter for any person to hinder or interfere with the building official/code official or his or her designee in the discharge of their duties under the provisions of this ordinance.

ARTICLE 1. GENERAL PROVISIONS

SECTION 1. GEOGRAPHIC LOCATION. This entire Chapter pertains to the corporate city limits and 3 mile extraterritorial area as incorporated herein and shall be known as the City of Liberal.

SECTION 2. TEMPORARY REVOCATION OF BUILDING PERMIT. The Building Inspector and assistant building inspector shall have the authority to temporarily revoke any Building Permit upon finding that construction is not being done according to the City adopted Building Code, Life Safety Code, or any of the applicable federal, state or local codes by issuing a cease and desist order to the contractor, subcontractor, or person doing the construction. Any person receiving a cease and desist order shall have the right to an immediate hearing in Municipal Court on the next business day to determine whether the Building Permit should be temporarily or permanently revoked. It shall be unlawful for anyone to violate a cease and desist order issued by the Building Inspector and/or Assistant Building Inspector.

SECTION 3. MODIFICATION, ALTERATION, OR REPAIR OF EXISTING STRUCTURES. (a) Any modification, alteration, or repair of any existing structure which affects the exterior finished appearance of said structure shall be completed within one hundred eighty (180) days of commencement of said modification, alteration, or repair. Any permittee or structure owner holding a valid unexpired building permit for said modification, alteration, or repair work may apply for an extension of said ninety (90) day period if completion is impossible within said period for good and satisfactory reasons. The building official may extend the time for action for a period not exceeding ninety (90) days on written request of the permittee or structure owner showing that circumstances beyond the control of the permittee or structure owner have prevented action from being taken. No such extension of time shall occur more than once.

(b) It shall be unlawful for any person, firm, corporation, or other entity to fail to comply with the requirements of Section 3 (a) above, the penalty for which shall be a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00). (2004; Ord. 4298)

SECTION 4. BUILDING SITES:

- a) **Definition.** A building site is any area where building is in process for a period of or exceeding seven calendar days. This includes but is not limited to the erection of structures, building or parking lots and the preparation of land for building or for an alternate use.
- b) **Toilets Required.** At each building site where three or more people will be employed at any given time, a temporary or portable toilet shall be erected and shall remain until completion of the project.
- c) **Address required.** At each building site, an address shall be posted on a stake at the front of the lot before any temporary services are installed. No exception, inspections will be cancelled if no address is not marked properly on site, and a re-inspection will be required.

SECTION 5. BUILDING PERMIT FEES. The fees as required for all contractors defined herein shall be in accordance to the specific tables in C-604.

SECTION 6. BUILDING LICENSE REQUIRED. For starting or commencing of any work for which a permit is required by ICC Codes or by the City Municipal Codes without first securing such a permit and payment of the fees, there shall be assessed a \$100.00 fine against the primary contractor described per C-601.

SECTION 7. LICENSE REQUIRED. It shall be unlawful for any person, firm, company, association or corporation to enter into a contract or agreement with another so as to bring himself, herself or itself under the definition of building contractor herein, or to perform any work as a building contractor, without first having obtained a building contractor's license and all required for that license. Any such contract or arrangement shall be voidable at the option of the person who is having the work done, and the person, entity and anyone aiding, abetting, or conspiring with the unlicensed building contractor, shall be subject to a (\$500.00 nor more than \$1000.00) fine for a first offense and a (\$1000.00 nor more than \$1500.00) fine for each subsequent offense..

SECTION 8. DEFINITIONS.

A. BUILDING CONTRACTOR DEFINED.

- (a) A building contractor for purposes of this article shall be:
 - (1) Any person, who undertakes, with or for another, for any compensation, to build, construct, alter, repair, add to any building or structure (or for any portion thereof), or any sidewalk, driveway entrance or structure in any street, or any advertising sign, panel poster

or billboard, or any other structure in the city for which a building or construction permit is required; or

(2) Any person who advertises or represents himself, herself to the public to have the capacity or ability to undertake or submit a bid or offer to build, construct, alter, repair, add to, restore or replace any building, structure, or construction work, any portion thereof; or

(3) Any person who builds, constructs, alters, adds to any buildings or structures either on his or her own, or other property for purposes of sale or speculation, or

(4) Any person, who is a part owner of an entity and the entity has a written contract to build, construct, alter, repair, add to, restore or replace any building, structure, or any portion thereof.

(b) Building contractor shall not mean or include:

(1) Any licensed subcontractor working under the supervision of a general contractor; or

(2) Any plumbers, gas fitters, electricians, or other specialized occupant for which special licenses or bonds are required by other laws of the city; or

(3) Any owner making ordinary repairs to any building or structure not involving the structural parts of the building; or

(4) Any building contractor employee under the direct on-site daily supervision of a licensed building contractor.

B. BUILDING TRADES AND CONTRACTORS.

(a) A building contractor for purposes of this article shall be:

1. Class A-AGC- General Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the construction, repair, alteration, remodeling, addition to, subtraction from, improvement, and demolition of any building or structure including improvement, and demolition of any building or structure including improvement, and demolition of any building or structure including related improvements to real estate excluding electrical, mechanical, plumbing, and natural or liquefied petroleum gas work related thereto.

2. Class B-BCG- General Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the construction, repair, alteration, remodeling, addition to, subtraction from, improvement, and demolition of commercial buildings, single- and multiple-unit residential dwellings, and accessory-use structures, all of which shall not exceed three stories in height. Does not include any electrical, mechanical, plumbing, or natural or liquefied petroleum gas work.

3. Class C-CGC-General Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the construction, repair, alteration, remodeling, addition to, subtraction from, improvement, and demolition, and improvement of single or multiple residential dwelling units as defined by the residential building code. Does not include any electrical, mechanical, plumbing, or natural or liquefied petroleum gas work.

4. Class-MC-Mechanical Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the design, installation, maintenance, repair, alteration, and extension of air conditioning, refrigeration, warm air heating, low and high pressure boilers, ventilation systems, duct systems, unfired pressure vessels, fuel transmission lines, and related appurtenances.

5. Class-EC-Electrical Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the design, plan, installation, repair, alteration, and maintenance of electrical conductors, raceways, and equipment for light, heat, and power.

6. Class-PGC-Plumbing with Gas Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the installation, repair, maintenance, and extension of any plumbing system, including drains, waste, sanitary vents, water supply, fixtures, indirect wastes and natural or petroleum gas systems, installation, repair, and maintenance of gas piping systems, including gas piping, appliances, vents, flues, tanks, and other related appurtenances.

7. Class-RC-Roofing Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the installation, repair, and replacement of roof coverings, including roof deck insulation, roof coating, painting, covering, use of sheet metal products incidental to roofing work or other related material, and installation of nonstructural decking and siding.

8. Class-SIC-Sign Installation Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the installation, repair, and modification of non-electric signs.

9. Class-CC-Carpentry Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake light and heavy carpentry, rough framing (non-load bearing), sheathing, metal framing, paneling, trim, cabinetry, doors, windows (replacement only), stairs, and incidental hardware. Formerly limited contractor.

10. Class-CRTC-Concrete Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake concrete work, including formwork, placement of steel reinforcement, batching, mixing, delivery, placing, finishing, and curing which shall include, sidewalks, driveways and non-bearing slab work. Concrete porches shall not be included in class of contractor. Formerly limited contractor.

11. Class-MC-Masonry Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the selection, cutting, and laying of brick, stone, and masonry products. This includes structural glass brick or block, insulated concrete units, and the placement of reinforcing steel, including concrete forming and placing incorporated into the masonry work.

12. Class-SSEC-Structural Steel Erection Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the erection of structural steel shapes and plates, including such minor field fabrication as may be necessary, of any profile, perimeter, or cross-section, that are or may be used as structural members for buildings and structures, including related metal decking, siding, joists, riveting, welding, and rigging.

13. Class-USPC-Unlimited Swimming Pool Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the

public the capacity or ability to undertake the construction, service, and repair of all types and kinds of residential and commercial swimming pools. This includes excavation and grading, construction, appurtenances, and installation of all equipment. This does not include direct connections to a sanitary sewer system or to potable water lines, nor the grounding and bonding of metal surfaces, nor the making of any electrical connections.

14. Class-DPC-Drywall and Plaster Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the installation of gypsum drywall products to wood and metal studs, wood and steel joists, and metal runners, including and preparation of the surface over which the products are to be applied, and the placement of metal studs, runners, and all necessary trim that do not constitute load bearing walls or partitions.

15. Class-FSPSC-Fire Sprinkler & Protection Services Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the design, plan, installation, repair, alteration, and maintenance of Fire Sprinkler and Protection Services.

16. Class-WCC-Water Conditioning Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the installation, servicing or repairing water conditioning equipment. Water conditioning equipment means any water conditioning device to include filters, softeners, hypochlorinators, aerators, chemical feeders, associated equipment and the like used in connection with the conditioning of water.

17. Class-HC-Homeowner. Homeowner license entitles only such person to do repair and minor remodeling to include plumbing, heating and air conditioning and electrical when accomplished under permit and properly inspected. The holder of a homeowner license may do this work only on property of which such person is the registered owner and resides in that residence as his main residence.

18. Class-RC-Remodeling Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the, residential building remodeling, including non-load bearing framing, simple trusses, sheathing, paneling, trim, cabinetry, doors, re-placement windows, and stairs. Does not include electrical, plumbing, gas, or mechanical installation or repair.

19. Class-SOC-Specialized Other Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake one of the following specialties: the installation or repair of fences, windows and doors, siding and guttering or any other specialized work that does not meet a specified classification or description defined herein at the determination of the building official.

20. Class-BTC-Backflow Test Contractor. Undertakes with or for another, for a fixed sum price, fee or any compensation other than wages, advertises, or represents to the public the capacity or ability to undertake the, testing, servicing or repairing of backflow prevention devices.

ARTICLE 2. INTERNATIONAL BUILDING CODE 2009 EDITION

SECTION 1. International Building Code Adopted, Incorporated by Reference. There is hereby incorporated by reference the International Building Code, 2009 Edition, prepared and published by the International Code Council as the Building Code of the City of Liberal, Kansas for the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all building or structures in the City of Liberal providing for the issuance of permits and collection of fees therefore' and each and all of the regulations, provisions, conditions and terms of such "International Building Code" 2009 Edition, published by the International Code Council , all of which are on file in the office of the city clerk, Liberal Kansas, are hereby referred to, adopted and made a part hereof as if fully set out in this code. There shall be a copy of the International Building Code, 2009 Edition on file in the office of the City Clerk of the City of Liberal.

SECTION 2. (a) Section 1 above shall be designated in the Code of the City of Liberal, Kansas as Section 6-201, and the International Building Code 2009 Edition, currently adopted by the City of Liberal and Ordinance No. 3848 shall be repealed.

(b) Amendment to Section 101.1 Title of the International Building Code 2009 Edition. [Section 101.1 Title shall be amended as follows: These regulations shall be known as the Building Code of the City of Liberal, hereinafter referred to as "this code."

SECTION 3. AMENDMENTS. The following sections of the International Building Code adopted and incorporated by reference in this article are hereby amended or deleted as follows:

(a) Section 101.4.6 Energy shall be deleted.

(b) Section 105.1.1 Annual & 105.1.2 Annual permit records shall be deleted.

(c) Section 105.2 Work exempt from permit. Subsections, 1, 2, 6, 8, 10 & 12 shall be deleted.

(d) Section 109.2 Schedule of permit fees. "Fee Schedules" shall be shown in Exhibit C-606 in the City Municipal Code as established annually in the budget resolution.

(e) Section 13 Board of Appeals shall be deleted and is hereby replaced by the Building Safety Board of Appeals as established by Ordinance No. 4423.

(f) Section 312.1 of the Uniform Building Code shall be amended to read as follows:

Section 312.1 General Building Height and Area Limitations. General, buildings or parts of buildings classed in Group U, Division 1, because of the use or character of the occupancy shall not exceed 1,000 square feet in area or exceed the height of the principal dwelling unit. All private garages, sheds or storage buildings shall be classed as Group U, Division 1 and shall be constructed of the same materials as the main structure.

EXCEPTION: In the use of a pre-engineered wood frame structure with metal exterior covering the following shall apply:

1. With a minimum of 12-inch overhangs on the roofs with enclosed soffits.

2. Residential type doors and windows.

3. A wainscot around the perimeter of the entire building to break-up the appearance of the continuous vertical siding, using a complementing color.

4. The exterior wall coverings and roof to match the color of the main residential structure upon the lot that the accessory building is located.

5. Gutters and down spouts provided.

(g) ROOFING MATERIALS. Table 1507.4.3(1), Metal Roof Coverings of the International Building Code is amended by deleting the following language: The installation of metal roof panels shall comply with the provisions of this section except the use of exposed corrugated Galvanized Steel as a roof covering material for any residential or utility structure or utility building is prohibited.

(h) Section 1612.3 Establishment of flood hazard areas. Section 1612.3 shall be amended to include the following additional language: To establish flood hazard areas, the

governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Liberal," dated September 25, 2009 as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

(i) Section 3410.2 Applicability. Section 3410.2 shall be amended to include the following language: Structures existing prior to the adoption of this ordinance, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to building with occupancies in Group H or I.

(j) Section 1501.1.1 Reroofing-Built up roofs, shall be amended to include the following language: Generally built up roof covering shall be completely removed before applying the new roof covering. Exception: the building official may allow existing roof coverings to remain when inspection or other evidence reveals the following:

1. That the roof structure is sufficient to sustain the weight of the additional dead load of the roof covering.
2. The existing roof covering is securely attached to the deck.
3. The roof deck is structurally sound.
4. The existing insulation is not water soaked.

SECTION 5. LICENSE SUSPENSION; REVOCATION. (a) The license of any building contractor may be suspended temporarily, for a period of not to exceed 30 days at any one time, upon a complaint of the building inspector. Notice shall be given in writing to such building contractor informing him or her of a time for hearing before Municipal Court on the complaint or matter alleged against such building contractor involving any one or more of the following:

- (1) Misrepresentation of a material fact by applicant in obtaining a license;
 - (2) Failure or neglect to observe conditions of permit authorizing encumbering of streets or sidewalks for safety of public;
 - (3) Performance of any building or construction work without permit where one is required by the laws of the city; and
 - (4) Willful disregard of any violation of the building and construction laws of the city, or failure to comply with any lawful order of the city building inspector;
- (b) If any license shall be revoked, the contractor shall not be eligible for a new license during a period of one year thereafter. No fee shall be refunded in event of the suspension or revocation of any contractor's license.
- (c) It shall be unlawful to engage in the occupation or trade of contractor during the time any license of such contractor has been suspended or revoked.

SECTION 6. SEVERABILITY. If any section of the International Building Code shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separate and apart from the remaining provisions of the International Building Code, the section to be completely severable from the remaining provisions which shall continue in full force and effect.

ARTICLE 3. INTERNATIONAL RESIDENTIAL CODE 2009 EDITION

SECTION 1: International Residential Code Adopted, Incorporated by Reference. There is hereby incorporated by reference by the city for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories on height with separate means of egress as herein provided buildings, including the issuance of permits and fees providing a penalty for violation thereof, the International Residential Code, 2009 Edition, as published by the International Code Council, and the whole, including Appendix Chapters A, B, C, D, E, F, G, J, K, L save and except such portions as are hereinafter deleted, omitted, added, modified or amended, to be known as the Residential Building Code of the City of Liberal, Kansas. There shall be a copy of the International Residential Code, 2009 Edition on file in the office of the City Clerk of the City of Liberal.

SECTION 2. The following sections of the Residential Building Code adopted and incorporated by reference in this article are hereby amended or deleted as follows:

(a) R101.1 Title is amended to include the following language: These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Liberal, and shall be cited as such and will be referred to herein as “this code.”

(b) R105.2 Work exempt from permit. Building Subsections; 1, 2,5,10 shall be deleted.

(c) R301.2 (1) shall be amended to include the following language:

| CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA | | | | | | | | | | | |
|---|------------------|-------------------------|------------------------|------------------|---------|-------|--------------------|----------------------------------|---------------|--------------------|------------------|
| Ground Snow Load | Wind Speed (mph) | Seismic Design Category | Subject To Damage From | | | | Winter Design Temp | Ice Shield Underlayment Required | Flood Hazards | Air Freezing Index | Mean Annual Temp |
| | | | Weathering | Frost Line Depth | Termite | Decay | | | | | |
| 15 | 90 | A | Severe | 32" | M-H | N-S | 5 | No | 9/25/2009 | 500-1000 | 55 |

(d) Section R404.1 is hereby amended to read as follows except that subsections 404.1.1 through 404.1.8 remain unchanged unless specifically amended elsewhere in this code: R404.1 Concrete and masonry foundation walls. Concrete and masonry foundation walls shall be selected and constructed in accordance with the provisions of Section R404 or in accordance with ACI 318, ACI 332, NCMATR68–A or ACI 530/ASCE 5/TMS 402 or other approved structural standards. When ACI 318, ACI 332 or ACI 530/ASCE 5/TMS 402 or the provisions of Section R404 are used to design concrete or masonry foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority.

(e) R112 Board of Appeals shall be deleted and is hereby replaced by the Building Safety Board of Appeals as established by Ordinance No. 4423.

(f) P2603.6.1 Sewer Depth is hereby deleted.

(g) P2905.4 Water service pipe is amended to read as follows: Section P2905 Water service pipe. Water service lines shall be of copper, galvanized steel schedule 40 PVC water pipe or PEX minimum service size ¾ inch, manufactured to recognized standards for potable water. When copper is used, all line installed underground and extended two (2) feet through the foundation shall be type K copper. When schedule 40 PVC is used, it shall be attached to type K copper two feet before entering the foundation, and shall extend two feet inside the foundation.

(h) Section P2905 is amended to read as follows: Section P2905.5 Water distribution pipe. Interior building water supply lines shall be of type L copper, galvanized steel, CPVC, PEX tubing or other materials approved by the Administrative Authority. Type M copper shall be prohibited.

(i) Section P300202 is amended to read as follows: P3002.2 Building Sewer Pipe. The building sewer, beginning two (2) feet from any building or structure, shall be of such materials as may be approved by the Administrative Authority. Plastic sewer lines shall be a minimum of a full four (4) inches ISD and shall be schedule 40 approved.

(k) Section P3103.1 Roof extensions is amended by adding the following language: All open vent pipes which extend through a roof shall be terminated at least six (6) inches above the roof or four (4) inches above the anticipated snow accumulation, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least seven (7) feet (2134 mm) above the roof.

(l) Section G2413.1 General Considerations is hereby amended by adding the following language: Underground gas lines to the main structure shall be a minimum of 1 ¼ inch pipe from meter to the point at which ground is broken. Above ground gas lines shall be properly insulated from underground lines by an insulated union. A minimum ¾ inch gas line shall be required to the first outlet. Branch piping shall be sized in accordance with the appropriate tables of chapter 2413. When it has been determined maximum gas requirements do not warrant the size of underground piping stipulated, and that further need will never occur, as in the case of a multifamily apartment, the Administrative Authority shall have the authority to authorize the reduction of pipe size to one inch.

(m) Section G2414.5 Metallic tubing is hereby deleted.

(n) Section G2414.5.2 Copper tubing is hereby deleted.

(o) Section G2415.10 Minimum burial depth is hereby amended by adding the following language: Underground piping systems shall be installed a minimum depth of 24 inches below grade. Dielectric unions shall be used prior to entering a structure.

(p) Section G2415.10.1 Individual outside appliances is hereby deleted.

(q) Section G2415.11 Trenches is hereby amended by adding the following language: The trench for the service line shall contain no other lines. A multiple dwelling shall require one service line for each unit, and no service line shall be extended from on building to another, nor from one part of a building to another.

(r) Section G2417.4 Test pressure measurement is hereby amended by adding the following language: This inspection shall be made after all gas piping authorized by the permit has been installed and before any such piping has been covered or concealed, or any fixture or appliance has been attached thereto. This inspection shall require that the lines be pressurized with a pressure of 12 inches of mercury or 20 pounds of air, 30 pounds of air if CSST is used, and the same shall have stood for at least 15 minutes with no noticeable loss in pressure prior to the inspection. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches (356 mm) water column pressure, the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa) and shall be continued for a length of time satisfactory to the Administrative Authority, but in no case for less than thirty (30) minutes. A tag denoting the pressure at which the system was pressurized to shall be left adjacent to the gauge. All necessary apparatus for conducting tests shall be furnished by the permit holder.

(s) Sections G2417.4.1 Test pressure is hereby deleted.

(t) Section G2417.4.2 Test duration is hereby deleted.

(u) Section E3902.11 Arc-Fault Circuit-Interrupter Protection is hereby amended to read as follows: All branch circuits that supply 120-volt, single-phase, 15 and 20-ampere outlets installed in bedrooms and shall be protected by a combination type arc-fault circuit interrupter installed to provide protection of the branch circuit.

(v) Section 6-317 of the Residential Code, Liberal Municipal Code, shall be amended to read as follows:

General Building Height and Area Limitations. Private Utility Structures. Buildings or parts of buildings classed in Group U, and located within the city limits and 3 mile extraterritorial area, because of the use or character of the occupancy shall not exceed 1,000 square feet in area or exceed the height of the principal dwelling unit. All private garages, sheds or storage buildings shall be classed as Group U, and shall be constructed of the same materials as the main structure.

EXCEPTION: In the use of a pre-engineered wood, or metal frame structure with metal exterior covering and also, as built utility buildings the following shall apply:

1. With a minimum of 12-inch overhangs on the roofs with enclosed soffits.
2. Residential type doors and windows.
3. A wainscot around the perimeter of the entire building to break-up the appearance of the continuous vertical siding, using a complementing color.
4. The exterior wall coverings and roof to match the color of the main residential structure upon the lot that the accessory building is located.
5. Gutters and down spouts provided.

(w) ROOFING MATERIALS. Table 1507.4.3(1), Metal Roof Coverings of the International Building Code is amended to by removing the following language: The installation of metal roof panels shall comply with the provisions of this section except the use of exposed corrugated Galvanized Steel as a roof covering material for any residential or utility structure or utility building is prohibited.

SECTION 3. SAME; EXEMPTION FROM LICENSURE. Licenses shall not be required for the following:

(a) Public utility companies and their employees when engaged in the installation, operation or maintenance of equipment which will be used for the production, generation, transmission or distribution of the product or service from the source of the product or service through the facilities owned or operated by the utility company to the point of customer service, including the metering

(b) The owner of a single-family residence, who occupies the residence as the owners permanent residence, when constructing, enlarging, altering, repairing, converting, or is in any way performing work on the **non-structural** part of a residence, including working on the electrical, plumbing and mechanical systems contained in the residence. Prior to commencing any work that is more than maintenance or repair, which is of the type or nature as to require a license if performed by any person other than the owner, the owner shall notify the building inspector of the work to be done and shall obtain a "homeowner's permit" from the inspector. The building inspector may inspect the work as is normally required for such work when in the discretion of the building inspector such is desirable. All work done by an owner under this section shall comply with the codes adopted by this chapter and be able to answer any questions correctly when asked by the Building Department. Provided further, that the owner shall not be allowed to tap the city sewer system nor work on the service entrance to the main breaker.

(c) Any homeowner, renter or purchaser of a residence who does work without a permit and is witnessed by the building inspectors or code enforcement officers, will be given a cease and desist order per a paper notification by the building inspector or code enforcement officer. Also any homeowner, renter or purchaser of a residence will be issued a fine of five hundred (\$500.00) nor more than one thousand dollars (\$1,000). If life safety or environmental issues exist, or the work is not with-in the city codes and ordinances at the time of inspection, the officer shall have the power to have any utility shut off in which work is being done on. Work

shall not continue until a contractor or tradesman pulls a permit to finish and repair the work according to code.

ARTICLE 4: INTERNATIONAL PLUMBING CODE 2009 EDITION

SECTION 1. There is hereby incorporated by reference the International Plumbing Code, 2009 Edition, including Appendix Chapters B, C, D, E, F, & G, prepared and published by the International Code Council as the Plumbing Code of the City of Liberal, Kansas for the purpose of regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the City of Liberal, Kansas, providing for the issuance of plumbing permits and collection of fees. One (1) copy of the International Plumbing Code, 2009 Edition is on file in the office of the City Clerk of the City of Liberal.

SECTION 2. Section 1 above shall be designated in the Code of the City of Liberal, Kansas as Section 6-401, and the International Plumbing Code 2009 edition, currently adopted by the City of Liberal, and Ordinance No. 4382 shall be repealed.

SECTION 3. The following sections of the International Plumbing Code, 2009 edition, adopted and incorporated by reference in this article are hereby amended or deleted as follows:

(c) Any homeowner, renter or purchaser of a residence who does work without a permit and is witnessed by the building inspectors or code enforcement officers, will be given a cease and desist order per a paper notification by the building inspector or code enforcement officer. Also any homeowner, renter or purchaser of a residence will be issued a fine of five hundred (\$500.00) nor more than one thousand dollars (\$1,000). If life safety or environmental issues exist, or the work is not with-in the city codes and ordinances at the time of inspection, the officer shall have the power to have any utility shut off in which work is being done on. Work shall not continue until a contractor or tradesman pulls a permit to finish and repair the work according to code.

(a) Section 101.1 of the International Plumbing Code 2009 edition shall be amended as follows: Section 101.1. These regulations shall be known as the International Plumbing Code of the City of Liberal, hereinafter referred to as “this code”.

(b) Section 106.6.2 Fee Schedule, shall be amended as follows: Section 106.6.2 of the International Plumbing Code 2009 Edition is hereby amended by deleting the original “Fee Schedule” and substituting the fees implemented by Resolution No. 4423 to be referenced in Exhibit C of the Liberal Municipal Code, Liberal, as established annually in the budget resolution.

(c) Section 202 General Definitions. Section 202 General Definitions shall be amended by adding the following additional definitions:

Master Plumber – an individual, who is qualified, certified and equipped to properly lay out and plan the installation, repairs and maintenance of plumbing or gas systems.

Journeyman Plumber – an individual who is qualified and certified to do plumbing, plumbing repairs and maintenance or in any way work at the occupation of plumbing and gas systems for and under the supervision of a certified master plumber.

Apprentice Plumber – An individual whose status is that of an apprentice in the plumbing installation trade. This individual shall work only under the direct supervision of a certified master plumber or a certified journeyman plumber.

Building Inspection Official – The designated authority charged with the administration and enforcement of the Plumbing Code of the City of Liberal, or his or her authorized representative.

(d) Section 108.4. Section 108.4 is hereby be amended as follows: Section 108.4 - Violation and Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than \$500.00 dollars or not to exceed \$1000.00 dollars (\$1000.00 - \$5000.00 for a repeat offense) or by imprisonment not to exceed 180 days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense and upon conviction thereof shall be punishable as herein provided.

(e) 108.5 Stop work orders, is hereby amended by adding the following language: Upon notice from the building inspector or code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manners shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the building or code official shall not be required to give a written notice prior to stopping the work and shall have the water shut off immediately. Any person who shall continue any work in or about the structure 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 of not less than \$500.00 dollars or not to exceed \$1000.00 dollars (\$1000.00 - \$5000.00 for a repeat offense).

(f) Sections 109.1 through 109.7 shall be amended and is hereby replaced by the Building Safety Board of Appeals as established by Ordinance No. 4423.

(g) Section 305.6.1 Sewer Depth is hereby deleted.

(h) Section 702.3 Building Sewer Pipe is hereby amended by adding the following language: A minimum 500-gallon exterior approved grease interceptor shall be installed for all new and renovated commercial kitchens.

(i) Section 904.1 Roof Extension is hereby amended by adding the following language: All open vent pipes that extend through a roof shall be terminated at least six (6) inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

SECTION 4. License for Plumbing Contractors. No person shall engage in the business of a plumbing contractor, unless he or she has a current license issued pursuant to this article, except that a master plumber need not obtain such license for work done in the employ of a licensed plumbing contractor. No license shall be issued unless the applicant presents a current certificate issued to him or her pursuant to Section 10, or in the case of an applicant for a plumbing contractor's license, such a certificate issued to a master plumber in the applicants employ.

It shall be unlawful for any person, either directly or indirectly to lend his or her license required by this section, or to permit the same to be used by any other person, for the purpose of obtaining a permit to do plumbing work or any fuel gas work requiring a permit or a license. In the event any licensee's certificate is suspended or canceled as authorized by Section 15, his or her license shall automatically be suspended or canceled as the case may be. A plumbing contractor's license shall likewise be automatically suspended or canceled at any time he or she fails to have a master plumber in his or her employ who has a current and valid certificate.

SECTION 5. Exemption from Licensure. Licenses shall not be required for the following:

- (a) Public utility companies and their employees when engaged in the installation, operation or maintenance of equipment which will be used for the production, generation, transmission or distribution of the product or service for the source of the product or service through the facilities owned or operated by the utility company to the point of customer service, including the metering.
- (b) Employees of the city engaged in the discharge of their duties when performing work on city-owned property.
- (c) The owner of a single-family dwelling, who occupies the residence, when constructing, enlarging, altering, converting, or is in any way performing plumbing work which requires a permit. Prior to commencing work the owner shall notify the building inspector of the work to be done and shall obtain a "homeowner's permit" from the inspector. The building inspector shall inspect the work as is normally required for such work. All work done by an owner under this section shall comply with the codes adopted by this chapter.

SECTION 6. Unlawful Display of Signage. It shall be unlawful, and a class C misdemeanor for any person not in legal possession of a valid plumber's license issued pursuant to this article to engage in, or carry on, or represent himself, herself, itself or themselves as engaged in or carrying on the business of plumbing or to use the words "master plumber," "plumbing," or "plumber," in any advertising, business cards, or any media outlet, to display or expose a sign having similar import for the purpose of implying the advertiser to be so engaged.

SECTION 7. Application for Certificates, Generally. (a) Except as otherwise provided in this article, an applicant for a certificate under this article shall, at such time and place as the Exam Testing Center (KSA 12-1508) may designate, take and satisfactorily pass such examination as to their qualifications. The examination may be given computer based or given in whole or in part in writing and shall be sufficiently strict to test the qualifications of the applicant and his or her knowledge of plumbing.

(b) Examination Fees. An examination fee will be paid directly to Exam Testing Center (KSA 12-1508) by the applicant per examination taken, even if not passed.

SECTION 8. Fee for Certificates. The fees for master and journeyman plumber certificates are established annually in the budget resolution and are shown in Exhibit C-604. Fees shall be payable upon issuance of said certificate.

SECTION 9. Expiration and Renewal, Continuing Education Units, (CEU's) Requirements. Every certificate issued under this article shall expire on the 31st day of December in the year issued. Prior to certificate renewals as per K.S.A. 12-1509 requires persons receiving such certificates annually to obtain not less than 12 hours biennially or six hours annually of continuing education approved by such local governing body. Not less than six hours biennially or three hours annually shall consist of code education. Continuing education may be provided by the local governing body, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the local governing body. All hours of education shall consist of training relative to construction, maintenance and code update training. All certificates may be renewed annually by the building inspector upon payment of a renewal fee on or before December 31st or within 10 days thereafter. Fees are established annually in the budget resolution and are shown in Exhibit C-604. If the certificate is not renewed by such date, the provisions of this article concerning the issuance of an original certificate shall apply.

SECTION 10. License Fees. The applicant for a plumbing contractor's license shall pay a fee for first year and every year thereafter. This license alone shall not permit the licensee to do plumbing and/or gas fitting in person, but he or she may do business in the plumbing trade provided there is in the employ a certified master plumber. Should the applicant desire to do and engage in the actual plumbing and/or gas fitting work, he or she shall also take and pass the examination for master plumber. Expiration date of the license shall be December 31st of each year, or within 10 days thereafter. Fees are established annually in the budget resolution and are shown in ExhibitC-604.

SECTION 11. Insurance Requirements. Any person licensed as a plumbing contractor shall have and show proof of a valid general liability, property damage, and products completed insurance policy certificate in effect which shall not be less than the amount of \$500,000 combined single limit including (but not limited to) contractual liability, independent contractors and completed operations. Such insurance policy shall be in effect prior to the issuance of a plumbing contractor's license. If the policy expires or is canceled, the contractor's license is suspended at the same time. In order to reinstate a suspended license a fee of 50% of the original license will be required.

SECTION 12. Revocation, Suspension of License. (a) The license of any plumbing contractor may be suspended temporarily, for a period or not to exceed 30 days at any one time, upon a complaint of the building inspector. Notice shall be given in writing to such plumbing contractor informing him or her of a time for hearing before Municipal Court on the complaint or matter alleged against such plumbing contractor involving any one or more of the following:

- (1) Misrepresentation of a material fact by applicant in obtaining a license;
- (2) Failure or neglect to observe conditions of permit for safety of public;
- (3) Performance of any work without permit where one is required by the laws of the city; and
- (4) No master or journeyman plumber on site while their specific trade is doing work; and
- (5) Willful disregard of any violation of the plumbing and construction laws of the city, or failure to comply with any lawful order of the city building inspector.

(b) If any license shall be revoked, the plumbing contractor shall not be eligible for a new license during a period of one year thereafter. No fee shall be refunded in event of the suspension or revocation of any plumbing contractor's license.

(c) It shall be unlawful to engage in the occupation or trade of plumbing contractor during the time any license of such plumbing contractor has been suspended or revoked.

SECTION 13. Inspections. All plumbing and drainage systems shall be inspected by the administrative by the permit authority and shall be accompanied holder to insure compliance with all the requirements of the International Plumbing Code 2009 Edition. In addition to the fees shown in Exhibit C-601 the following fees are hereby authorized:

- (1) Starting any plumbing work for which a permit is required without first obtaining that permit will result in a \$100.00 fine.
- (2) Any plumbing work requiring an inspection that is back filled or concealed prior to a required inspection shall be exposed for inspection by the contractor for inspection by the building inspector.
- (3) Final inspections shall be required prior to occupancy of new structures.

SECTION 14. Basements. All basements or structures wherein any plumbing fixture is or may be connected to the waste or sewer line shall be provided with a backwater valve as specified in Section 715 of the International Plumbing Code 2009 Edition.

SECTION 15. State-Wide Standard Examination (K.S.A. 12-1508 – 12-1509). Standard examinations for the determination of competency of master and journeyman plumber, based upon the International Plumbing Code, 2009 Edition, as promulgated or administered, or both, the International Code Council (ICC), the International Association of Plumbing and Mechanical Officials (IAPMO) or Prometric, a current subsidiary of educational testing services in effect on July 1, 2008 are hereby designated as the standard examinations for determining the qualifications of persons seeking a certificate recognized as master or journeyman plumber in the State of Kansas.

A certificate of competency shall be issued to any person who successfully passes an examination designated by (K.S.A. 12-1508). This certificate shall be valid proof of competency for licensure, without additional examination, in any county or city in the state, which require licensure of plumbers practicing within such county or city. The county or city shall issue the appropriate license or certificate to any applicant therefore who presents such a certificate of competency. The county or city shall fix a uniform fee to be charge all such applicants of licenses or certificates.

Eligibility for Examination. An applicant for journeyman plumber certificate exam shall perform as an apprentice for a period of not less than three years before a journeyman examination can be administered. Proof of experience shall be provided by the applicant and must be to the satisfaction of the building inspector. An applicant for a master plumber certificate exam shall perform as a journeyman for period of not less than three years before a master plumber exam can be administrated. Proof of experience shall be provided by the applicant and must be satisfactory to the building inspector. When in the opinion of the building inspector, the past experience of the applicant is of such nature and duration to qualify him or her for any of the above examinations, such experience may substitute for the required three years of service as an apprentice or journeyman.

If the applicant for an examination under this article attains a score of 75% (percent) or better, the building inspector, upon payment of the prescribed fee, shall issue the certificate to the applicant authorizing him or her to engage or work at the occupation of plumbing in the State of Kansas.

Except as otherwise provided in this section, an applicant for a certificate exam shall schedule the time and place with the approved testing agency for the exam to be administered, take and pass such examination as to their qualifications. The examination must be completed during one session.

Examination Fee. An examination fee will be paid directly to the appropriate exam testing agency by the applicant per examination taken.

Examination Schedule. Examinations will be scheduled through the exam testing agency.

SECTION 16. Severability. If any section of the International Plumbing Code 2006 Edition shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separate and apart from the remaining provisions of the

International Plumbing Code 2006 Edition, the section to be completely severable from the remaining provisions which shall continue in full force and effect.

ARTICLE 5: NATIONAL ELECTRICAL CODE 2008 EDITION

SECTION 1. ADOPTION OF THE NATIONAL ELECTRICAL CODE, There is hereby incorporated by reference the National Electrical Code 2008 Edition, prepared and published by the National Fire Protection Association and published in code form as a standard for the National Fire Protection Association and available at the office of said underwriters, One Battery Park, Quincy, Massachusetts, is hereby adopted and incorporated by reference, for the purpose of establishing rules and regulations for electrical work done in the City of Liberal and the area surrounding the city under the jurisdiction of the City of Liberal, except as otherwise provided for in this article. Not less than one copy of the National Electrical Code shall be marked "Official copy as adopted by Ordinance No. 4423, to which shall be attached a copy of this Ordinance, and shall be filed with the city clerk to be open to inspection and available to the public at all reasonable business hours.

There is hereby adopted by the city for the purpose of establishing rules and regulations for the design, construction, quality of materials, erection, installation, repair, alteration, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided, including the issuance of permits and providing a penalty for violation thereof, the ICC Electrical Code-Administrative Provisions, 2009 edition, as published by the International Code Council, and the whole, save and except such portions as are herein after deleted omitted, added, modified or amended to the known as the Electrical Code of the City of Liberal , Kansas.

SECTION 2. General. All electrical light, heat and power wires, fixtures, appliances, conductors, apparatus and their supports hereafter placed on or installed in or upon any building, shop, accessory building, or structure in the city and its surrounding area under the jurisdiction of the city, hereafter referred to as "within the city," shall be in conformity with approved standards and methods of construction for safety of life and property and in accordance with the minimum standards of electrical engineering practices pertaining to such construction and in compliance with the provisions of this article and the National Electrical Code.

SECTION 3. Definitions. For the purpose of this article, the words and phrases used herein shall have the meanings ascribed to them in this section, unless the context clearly indicates to the contrary.

- (a) Electrical Wiring – shall consist of the placing or installation of wires, conduits, raceways, cables and/or circuits in buildings or structures in the City of Liberal and the area surrounding the city under the jurisdiction of the City of Liberal, and the repair, replacement and/or wiring of like power and lighting installations for the transmission of electricity for the operation and the use of electrical appliances, fixtures, motors and any other apparatus or equipment designed or intended to use electricity or electrical current.
- (b) Master Electrician – a person, who is qualified, certified and equipped to properly lay out and plan the installation, repairs and maintenance of electrical wiring.
- (c) Journeyman Electrician – a person who is qualified and certified to do electrical wiring, repairs and maintenance or in any way work at the occupation of electrical wiring for and under the direction of a qualified master electrician.
- (d) Apprentice Electrician – a person who works with mater electricians and journeyman electricians for the purpose of learning the occupation of electrical wiring and only in the presence of such master electricians and journeyman electricians.

- (e) Electricians Helper – a person who helps master electricians and journeyman electricians at the occupation of electrical wiring and only in the presence of such master electrician or journeyman electrician.
- (f) Electrical Contractor – those persons who are licensed and have in their employ a master electrician, who is qualified, certified and equipped to serve the public in the business of electrical wiring.

SECTION 4. LICENSE REQUIRED. (a) No person shall engage in the business of an electrical contractor unless he/she has a current license issued pursuant to this code. No license shall be issued unless the applicant presents a current certificate issued to him/her pursuant to the provisions of this article or unless he/she has a master electrician in their employ who directly supervises all work on-site.

- (b) It shall be unlawful for any licensed electrical contractor to lend his or her name or license either directly or indirectly, or to permit the same to be used by any other person for the purpose of obtaining a permit to do electrical work. It shall also be illegal for an electrical contractor to obtain a permit for another person not employed by him/her as a full-time employee.
- (c) In the event any licensee's certificate is suspended or canceled, as authorized by any section of this article, his/her license shall be automatically suspended or canceled, as the case may be. An electrical contractor's license shall likewise be automatically suspended or canceled at any time he/she fails to have a master electrician in his/her employ who has a current and valid certificate.
- (d) Every person licensed and certified under this article to do electrical wiring shall be held responsible for any violations, by his/her employees, of the regulations governing such work.

SECTION 5 INSURANCE REQUIREMENTS. Any person licensed as an electrical contractor shall have and show proof of a valid public liability and property damage insurance policy certificate in effect which shall not be less than the amount of \$500,000 combined single limit including (but not limited to) contractual liability, independent contractors and completed operations. Such insurance policy shall be in effect prior to the issuance of an electrical or limited electrical contractor's license. If the policy expires or is canceled, the electrical contractor's license expires at the same time.

SECTION 6 LICENSE SUSPENSION; REVOCATION. (a) The license of any electrical contractor may be suspended temporarily, for a period of not to exceed 30 days at any one time, upon a complaint of the building inspector. Notice shall be given in writing to such electrical contractor informing him or her of a time for hearing before Municipal Court on the complaint or matter alleged against such electrical contractor involving any one or more of the following:

- (1) Misrepresentation of a material fact by applicant in obtaining a license;
 - (2) Failure or neglect to observe conditions of permit for safety of public;
 - (3) Performance of any work without permit where one is required by the laws of the city; and
 - (4) Willful disregard of any violation of the electrical and construction laws of the city, or failure to comply with any lawful order of the city building inspector;
- (b) If any license shall be revoked, the contractor shall not be eligible for a new license during a period of one year thereafter. No fee shall be refunded in event of the suspension or revocation of any contractor's license.
 - (c) It shall be unlawful to engage in the occupation or trade of contractor during the time any license of such contractor has been suspended or revoked.

SECTION 7 PERMITS AND INSPECTIONS. (a) Each permit issued under this article shall be issued to a licensed contractor only.

- (b) It shall be the duty of the person authorized by a permit to notify the building inspector that such work is ready for inspection.
- (c) Every request for inspection shall be based on the first available time slot available, giving priority to scheduled inspections first.
- (d) The inspector shall keep records of all inspections and work performed by him/her, the records shall reflect all information concerning the permits issued; the electrical work condemned and repaired; and in general all duties performed by the electrical contractor.

SECTION 8 CERTIFICATES REQUIRED. (a) No person shall engage in or work at the occupation of electrical wiring, as a master electrician, journeyman electrician or apprentice electrician unless he/she has a current certificate issued pursuant to this article.

Exceptions:

(1) The owner of a single family dwelling, used for his/her own private use and occupancy need not have a certificate to perform electrical work on their property if the work performed is limited to switch's, outlets, lighting fixtures and simple wiring methods. This is to say that the person or persons owning the single family dwelling shall reside in that dwelling as their main residence. This also includes accessory structures on the property. Any person hired by the home owner to do work on their private property must be a licensed contractor qualified under the provisions of this code.

(2) Any duly franchised corporation or firm doing business in the city or its extra-territorial area which qualifies as a utility company.

(3) City personnel doing electrical work on city property.

SECTION 9. APPLICATION AND ELIGIBILITY FOR EXAMINATION.

(a) Application for Examination. Any person desiring a certificate required by this article shall make application on a form provided by the building department. All such information provided shall be confirmed by the building inspector as to its validity. If the information given cannot be substantiated, the application will be disapproved by the review board and returned to the applicant.

(b) Eligibility for Examination thru Prometric Examinations.

- (1) An apprentice must have a minimum of three years certifiable electrical experience, which was performed under a master electrician to be eligible for a journeyman examination.
- (2) A journeyman must have a minimum of three years' experience as a journeyman, which was performed under the supervision of a master electrician to be eligible for a master examination.
- (3) Upon request from the employing licensed contractor, an apprentice certificate may be issued to any individual who is studying to become a journeyman electrician.

SECTION 10. EXAMINATIONS. (a) State wide standard examination. Standard examinations for determining the competency of master and journeyman electricians, based upon the National Electrical Code, prepared and published by an approved testing agency, as set out in K.S.A. 12-1525, are hereby designated as the standard examination(s) for determining the qualifications of persons seeking a certificate recognized as a master or journeyman electrician in the city and the State of Kansas.

(b) Minimum passing score.

- (1) If the application for an examination under this article attains a score of 75% percent or higher, the building inspector, upon payment of the prescribed fee shall issue the appropriate certificate to the applicant authorizing him/her to engage or work at the occupation of electrician, providing all other regulations are adhered to.
- (2) The applicant's certificate shall have printed on the reverse side the score attained, the applicant's assigned number and the date the test was completed.
- (c) Examination fee. A fee will be paid directly to the approved testing agency by the applicant per examination taken.
- (d) Examination schedule. Examinations will be scheduled through the approved testing agency.

SECTION 11. ELECTRICAL PERMIT FEES. Table 3A of the Uniform Administrative Code Provision for the National Electrical Code 2008 Edition is hereby amended to include fees as shown in Exhibit C-601, which are established annually in the budget resolution.

SECTION 12. LICENSE AND CERTIFICATES. (a) The applicant for a contractor's license shall pay a fee for the first year, non-prorated, and every year thereafter. Fees are established annually in the budget resolution and are shown in Exhibit C-604. An electrical contractor's license shall not permit the licensee to do wiring unless he/she are a certified master electrician. The expiration date of the license shall be December 31st of each year with a grace period of 10 days thereafter.

(b) If the applicant for a certificate under this article passes the examination as required, the building inspector shall issue a certificate to the applicant upon payment of a fee as shown in Exhibit C-604. The expiration date of each certificate shall be December 31 of each year with a grace period of 10 days thereafter.

(c) Certificates may be renewed annually by the building inspector upon payment of a renewal fee as established annually in the budget resolution as shown in Exhibit C-604, for a master electrician or a journeyman electrician. Applications for renewals shall be received on or before December 31 each year or within the 10-day grace period. Any certificate not renewed in the prescribed time shall be voided, and a new certificate will be issued only after the applicant takes and successfully passes the examination. (Only the Director of Building Services and Code Enforcement may make arrangements, in person, to help individual electricians if an emergency situation effects your CEU's to renew your certificate).

(d) The building inspector is authorized to suspend any certificate or license issued under this article for a period of 30 days for a showing of bad faith or unreasonable delay in complying with any regulations governing the certificate holder. No electrical permits shall be issued during the period of suspension.

(e) The Municipal Court is authorized to revoke or recall any certificate issued under this article, if the holder is convicted of a violation of any provisions of this article or if the certificate was issued based on false or erroneous information.

SECTION 13. Amendments. The following sections of the Electrical Code adopted and incorporated by reference in this article are hereby amended or deleted as follows:

(a) Section 101.1 Title is hereby amended to read as follows: These regulations shall be known as the Electrical Code-Administrative Provisions of the City of Liberal and shall be cited as such and will be referred to herein as "this code."

(b) Article 331-3 of the National Electrical Code is hereby amended to read as follows: Beginning January 1, 2001 the use of flexible nonmetallic (Smurf tube) tubing shall not be permitted within the City of Liberal or within the surrounding extraterritorial area of the City of

Liberal. Any remodel or service call in which nonmetallic conduit has been used shall be removed and replaced with approved metal conduit or approved metal raceways.

(c) Section 404.2 Schedule of Permit Fees shall be amended by adding the following language: A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fees for electrical work shall be as indicated in Exhibit C-601 of the City Municipal Code.

(d) The NFPA 70 as referenced by the Electrical Code adopted herein is hereby amended in the following respects:

1. Chapter 3, Article 300-1, is hereby amended by the addition of paragraph (d) to read as follows: (d) Conduit, approved cables and raceways required. Approved conduits, cables or raceways shall be installed for electric light, heat or power wires in the rewiring of existing buildings or the wiring of new buildings which will have public occupancy. Conduits, cables and/or raceways shall be required in the wiring or rewiring of all multifamily buildings designed for the occupancy of more than two families and for all outside installations of wiring attached to any structure. Electrical Code is hereby amended to read as follows: Beginning January 1, 2001 the use of flexible nonmetallic (Smurf tube) tubing shall not be permitted within the City of Liberal or within the surrounding extraterritorial area of the City of Liberal. Any remodel or service call in which nonmetallic has been used shall be pulled and replaced with approved metal raceways.

SECTION 14. Notice to electrical department. Before any person shall install an electrical service for power needs other than known standard power furnished in the area, such person shall contact the utility department to determine whether the required power is available and such person's cost in obtaining the same.

SECTION 15. SEVERABILITY. If any section of the National Electrical Code shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separate and apart from the remaining provisions of the National Electrical Code, the section to be completely severable from the remaining provisions which shall continue in full force and effect.

SECTION 16. VIOLATIONS AND PENALTIES. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure or cause or permit the same to be done in violation of the National Electrical Code. Any person, firm or corporation violating any provisions of the National Electrical Code shall be deemed guilty of a misdemeanor and the offender shall be punished by one or more of the following:

(a) A fine of not less than \$1000.00 or more than \$1,500.00 (or \$1,500 - \$5,000.00 for a repeat offense); each day after finding violation shall be considered as a repeat offense, or

(b) Imprisonment for not more than 180 days; or

(c) Restitution for damages done to the City or Public at large; or

(d) Community service, supervised or unsupervised; or

(e) Any combination or all of the above.

(f) Violation of this provision shall make the contract voidable and persons involved are subject to fines as set forth in Section 6-220(c).

ARTICLE 6. MECHANICAL CODE 2009 EDITION

SECTION 1. There is hereby incorporated by reference the International Mechanical Code, 2009 Edition, including Appendix Chapters, A & B, prepared and published by the International Code Council as the Mechanical Code of the City of Liberal, Kansas for the

purpose of regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the City of Liberal, Kansas, providing for the issuance of mechanical permits and collection of fees. One copy of the International Mechanical Code, 2009 Edition shall be on file in the office of the City Clerk of the City of Liberal.

SECTION 2. (a) Section 1 above shall be designated in the Code of the City of Liberal, Kansas as Section 6-501, and the International Mechanical Code 2009 Edition currently adopted by the City of Liberal, and Ordinance No. 4383 shall be repealed.

(b) Amendment to Section 101.1 of the International Mechanical Code 2009 edition. Section 101.1 shall be amended to read as follows: These regulations shall be known as the International Mechanical Code of the City of Liberal hereinafter referred to as "this code."

SECTION 3. Schedule of Fees. Appendix B, of the International Mechanical Code 2006 Edition is amended by deleting the original "Fee Schedule" and substituting the fees shown in Exhibit C-601-605, as established annually in the budget resolution.

SECTION 4. Additional Definitions. Section 202, "General Definitions" of the International Mechanical Code 2009 Edition is amended by adding the following definitions:

(a) Master Mechanical Installer – an individual, who is qualified, certified and equipped to properly lay out and plan the installation, repairs and maintenance of mechanical systems.

(b) Journeyman Mechanical Installer – an individual who is qualified and certified to install, repair or maintain mechanical equipment, or in any way work at the occupation of mechanical installation, for and under, the supervision of a certified master mechanical installer.

(c) Apprentice Mechanical – An individual whose status is that of an apprentice in the mechanical installation trade. This individual shall work only under the direct supervision of a certified master mechanical installer or a certified journeyman mechanical installer.

(d) Building Inspection Official – the designated authority charged with the administration and enforcement of the Mechanical Code of the City of Liberal, or his or her authorized representative.

SECTION 5. Amendments. The following sections of the International Mechanical Code adopted and incorporated by reference in this article are hereby amended or deleted as follows:

(a) Section 108.4. Section 108.4 of the International Mechanical Code 2009 Edition shall be amended to read as follows: Section 108.4 - Violation and Penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical installation work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than \$500.00 dollars nor to exceed \$1000.00 dollars (\$1000.00 - \$5000.00 for a repeat offense) or by imprisonment not to exceed 180 days, or by both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense and upon conviction thereof shall be punishable as herein provided.

(b) Section 109. Sections 109.1 thru 109.7 of the International Mechanical Code 2009 Edition shall be amended and is hereby replaced by the Building Safety Board of Appeals as established by Ordinance No. 4423.

SECTION 6. License for Mechanical Contractors. No person shall engage in the business of a mechanical contractor, unless he or she has a current license issued pursuant to this article, except that a master mechanical installer need not obtain such license for work done

in the employ of a licensed mechanical contractor. No license shall be issued unless the applicant presents a current certificate issued to him or her pursuant to Section 17, or in the case of an applicant for a mechanical contractor's license, such a certificate issued to a master mechanical installer in the applicants employ.

It shall be unlawful for any person, either directly or indirectly to lend his or her license required by this section, or to permit the same to be used by any other person, for the purpose of obtaining a permit to do mechanical installation work requiring a permit or a license. In the event any licensee's certificate is suspended or canceled as authorized by Section 15, his or her license shall automatically be suspended or canceled as the case may be. A mechanical contractor's license shall likewise be automatically suspended or canceled at any time he or she fails to have a master mechanical installer in his or her employ who has a current and valid certificate.

SECTION 7. Exemption from Licensure. Licenses shall not be required for the following:

- (1) Public utility companies and their employees when engaged in the installation, operation or maintenance of equipment which will be used for the production, generation, transmission or distribution of the product or service for the source of the product or service through the facilities owned or operated by the utility company to the point of customer service, including the metering.
- (2) Employees of the city engaged in the discharge of their duties when performing work on city-owned property.
- (3) The owner of a single-family dwelling, who occupies the residence, when constructing, enlarging, altering, converting, or is in any way performing mechanical work which requires a permit. Prior to commencing work the owner shall notify the building inspector of the work to be done and shall obtain a "homeowner's permit" from the inspector. The building inspector shall inspect the work as is normally required for such work. All work done by an owner under this section shall comply with the codes adopted by this chapter.

SECTION 8. Unlawful Display of Signage. It shall be unlawful, and a class C misdemeanor for any person not in legal possession of a valid mechanical license issued pursuant to this article to engage in, or carry on, or represent himself, herself, itself or themselves as engaged in or carrying on the business of mechanical systems installation or to use the words "master mechanical installer," "mechanical installer," or "mechanical systems installer," in any advertising, business cards, or any media outlet, or to display or expose a sign having similar import for the purpose of implying the advertiser to be so engaged.

SECTION 9. Application for Certificates, Generally. (a) Except as otherwise provided in this article, an applicant for a certificate under this article shall, at such time and place as the Exam Testing Center (KSA 12-1541) may designate, take and satisfactorily pass such examination as to their qualifications. The examination may be given computer based or given in whole or in part in writing and shall be sufficiently strict to test the qualifications of the applicant and his or her knowledge of mechanical systems.

(b) Examination Fees. An examination fee will be paid directly to Exam Testing Center (KSA 12-1541) by the applicant per examination taken, even if not passed.

SECTION 10. Expiration and Renewal; Continuing Education Units, (CEU'S) Requirements. Every certificate issued under this article shall expire on the 31st day of December in the year issued. Prior to certificate renewals as per K.S.A. 12-1541 requires persons receiving such certificates annually to obtain not less than twelve (12) hours biennially

or six (6) hours annually of continuing education approved by such local governing body. Not less than six (6) hours biennially or three (3) hours annually shall consist of code education. Continuing education may be provided by the local governing body, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the local governing body. All hours of education shall consist of training relative to construction, maintenance and code update training. All certificates may be renewed annually by the building inspector upon payment of a renewal fee on or before December 31st or within 10 days thereafter. Fees are established annually in the budget resolution and are shown in Exhibit C-604. If the certificate is not renewed by such date, the provisions of this article concerning the issuance of an original certificate shall apply.

SECTION 11. License Fees. The applicant for a mechanical contractor's license shall pay a fee for first year and every year thereafter. This license alone shall not permit the licensee to do mechanical systems installation in person, but he or she may do business in the mechanical trade provided there is in the employ a certified master mechanical installer. Should the applicant desire to do and engage in the actual mechanical systems installation, he or she shall also take and pass the examination for master mechanical installer. Expiration date of the license shall be December 31st of each year, or within 10 days thereafter. Fees are established annually in the budget resolution and are shown in Exhibit C-604.

SECTION 12. Insurance Requirements. Any person licensed as a mechanical contractor shall have and show proof of a valid general liability, property damage, and products completed insurance policy certificate in effect which shall not be less than the amount of \$500,000 combined single limit, including, but not limited to, contractual liability, independent contractors and completed operations. Such insurance policy shall be in effect prior to the issuance of a mechanical contractor's license. If the policy expires or is canceled, the contractor's license is suspended at the same time. In order to reinstate a suspended license a fee of 50% of the original license will be required.

SECTION 13. Revocation, Suspension of License. (a) The license of any mechanical contractor may be suspended temporarily, for a period or not to exceed 30 days at any one time, upon a complaint of the building inspector. Notice shall be given in writing to such mechanical contractor informing him or her of a time for hearing before Municipal Court on the complaint or matter alleged against such mechanical contractor involving any one or more of the following:

- (1) Misrepresentation of a material fact by applicant in obtaining a license;
- (2) Failure or neglect to observe conditions of permit for safety of public;
- (3) Performance of any work without permit where one is required by the laws of the city;
and
- (4) Willful disregard of any violation of the mechanical and construction laws of the city, or failure to comply with any lawful order of the city building inspector.

(b) If any license shall be revoked, the mechanical contractor shall not be eligible for a new license during a period of one year thereafter. No fee shall be refunded in event of the suspension or revocation of any mechanical contractor's license.

(c) It shall be unlawful to engage in the occupation or trade of mechanical contractor during the time any license of such mechanical contractor has been suspended or revoked.

SECTION 14. Inspections. All mechanical systems shall be inspected by the administrative authority and shall be accompanied by the permit holder to insure compliance with all the requirements of the International Mechanical Code 2009 Edition. In addition to the fees shown in Exhibit C-601, the following fees are hereby authorized:

(a) Starting any mechanical work for which a permit is required without first obtaining that permit will result in a fine of \$100.00.

(b) Any mechanical work requiring an inspection that is concealed prior to a required inspection shall be exposed for inspection by the contractor for inspection by the building inspector.

(c) Final inspections shall be required prior to occupancy of new structures.

SECTION 15. State-Wide Standard Examination (K.S.A. 12-1541).

(a) Standard examinations for the determination of competency of master and journeyman mechanical installer, based upon the International Mechanical Code, 2006 Edition, as promulgated or administered, or both, the International Code Council (ICC), the International Association of Plumbing and Mechanical Officials (IAPMO) or Prometric, a current subsidiary of educational testing services in effect on July 1, 2008 are hereby designated as the standard examinations for determining the qualifications of persons seeking a certificate recognized as master or journeyman mechanical installer in the State of Kansas.

(b) A certificate of competency shall be issued to any person who successfully passes an examination designated by (a) of this section. The certificate shall be valid proof of competency for licensure, without additional examination, in any county or city in the state, which require licensure of mechanical installers practicing within such county or city. The county or city shall issue the appropriate license or certificate to any applicant therefore who presents such a certificate of competency. The county or city shall fix a uniform fee to be charge all such applicants of licenses or certificates.

(c) Eligibility for Examination. An applicant for journeyman mechanical installer certificate exam shall perform as an apprentice for a period of not less than three years before a journeyman examination can be administered. Proof of experience shall be provided by the applicant and must be to the satisfaction of the building inspector. An applicant for a master mechanical installer certificate exam shall perform as a journeyman for period of not less than three years before a master mechanical installer exam can be administrated. Proof of experience shall be provided by the applicant and must be satisfactory to the building inspector. When in the opinion of the building inspector, the past experience of the applicant is of such nature and duration to qualify him or her for any of the above examinations, such experience may substitute for the required three years of service as an apprentice or journeyman.

(d) If the applicant for an examination under this article attains a score of 75% (percent) or better, the building inspector, upon payment of the prescribed fee, shall issue the certificate to the applicant authorizing him or her to engage or work at the occupation of mechanical systems installation in the State of Kansas.

(e) Except as otherwise provided in this section, an applicant for a certificate exam shall schedule the time and place with the approved testing agency for the exam to be administered, take and pass such examination as to their qualifications. The examination must be completed during one session.

1. Examination Fee. An examination fee will be paid directly to the appropriate exam testing agency by the applicant per examination taken.
2. Examination Schedule. Examinations will be scheduled through the exam testing agency.

SECTION 16. Severability. If any section of the International Mechanical Code 2009 Edition shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separate and apart from the remaining provisions of the International Mechanical Code 2009 Edition, the section to be completely severable from the remaining provisions which shall continue in full force and effect.

ARTICLE 7. FUEL AND GAS CODE 2009 EDITION

SECTION 1. There is hereby incorporated by reference the International Fuel Gas Code, 2009 Edition, including, Appendix Chapters, A,B,C & D, prepared and published by the International Code Council as the Fuel Gas Code of the City of Liberal, Kansas for the purpose of regulating fuel gas systems and gas-fired appliances, in the City of Liberal, Kansas. Three (3) copies of the International Fuel Gas Code, 2006 Edition are on file in the office of the City Clerk of the City of Liberal.

SECTION 2. Section 1 above shall be designated in the Code of the City of Liberal, Kansas as Section 6-701.

SECTION 3. Amendments. The following sections of the International Fuel Gas Code 2009 edition adopted and incorporated by reference in this article are hereby amended or deleted as follows:

(a) Section 101.1 Title, shall be amended as follows: These regulations shall be known as the Fuel Gas Code of the City of Liberal, hereinafter referred to as "this code."

(b) Section 106.5.2 - Fee Schedule, shall be amended as follows: The fees for work are established annually in the budget resolution and are shown in Exhibit C-601 of the Liberal Municipal Code.

(c) Section 106.5.3 - Fee refunds is hereby deleted.

(d) Section 108.4 - Violation Penalties, shall be amended as follows: Persons who shall violate provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not less than \$500.00 dollars or not to exceed \$1000.00 dollars (\$1000.00 – \$5000.00 for a repeat offense) or by imprisonment not to exceed 180 days or both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense and upon conviction thereof shall be punishable as herein provided.

(e) Section 108.5 - Stop work orders, shall be amended as follows: Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exist, the code official shall not be required to give a written notice prior to stopping the work. 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 for a fine not less than \$250.00 dollars or more than \$500.00.

(f) Sections 406.4.1 - Test pressure, and 406.4.2 - Test duration shall be deleted and replaced as follows: Section 406.4.1 - This inspection shall be made after all gas piping authorized by the permit has been installed and before any such piping has been covered or concealed, or any fixture or appliance has been attached thereto. This inspection shall require that the lines be pressurized with a pressure of 12 inches of mercury or 20 pounds of air, 30 pounds of air if CSST is used, and the same shall have stood for at least 15 minutes with no noticeable loss in pressure prior to the inspection. For welded piping, and piping carrying gas at pressures in excess of fourteen (14) inches water column pressure, the test pressure shall not be less than sixty (60) pounds per square inch and shall be continued for a length of time satisfactory to the Administrative Authority, but in no case less than thirty (30) minutes. A tag denoting the pressure at which the system was pressurized to shall be left adjacent to the gauge. All necessary apparatus for conducting test shall be furnished by the permit holder.

(g) Section 109 shall be amended and is hereby replaced by the Building Safety Board of Appeals as established by Ordinance No. 4423.

(h) Section 403.4.3 Copper and Brass is hereby deleted.

(i) Section 403.5.2 Copper and Brass Tubing is hereby deleted.

(j) Section 404.10 Minimum Burial Depth, shall be amended to read as follows: All underground piping systems shall be installed a minimum depth of 24 inches below grade. Dielectric unions shall be used prior to entering a structure.

(k) Section 404.10.1 Individual outside appliances, is hereby deleted.

(l) Section 404.11 Trenches, is hereby amended by adding the following language: The trench for the service line shall contain no other lines. A multiple dwelling shall require one service line for each unit, and no service line shall be extended from one building to another, nor from one part of a building to another.

SECTION 4. Severability. If any section of the International Fuel Gas Code 2009 Edition shall be held unconstitutional or otherwise invalid by any court or competent jurisdiction, then such section shall be considered separate and apart from the remaining provisions of the International Fuel Gas Code 2009 Edition, the section to be completely severable from the remaining provisions which shall continue in full force and effect.

ARTICLE 8. INTERNATIONAL PROPERTY MAINTENANCE CODE 2009 EDITION

SECTION 1. ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE.

There is hereby incorporated by reference, in accordance with K.S.A. 12-3009 to 12-3012 inclusive, the International Property Maintenance Code, 2009 Edition, prepared and published by the International Code Council. No fewer than one copy of said International Property Maintenance Code shall be marked or stamped "Official Copy as adopted by the Code of the City of Liberal," and shall be filed with the city clerk to be open for inspection and available to the public at all reasonable business hours. The police department, the municipal judge and all administrative departments of the city charged with the enforcement of this ordinance shall be supplied with, at the cost of the city, such number of official copies of said International Property Maintenance Code similarly marked as may be deemed expedient.

SECTION 2. Amendments: The following sections of the International Property Maintenance Code 2009 edition adopted and incorporated by reference in this article are hereby amended or deleted as follows:

(a) Section 102.3 of the International Property Maintenance Code 2009 Edition shall be amended as follows: Section 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changed of occupancy, shall be done in accordance with the procedures and

provisions of the International Building Code, International Fuel Gas Code, International Mechanical Code, Liberal Municipal Code and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City adopted Zoning Ordinance.

(b) Section 111 of the International Property Maintenance Code is hereby amended as follows: Sections 111.2 thru 111.2.5 are hereby deleted and is hereby replaced by the Building Safety Board of Appeals as established by Ordinance No. 4423.

(c) Section 308.3.1 of the International Property Maintenance Code 2009 Edition shall be amended as follows: Section 308.3.1 Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; or and approved leak-proof, covered, outside garbage container.

(d) Section 602.3 and 602.4 of the International Property Maintenance Code 2009 Edition shall be amended as follows: Section 602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1st to May 1st to maintain a temperature of not less than 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30 degrees F (-1 degrees C) a minimum temperature of 65 degrees F (18 degrees C) shall be maintained.

(e) Section 602.4 Occupiable work spaces, shall be amended as follows: Indoor occupiable work spaces shall be supplied with heat during the period from October 1st to May 1st to maintain a temperature of not less than 65 degrees F (18 degrees C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
 2. Areas in which persons are primarily engaged in vigorous physical activities.
- (f) Section 1502 Repair and Demolition Fund is hereby deleted.

SECTION 3. SCHEDULE OF FEES. Section 103.5 Fees, of the International Property Maintenance Code 2009 is hereby amended by deleting the original "Fee Schedule" and substituting the fees shown in Exhibit C-601 of the Liberal Municipal Code, as established annually in the budget resolution.

SECTION 4. VIOLATION PENALTIES, Section 106.4 shall be amended by adding the following language. Persons who shall violate provision of this code, fail to comply with any of the requirements thereof or correct, erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not less than \$500.00 dollars or nor to exceed \$1000.00 dollars (\$1000.00 – \$5000.00 for a repeat offense) or by imprisonment not to exceed 180 days or both such fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense and upon conviction thereof shall be punishable as herein provided.

SECTION 5. SEVERABILITY. If any section of the Housing Code or this article shall be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, then such section shall be considered separately and apart from the remaining provisions of the Housing Code or this article, the section to be completely severable from the remaining provisions which shall continue in full force and effect.

ARTICLE 9. EXISTING BUILDING CODE 2009 EDITION

SECTION 1. There is hereby incorporated by reference by the City of Liberal for the purpose of establishing rules and regulations for the repair, alteration, change of occupancy, addition, relocation of existing buildings, including historic buildings as herein provided buildings, including the issuance of permits and providing a penalty for violation thereof, the International Existing Building Code, 2009 Edition, as published by the International code council, and the whole, including Appendix Chapters A and B, save and except such portions as are hereinafter deleted, omitted, added, modified or amended, to be known as the Existing Building Code of the City of Liberal, Kansas.

SECTION 2. Amendments to Existing Building Code. The following sections of the Existing Building Code adopted and incorporated by reference in this article are amended or deleted as follows:

(a) Section 101.1 Title, shall be amended by adding the following language: These regulations shall be known as the Existing Building Code of the City of Liberal, hereinafter referred to as "this code."

(b) Section 112 Appeals Board shall be amended and is hereby replaced by the Building Safety Board of Appeals as established by Ordinance No. 4423.

(c) Section 1201.2 Applicability, shall be amended by adding the following language: Structures existing prior to the adoption of this ordinance, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 thru 10. The provisions of Sections 1201.2.1 through 1201.2.5 shall apply to existing occupancies that will continue to be, or proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

ARTICLE 10. PERFORMANCE CODE.

SECTION 1. A. Before any building or structure is demolished voluntarily or as required by code, a demolition permit shall be obtained. A demolition permit shall be issued only to a house wrecker or general contractor licensed by the city or to an applicant who is the owner of the building or structure to be demolished and who is the owner of the property upon which such building or structure is located.

B. When a building demolition permit is issued, the permit shall comply with the following:

1. The demolition site shall be fenced or barricaded and posted "No Trespassing" until demolition work is completed.

2. Prior to starting demolition work the permittee shall notify the appropriate utilities in order that all gas, water, electrical and sanitary sewer lines are properly disconnected and securely capped and sealed when applicable. An inspection of capped sewer and water lines will be required before backfilling of the demolition site. If septic tanks, cesspools, or other buried storage tanks are present on the demolition site these shall be filled with dirt or sand and inspected.

3. All demolition debris, including basement footings, floors, walls and/or stem walls, shall be removed from the demolition site.

4. Upon completion of the demolition work any openings or excavations on the demolition site shall be backfilled with dirt or sand to at least six inches above existing grade to allow for settling. A final inspection of the demolition site by the City Building Inspector will be required. Alternate methods of backfilling may be approved by the City Building Inspector. When work is completed the site shall be seeded with grass to prevent erosion.

5. All demolition work shall be completed within 60 days of the date of issuance of the demolition permit.

ARTICLE 11. MOBILE HOME INSTALLATION CODE

SECTION 1. TITLE. This code shall hereinafter be referred to as the "Mobile Home Installation Code of the City of Liberal, Kansas."

SECTION 2. DEFINITIONS. The following words and phrases, for purposes of this article and unless the context otherwise requires, shall mean:

- (a) Accessory Use or Building. A subordinate building or portion of the main building, the use of which customarily is incidental to that of the main building or to the main use of the premises.
- (b) Approved Public Sanitary Sewer System. A sewage disposal plant, main sanitary sewer lines and other lines approved by the city commission of the city, and/or the board of county commissioners of Seward County, Kansas, and by the Kansas State Department of Health.
- (c) Approved Public Water System. Water treatment plant and service lines approved by the city commission of Liberal, Kansas, and/or the board of county commissioners of Seward County, Kansas, and by the Kansas State Department of Health.
- (d) Building Inspector. The building inspector of the city or his or her designated agent.
- (e) Lot or Plot. A parcel of land occupied or intended for occupancy by one main building, together with its accessory building, including the open spaces required by this article. A lot or plot may include more than one platted lot.
- (f) Lot, Corner. A lot as defined above, abutting upon two or more streets at their intersection.
- (g) Lot, Depth of. The mean horizontal distance between the front and the rear lot lines.
- (h) Lot, Double Frontage. A lot having a frontage on two intersecting streets as distinguished from a corner lot.
- (i) Lot of Record. A lot which is a part of a subdivision, the map of which has been recorded in the office of the register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the register of deeds.
- (j) MANUFACTURED DESIGN HOME - MOBILE HOMES: A factory built structure or structure more than eight (8) feet in width and more than thirty-six (36) feet in length, equipped with the necessary service connections for required utilities, having the plumbing, heating, air conditioning and electrical systems contained therein and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the mobile home placed

thereon may be moved from time to time at the convenience of the owner. Any unit built prior to federal regulations that became effective July 15, 1976, will not be allowed. Mobile homes manufactured after that date must display a HUD Seal or data plate to verify their proper construction.

- (k) Mobile Home. As used in this article, mobile home shall mean a movable, detached single-family dwelling unit with all of the following characteristics:
 - (1) Designed for long term occupancy and containing accommodations, a flush toilet, a tub or shower bath, kitchen facilities, and having plumbing and electrical connections provided for attachment to public utilities.
 - (2) Designed and constructed on a chassis that is capable of being transported after fabrication on its own wheels (or detached wheels).
 - (3) Arrived at the site where it is to be occupied as a dwelling complete, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on supports, connection to utilities and the like.
- (l) Mobile Home Lot. A lot which is designed and zoned for use by a single mobile home placed on a permanent foundation and which is owned by the owner of the mobile home.
- (m) Mobile Home Park. Any park, court, camp, lot, area, piece, parcel, tract, or plot of ground upon which mobile homes are used, whether for compensation or not, including all accessory use thereof.
- (n) Mobile Home Space. A tract within a mobile home park, which is intended for use by a single mobile home.
- (o) Modular Home. A dwelling structure located on a permanent foundation and permanently connected to public utilities, consisting of preselected, prefabricated units or modules, and transported to and/or assembled on the site of its permanent foundation; in contradistinction to a dwelling structure which is custom-built on the site of its permanent location; and also in contradistinction to a mobile home, either single-wide, double-wide, or multiple width, located on a permanent foundation and permanently connected to public utilities; and further, that it conforms to the present city building, housing, electrical and plumbing codes. Such conformity may be either to the adopted codes of the city or by reciprocal conformity agreement between the building inspector of the city and a similar municipal official who inspects and approves the modular home at the place of its manufacture, according to a previously and mutually agreed set of standards.
- (p) Off-Street Parking Space. An area adjacent to, but off of the street right-of-way or private roadway surfaced for the purpose of storing one parked automobile. For the purpose of this article, one parking space shall have a minimum width of nine feet and a minimum length of 20 feet. Additional space shall be required off-street for access drives to each parking space.
- (q) Public Utility. Any business which furnishes the general public telephone service, telegraph service, electricity, natural gas or water, and any other business so affecting the public interest as to be subject to the supervision or regulation by an agency of the State of Kansas.
- (r) Structure. Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, but not including fences.
- (s) Set Back. The distance between the lot line and the building line as required by the zoning ordinance or the fire code of the City of Liberal.
- (t) Travel Trailer or House Trailer. As used in this article shall mean a vehicular, portable dwelling unit designed especially for short-term occupancy (one month or less). Such as: travel trailers, campers, converted buses and similar units whether

self-propelled, pulled or hauled and/or designed primarily for highway travel without a special permit; and/or does not comply with the requirements of the minimum housing code as a dwelling unit.

- (u) Yard. A space on the same lot with a main building, open, unoccupied and unobstructed by buildings or structures from the ground upward.
- (v) Yard, Front. A yard extending across the full width of the lot, the depth of which is the least distance between the street right-of-way and the front building line. On corner lots (lots abutting two or more streets at the intersection of those streets), the front yard shall face the shortest street dimension of the lot.
- (w) Yard, Rear. A yard extending across the full width of the lot between the rear of the main building and the rear lot line, the depth of which is the least distance between the rear lot line and the rear of such main building. Where an alley is platted at the rear of the lots, one-half of the width of the alley may be included in the rear yard requirements.
- (x) Yard, Side. A yard between the main building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally, at 90 degrees with the side lot line, from the nearest point of the side lot line toward the nearest part of the main building.
- (y) Zone or District. A section of the Liberal-Seward County Metropolitan Planning Area for which uniform regulations governing the use, height, area, size and intensity of use of buildings, land, and open spaces about buildings are established.
- (z) Zoning Ordinance. The zoning requirements approved by ordinances for the city of Liberal by the board of city commissioners and the zoning requirements approved by resolution for Seward County by the board of county commissioners.

SECTION 3. INSTALLATION OF MOBILE HOMES. All mobile homes which are installed within the city shall be installed according to the standards, requirements, and specifications set out in this article. All mobile homes shall be inspected by the building inspector prior to occupancy to confirm that all installation requirements have been met. If all such requirements have been met, the building inspector shall permit the utilities to be connected and the mobile home to be occupied.

EXCEPTION: In approved mobile home parks, mobile homes may be inspected prior to the installation of skirting and if approved, such mobile homes may be occupied. Such approval, however, shall not apply to skirting for which the occupant and/or owner shall be given a period not to exceed 60 days in which to install the required skirting.

SECTION 4. FOUNDATIONS FOR MODULAR HOMES. Modular homes located on individually owned lots shall be placed on a permanent masonry constructed foundation designed and constructed in accordance with the minimum specifications outlined in the Uniform Building Code adopted by this code for a similar conventionally constructed house. A modular home being mounted on such foundation shall have its wheels, axles, suspension, and hitch permanently removed, prior to occupancy.

SECTION 5. FOUNDATIONS FOR MOBILE HOMES. (a) All spaces on mobile home lots intended for the use of mobile homes shall be installed according to the minimum standards, requirements and specifications set out as follows.

(b) Foundations for piers shall be installed directly under the main frame or chassis of the mobile home. All grass and organic material shall be removed and the pier foundation placed on stable soil. The piers shall not be farther apart than 10 feet on centers, and the main frame, front or face of the mobile home shall not extend farther than one foot beyond the center

line of the end of the piers. Each pier foundation shall consist of two concrete blocks, and each such block shall be eight inches wide, eight inches high and 16 inches long or shall be of such other materials and design as approved by the building inspector.

(c) Piers shall be constructed of either open cell or solid concrete blocks, each of which shall be eight inches wide, eight inches high and sixteen (16) inches long, with open calls vertical or combination with solid concrete blocks which are two inches thick, eight inches high and 16 inches long placed above the foundation block. A wood plate which is at least one inch in actual thickness, either eight inches wide or sixteen (16) inches long shall be placed on top of the pier, with weather proof wood shims, when needed, fitted and driven tightly between the wood plate and the main frame. Such shims shall not occupy more than one inch of vertical space. Piers shall be installed perpendicular to the I-beam. All piers over 30 inches in height, measured from the top of the foundation block to the I-beam, shall be double tiers with blocks interlocked and capped with a solid concrete block, which shall be four inches high, 16 inches wide and 16 inches long, and cushioned with wood blocking as required. Piers shall not exceed 48 inches in height, unless designed by a registered professional engineer or architect.

SECTION 6. SAME; EXCEPTION. Mobile homes in "R-2" conventional and mobile home dwelling district and "M-H" mobile home district zones shall be supported by reinforced concrete piers. Piers shall be constructed of concrete with a compressive strength of 3,000 pounds per square inch or more and shall be reinforced with three 3/8" (three-eighths inch) vertical pieces of reinforcing steel and tied with three cross pieces of the same size reinforcing steel. Piers shall be 10 inches by 10 inches square in cross section or may be circular in cross section twelve (12) inches in diameter and shall be poured on undisturbed soil 30 inches below grade and shall be placed on not less than ten (10) foot centers on each side and throughout the length of the mobile home. Piers may extend above grade in such a manner that the mobile home will rest directly on the piers or the piers may be poured even with grade with concrete blocks placed on top of the piers. Concrete blocks must be mortared in place and filled with concrete. If concrete blocks are used the piers must have a two inch lip around the top six inches thick. The reinforcing bars must extend from the bottom of the pier to the top of the blocks.

SECTION 7. OFF-STREET PARKING. All mobile home lots and mobile home spaces shall be provided with at least one off-street parking space. Such off-street parking space shall be hard surfaced with asphaltic concrete or Portland concrete. It shall be at least nine feet by 20 feet by four inches in depth (excluding street right-of-way). If a curb cut is necessary, the building inspector must approve plans for the cut prior to construction.

SECTION 8. LOT GRADING. All mobile home lots and mobile home spaces shall be properly graded so as to insure rapid drainage and freedom from stagnant pools of water. This requirement is especially emphasized for that area of the space or lot, which the mobile home will cover.

SECTION 9. TIE DOWNS. All mobile homes shall be tied down to the ground to prevent damage to the mobile home and surrounding property during high velocity winds. All tie down straps or cables shall be over-the-top, ANSI approved type. All tie down anchors shall be ANSI approved screw type. All turnbuckles, cinch screws and other interconnecting links between the tie down strap and tie down anchor shall be ANSI approved or shall be of at least one-half inch in size with closed eye or jaw-end couplings and lock nuts. One tie down is required for every 20 feet or part thereof at the length of the mobile home. Tie downs shall be located no closer than 10 feet nor further apart than 30 feet. Tie downs shall be located not more than 15 feet from each end of the mobile home.

SECTION 10. SKIRTING. All mobile homes shall be skirted with reinforced metal or noncombustible material approved by the building inspector. All such skirting shall be permanently affixed to the mobile home by screws, rivets or in such other manner as may be approved by the building inspector. In order to be rodent free, all skirting shall be flush with all concrete surfaces and shall be buried at least one and one-half inches below grade when adjacent to earth surfaces. At least four square feet of grate protected ventilation shall be provided in the skirting. Also, the skirting shall have an easily accessible opening, which will allow utility services to the shutoff in case of emergencies.

SECTION 11. ELECTRICAL, WATER, SEWER, GAS, TIE DOWNS. All electrical, water, sewer and gas utility services for mobile or modular homes shall be installed according to applicable city codes. All utility services and tie downs shall be inspected and approved by the building inspector prior to connection to the mobile homes or modular home.

SECTION 12. INSPECTION FEE. The building inspector shall collect a fee for each mobile home requiring inspection by this article. Fees are established annually in the budget resolution and shown in Exhibit C-601. The payment of such fee shall not relieve such person or persons from prosecution for violating provisions of this article. The fees, location, size of mobile home, owner and any other information deemed necessary by the building inspector shall be filed over the owner's signature on a building permit form normally used for new construction in the city.

SECTION 13. UTILITY BUILDINGS. All utility buildings used by mobile home owners for storage shall be placed on a concrete base and plans and construction must be approved by the building inspector. Also a letter from and signed by the Mobile Home Park's owner or manager shall give permission to install the utility building before the building department will give the permit to install or build the utility building.

SECTION 14. INSTALLATION OF MODULAR HOMES. All modular homes shall be constructed in accordance with the building, electrical, and plumbing codes of the city. The building inspector shall require a complete detailed set of construction plans for each modular dwelling and/or structure which shall show all building construction details, plumbing details, and electrical details. Each set of plans must be inspected and approved by the building official before the modules may be transported to the job site or any construction started.

SECTION 15. ALTERATIONS OR ADDITIONS. Alterations and additions to modular homes which are within the city shall be made only after application to the building inspector and in conformance with all applicable codes and ordinances. No additions of any kind shall be built onto or become a part of any mobile home or travel trailer.

SECTION 16. SAME; EXCEPTION. Accessory structures not exceeding an area of 300 square feet, carports and residential patio structures may be attached to or become a part of a mobile home if such structure complies in all respects to the International Residential Code and with the written approval of the building official.

SECTION 17. LOCATION OF MOBILE HOMES. Mobile homes are allowed only on tracts, lots or parcels of land zoned for mobile home use, except as provided under the terms of Article XXIV of the Zoning Ordinance.

SECTION 18. LOCATION OF MODULAR HOMES. Modular homes and/or other modular structures constructed, inspected and installed according to the requirements of this article shall be considered similar to conventionally built structures, and thus allowed to locate in any zone in which a conventionally built structure of a similar intended use might be allowed to locate. All requirements of the zone in which the modular unit is located shall apply to the unit as if it were a conventionally built structure.

SECTION 19. LOCATION OF TRAVEL TRAILERS. No such trailer so stored shall be used for residential or commercial purposes except on a temporary basis, and when specifically approved in writing by the building inspector. Travel trailers shall not be parked or stored on any city street or city right of way for more than 24 hours unless specifically approved in writing by the building inspector. Only when a travel trailer is located in a travel trailer park or campground approved by the building inspector, shall it be allowed to be used as intended without written approval of the building inspector.

SECTION 20. VIOLATIONS AND PENALTIES. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure or cause or permit the same to be done in violation of the Mobile Home Installation Code. Any person, firm or corporation violating any provisions of the Mobile Home Installation Code shall be punished by one or more of the following:

- (a) A fine of not less than \$500.00 or more than \$1,000.00 (or \$1,500 - \$5,000.00 for a repeat offense); or
- (b) Imprisonment for not more than 180 days; or
- (c) Restitution for damages done to the City or Public at large; or
- (d) Community service, supervised or unsupervised; or
- (e) Any combination or all of the above.
- (f) Violation of this provision shall make the contract voidable and persons involved are subject to fines as set forth in Section 6-220(c).

ARTICLE 12. SWIMMING POOL, SPA AND HOT TUB CODE

SECTION 1. INTERNATIONAL SWIMMING POOL AND SPA CODE. The City of Liberal does hereby adopt and incorporate in accordance with K.S.A. 12-3009 to 12-3012 inclusive, The International Swimming Pool and Spa Code, 2012 Edition, prepared and published by the Association of Pool & Spa Professionals, in which includes the American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs and Catch Basins, 4051 West Flossmoor Road, Country Club Hills, IL 60478. Not less than three copies of the International Swimming Pool and Spa Code shall be marked or stamped "Official Copy as incorporated by the Code of the City of Liberal," and shall be filed with the city clerk to be open for inspection and available to the public at all reasonable business hours. All administrative departments of the city charged with the enforcement of this article shall be supplied with, at no cost of the city, such number of official copies of the International Swimming Pool and Spa Code similarly marked as may be deemed expedient.

SECTION 2. AMENDMENT. Chapter 3, Section 302.6 of the International Swimming Pool and Spa Code is hereby amended to read as follows: Section 302.6 - Wastewater Discharge. No direct or indirect connection shall be made between any storm drain, sewer, drainage system, seepage pit, underground leaching pit, or subsoil drainage line, and any line connected to a swimming pool unless approved by the building inspector. Unless otherwise permitted by the board of zoning appeals when the waste water from a swimming pool is to be

disposed of through a public sewer, a minimum of three inch P trap shall be required. The rail piece from the trap shall extend a minimum of three inches above finished grade and below finished floor grade. Traps need not be vented when located on the exterior of the building. The connection between the filter waste discharge piping and the P trap shall be made by means of an air gap.

Exception: Spas and hot tubs less than 750 gallons shall not be required to discharge into a trap. Plans and specifications for any deviation from the above manner of installation shall first be approved by the board of zoning appeals before any portion of any such system is installed. When waste water disposal is to a seepage pit installation, it shall be installed in accordance with the approval granted by the board of zoning appeals. Pools existing as of the date of adoption of this code by the city shall not be permitted to drain on city streets, alleys, easements or other public and private property not owned by the facility owner.

SECTION 3. SAME; PENALTIES AND VIOLATION. Section 1.7, Violation and Penalties of the Uniform Swimming Pool, Spa and Hot Tub Code shall be amended to read as follows: Any person violating any provision of this code shall be deemed guilty of a Class C violation. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval, of any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorized is lawful. The issuance or granting of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on there under when in violation of this code or of any other ordinance or from revoking any certificate of approval when issued in error. Every permit issued by the board of zoning appeals under the provisions of this code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within 120 days from date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after 120 days. Before such work can be recommenced, a new permit shall be first obtained, and the fee shall be one-half the amount required for a new permit for such work, provided no changes have been made, or will be made in the original plans and specifications for such work; and provided further, that such suspension and abandonment has not exceeded on year.

EFFECTIVE DATE. This Ordinance shall be effective upon its passage and adoption by the Governing Body of the City of Liberal, Kansas and after its publication in the official City newspaper.

ADOPTED AND APPROVED by the Governing Body of the City of Liberal, Kansas, this _____ day of _____, 2014.

Dave Harrison, Mayor

ATTEST:

Debra S. Giskie, CMC, City Clerk