

CHAPTER IV. BUILDINGS AND BUILDING REGULATIONS

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CHAPTER 4 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. – IN GENERAL

Section 4-100. 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 one another, which will provide for better building construction and greater safety to the public.

Section 4-101. Enforcement agency.

The Building & Code Compliance Department of the City of Ulysses, Kansas (City) and the official in charge thereof, or his/her designee, shall be known as the Building Official and will perform the duties of the enforcement agency. Wherever the term Code Official is used in Chapter 4, including any codes adopted and incorporated by reference herein, the term Code Official shall mean Building Official as defined in this Section. The Building Official or his/her designee shall have the power to at once cause the removal of all structures, buildings and wiring, or the disconnection of all electricity or other utilities where the same shall interfere with the work of the fire department during the progress of a fire or other emergency situation deemed hazardous to the public by the Building Official. During the temporary absence or disability of the Building Official the appointing authority shall designate an acting Building Official.

Section 4-102. Penalty.

A violation of any provision of this Chapter is an unclassified misdemeanor punishable as follows:

- 1st conviction – a class C nonperson misdemeanor punishable by a maximum of 30 days in jail and/or a fine not to exceed \$500.
- 2nd conviction – a class B nonperson misdemeanor punishable by a maximum of 180 days in jail and/or a fine not to exceed \$1,000.
- 3rd or subsequent conviction- a class A nonperson misdemeanor punishable by a maximum of 360 days in jail and/or a fine not to exceed \$2,500.

Section 4-103. 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 Chapter.

Section 4-104. Referenced code books.

Copies of all referenced code books in this Chapter are and will be kept on file in the office of the Building & Code Compliance Department.

Section 4-105. Floodplain management ordinance not affected by this Chapter.

Nothing in this ordinance adopting this Chapter shall affect any ordinance in regards to the management of floodplains.

Section 4-106. Temporary structures.

Before any temporary structure or movable structure that does not meet the requirements of the codes adopted in this Chapter is placed within the City, the location of the same shall be approved and permitted by the Building Official prior to installation. Such approval shall be for no longer than ninety (90) days. Thereafter, the Building Official shall review the status of the structure and may grant an additional extension of no more than thirty (30) days of the original approval if the structure is in good condition and is in compliance with all applicable ordinances.

Section 4-107. Documentation.

Developers and/or contractors and utility companies and/or their agents shall submit sufficient and detailed documentation such as the City Engineer and Building Official may require prior to the issuance of a building permit, to insure the orderly construction on lands in approved subdivisions, plats, tracts, or parcels within the City. Additional documentation and requirements include:

- (a) *Minimum Grade Elevation.* A minimum mean grade elevation of eighteen inches (18") above curb height is hereby established as a standard elevation in the City. *Note: Grade elevation shall mean soil grade above the curb.*

In any given block along any given street, a new residence shall not be constructed on a lot adjoining an established residence or a residence which is under construction at a grade height greater than four inches (4") above or below said adjoining structure without review and approval by the Building Official and/or the City Engineer.

Each plot plan, when submitted for a building permit shall reflect:

- (1) The mean elevation of the structure above the curb; and
 - (2) The elevation of the structure in relation to structures on either side when applicable, along with the location of the structure of the lot and distances from each property line. The method of drainage for the structure and lot shall be shown.
- (b) *Drainage plan required.* The developer and/or contractor shall submit to the Building Official documentation setting forth the surface water drainage on the plot when applying for a building permit. This drainage plan shall be in substantial conformance with that filed on the final plat of record. It shall be understood that the surface water drainage plan shall be uniform for a minimum of a platted block, and that any deviation from the requirements of this section shall be approved at the time of platting by the City.

- (c) *Materials & Method for Residential Construction.* In order to provide uniformity throughout each neighborhood area, all attachments to the main structure(s) shall be constructed of the same materials which were used for the main structure(s). Building methods shall be of the same type as those of the main structure(s) (walls, foundations, roofs, etc.). When the walls of the main structure are brick veneer, accessory buildings may be covered with wood or other approved siding materials, rather than brick veneer.
- (d) *All new residential, commercial, and industrial construction building permit applications require sidewalks to be included.* No residential, commercial or industrial remodel building permit application subject to the Building Code shall be issued for a value of over Ten Thousand Dollars (\$10,000.00) if sidewalks do not currently exist unless the applicant shall include construction of sidewalks per City specifications.
- (e) Commercial construction of interior non-load bearing walls, without plumbing, electrical or mechanical, may be constructed without design professional stamped plans. Nothing in this subsection shall be construed to limit the requirement of a code footprint as may be required by the Fire Marshal and Building Official for said commercial construction.

Section 4-108. Building sites.

Definition – Building site. A building site is any area where building is in process for a period of or exceeding seven (7) calendar days. This includes, but is not limited to, the erection of structures, buildings or parking lots and the preparation of land for building or for an alternate use.

- (a) *Toilets Required.* At each building site where three (3) 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.
- (b) *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.

Section 4-109. Abandoned sewers and sewage disposal facilities.

Every abandoned building sewer, or part thereof, shall be plugged or capped in an approved manner at the sewer main unless otherwise specified by the Building Official.

Sections 4-110 to 4-114. - Reserved.

ARTICLE II. – BUILDING CODE

Section 4-200. International Building Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire, explosion and other hazards, and to provide a reasonable level of safety to firefighters and emergency responders during emergency operations, including the issuance of permits and providing a penalty for violation thereof, that certain building code known as the "International Building Code", Edition of 2018, including all Appendix Chapters, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known as the Building Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or

portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Building Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Building Code similarly marked, as may be deemed expedient. All references to the Building Code adopted and incorporated into this code shall be in a form designating Section 4-200 followed in parenthesis followed by the section number of the Building Code, as incorporated. (For example, Section 402.2 of the Building Code as incorporated shall be referred to as Section 4-200 (402.2).)

Section 4-201. Amendments and deletions to Building Code.

The following sections of the Building Code adopted and incorporated by reference in this Article are hereby amended or deleted as follows:

Section 101.1 Title. Amended to read as follows: These regulations shall be known as the Building Code of the City of Ulysses, Kansas, hereinafter referred to as "this code".

Section 101.4.6 Energy. Deleted

Section 103 Department of Building Safety. Deleted

Section 105.1.1 Annual permit & 105.1.2 Annual permit records. Deleted

Section 105.2 Work exempt from permit. Subsections 1, 2, and 5. Deleted

Section 1612.3 Establishment of flood hazard areas. Amended to read as follows: 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 Ulysses," dated September 3, 1997, 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.

Section 4-202. Residential Building Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to firefighters and emergency responders during emergency operations, including the issuance of permits and providing a penalty for violation thereof, that certain residential building code known as the "International Residential Code for One- and Two-Family Dwellings", Edition of 2018, including Appendix Chapters A, B, C, D, E, F, G, J, K, L, M, N, O, P, Q, R, S, and T, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known as the Residential Building Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Residential Building Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. "1326", with all sections or portions thereof intended to be omitted or changed clearly marked to

show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Residential Building Code similarly marked, as may be deemed expedient. All references to the Residential Building Code adopted and incorporated into this code shall be in a form designating Section 4-202 followed in parenthesis followed by the section number of the Residential Building Code, as incorporated. (For example, Section 402.2 of the Residential Building Code as incorporated shall be referred to as Section 4-202 (402.2).)

Section 4-203. Amendments and deletions to Residential Building Code.

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

Section R101.1 Title. Amended to read as follows: These provisions shall be known as the Residential Building Code for One- and Two-Family Dwellings of the City of Ulysses, Kansas, and shall be cited as such and will be referred to herein as “this code”.

Section R105.2 Work exempt from permit. Subsections 1, 2, 5 & 10. Deleted Table

R301.2 (1) Amended to read as follows:

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD ^o	WIND SIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^a	ICE BARRIER UNDER- LAYMENT REQUIRED ^b	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topo- graphi- c effects ^k	Special wind region ^l	Wind- borne debris zone ^m		Weathering ⁿ	Frost line depth ^h	Termite ^c					
15	115	NO	NO	NO	A	SEVERE	32"	MODERATE TO HEAVY	5°	NO	01/25/78 09/03/97	500-1000	55°

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index “negligible,” “moderate” or “severe” for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 971/2-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- l. In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

Section R302.13 Fire protection of floors. Deleted

Section R314.4 Interconnection. Amended to read as follows: Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual dwelling unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. Exception: Interconnection of smoke alarms in existing areas shall not be required where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

Section 403.1.4.1 Frost Protection. Exceptions 1. & 2. Deleted

Section 405.1 Concrete and masonry foundations. Deleted

Section N1102.4.1.2 Testing. Deleted

Section N1103.3.3 Duct testing. Deleted

Section P2603.5.1 Sewer depth. Deleted

Amend Section G2415.12 Minimum burial depth. Amended to read as follows: Underground piping systems shall be installed a minimum depth of twenty-four inches (24") below grade. Dielectric unions shall be used prior to entering a structure.

Section G2415.12.1 Individual outside appliances. Deleted

Section G2415.13 Trenches. Amended to read as follows: The trench shall be graded so that

the pipe has a firm, substantially continuous bearing on the bottom of the trench. 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 G2417.4.1 Test pressure measurement. Amended to read as follows: 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 pressured with a pressure of twelve inches (12") of mercury or twenty (20) pounds of air, thirty (30) pounds of air if CSST is used, and the same shall have stood for at least fifteen (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 inches (14") (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.

Section G2417.4.2 Test duration. Deleted

Section E3601.6.2 Service disconnect location. Amended to read as follows: The service disconnecting means shall be installed at a readily accessible location outside of a building. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

Section E3902.7 Sink receptacles. Amended to read as follows: 125-volt, single-phase, 15- and 20-ampere receptacles that are located within 6 feet (1,829 mm) of the top inside edge of the bowl of the sink shall have ground-fault circuit-interrupter protection for personnel; *provided, however, that* any non-accessible kitchen receptacle designated for a refrigerator shall not be required to be ground-fault circuit-interrupter protected. [210.8(A)(7)]

Section 4-204. Building demolition.

- (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 an approved demolition contractor licensed by the City or to an applicant who is the owner of the single-family residential 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 (6") above existing grade to allow for settling. A final inspection of the demolition site by the building official will be required. Alternate methods of backfilling may be approved by the building official. When work is completed, the site shall be brought back to its natural state.
- (5) All demolition work shall be completed within sixty (60) days of the date of issuance of the demolition permit.

Section 4-205. Manufactured and modular housing.

- (a) *Definitions.* Unless clearly indicated otherwise by the context of this Section, the following word and terms when used herein, shall have the following meanings:
 - (1) *Manufactured Home.* A factory-built home or structure federally regulated by the HUD Code placed on a site upon a permanent foundation unless located in a manufactured home park which may be placed according to manufacturer's specifications.
 - (2) *Modular Home or Structure.* A home or structure modular in nature, may be partially or completely fabricated offsite, designed and constructed to the currently adopted Building Code of the City and placed on a site upon a permanent foundation, to be used for residential, commercial, educational or industrial purposes.
 - (3) *Mobile Home or Structure.* A factory-built home or structure built prior to June 15, 1976.
- (b) *Authorized.* The use of modular and manufactured homes or structures for residential, commercial, educational or industrial structures is hereby authorized within the City, subject to the requirements as hereinafter provided.
- (c) *Manufactured Home.* No permanent additions shall be made to a manufactured home or structure, including any non-conforming units, unless the manufactured home or structure is on a permanent foundation or properly set to the manufacturer's specifications and all applicable building permits have been obtained. Such additions shall comply with current Building Codes applicable to site-built construction. No single section or multi-section manufactured home or structure shall be combined with or attached to another manufactured home or structure unless all such manufactured home or structure units are specifically constructed to HUD Codes to be so combined. An inspector shall make the required inspections for all utility hook ups, foundation and/or tie downs.
- (d) *Modular Home or Structure.* Modular units which are factory fabricated shall be inspected by a third-party inspector approved by the building official, and each unit shall have attached thereto a seal of approval, certifying that the construction of such unit and the components incorporated therein comply with the currently adopted Building Code of the City. The third-party inspector shall be duly authorized by the appropriate building code association and the Building Official to make the required inspections and certifications upon such terms and conditions as directed by the Building Official.

- (1) All other modular units not inspected and approved as provided in subsection (d) of this subsection, shall comply with the current Building Codes and Zoning Regulations adopted by the City. Inspection to ensure compliance with such codes shall be made upon such terms and conditions as required by the building official.
- (e) *Mobile Home or Structure or Manufactured Home.* No mobile home or structure or manufactured home older than Twenty-five (25) years of age, as defined in this code, shall be moved, relocated, be changed in use or otherwise be placed on any property, including within any manufactured home park, manufactured home subdivision, or on an individual lot, whether platted or unplatted, within the City.
- (f) *Permits and Fees.* All costs of third-party inspection shall be paid by the building permit applicant along with all permit fees required by ordinance at the time the application for building permit is made.
- (g) Mobile homes shall be skirted within 45 days of being placed, with fire resistive materials from ground up to siding of mobile home. Plywood, wood siding or combustible siding materials shall not be used, unless fire resistive non-combustive backing material shall be applied behind such siding. Hay bales used as skirting or placed under or around a mobile home for any purpose is prohibited.
- (h) Automobile tire, masonry materials or other materials not a factory supplied part of the mobile home shall not be installed or placed on the roof of the mobile home for any purpose. Appropriate straps or tibs may be installed on the roof of the mobile home if approved by the building official to help prevent wind life of the roof.

ARTICLE III. – ELECTRICAL CODE

Section 4-300. Electrical Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules and regulations for the practical safeguarding of persons and property from hazards arising from the use of electricity, including the issuance of permits and providing a penalty for violation thereof, that certain electrical code known as the "NFPA 70: National Electrical Code", Edition of 2017, including Informative Annexes A, B, C, D, E, F, G, H, I and J, prepared and published in book form by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, to be known as the Electrical Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Electrical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Electrical Code similarly marked, as may be deemed expedient. All references to the Electrical Code adopted and incorporated into this code shall be in a form designating Section 4-300 followed in parenthesis followed by the section number of the Electrical Code, as incorporated. (For example, Section 400.13 of the Electrical Code as incorporated shall be referred to as Section 4-300 (400.13).

Section 4-301. Amendments to Electrical Code.

The following sections of the Electrical Code adopted and incorporated by reference in this

Article is hereby amended as follows:

Section 210.8 Ground-Fault Circuit Interrupter Protection for Personnel. Amended to read as follows:

Ground-fault circuit-interrupter protection for personnel shall be provided as required in 210.8(A) through (E). The ground-fault circuit interrupter shall be installed in a readily accessible location.

INFORMATIONAL NOTE NO. 1: SEE 215.9 FOR GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL ON FEEDERS.

INFORMATIONAL NOTE NO. 2: SEE 422.5(A) FOR GFCI REQUIREMENTS FOR APPLIANCES.

For the purposes of this section, when determining distance from receptacles, the distance shall be as the shortest path the cord of an appliance connected to the receptacle would follow through without piercing a floor, wall, ceiling, or fixed barrier, or passing through a door, doorway, or window.

(A) **Dwelling Units.** All 125-volt, single-phase, 15- and 20- ampere receptacles installed in the locations specified in 210.8(A)(1) through (10) shall have ground-fault circuit-interrupter protection for personnel.

- (1) Bathrooms;
- (2) Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use;
- (3) Outdoors;
 - (a) Exception: Receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment shall be permitted to be installed in accordance with 426.28 or 427.22, as applicable.
- (4) Crawl spaces – at or below grade level;
- (5) Unfinished portions or areas of the basement not intended as habitable rooms;
 - (a) Exception: A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection. Any receptacle falling under this exception shall not be considered as meeting the requirements of 210.52(G).

INFORMATIONAL NOTE NO. 1: SEE 760.41(B) AND 760.121(B) FOR POWER SUPPLY REQUIREMENTS FOR FIRE ALARM SYSTEMS.

- (6) Kitchens – where the receptacles are installed to serve countertop surfaces;
- (7) Sinks – where receptacles are installed within 1.8 meters or 6 feet from the top inside edge of the bowl of the sink; *provided, however, that* any non-accessible kitchen receptacle designated for a refrigerator shall not be

required to be ground-fault circuit-interrupter protected;

(8) Boathouses;

(9) Bathtubs or shower stalls – where receptacles are installed within 1.8 meters or 6 feet of the outside edge of the bathtub or shower stall;

(10) Laundry areas.

(B) **Other Than Dwelling Units.** All single-phase receptacles rated 150 volts to ground or less, 50 amperes or less and three-phase receptacles rated 150 volts to ground or less, 100 amperes or less installed in the following locations shall have ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms;

(2) Kitchens;

(3) Rooftops;

(a) Exception: Receptacles on rooftops shall not be required to be readily accessible other than from the rooftop.

(b) Exception: Receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment shall be permitted to be installed in accordance with 426.28 or 427.22, as applicable.

(4) Outdoors;

(a) Exception: Receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment shall be permitted to be installed in accordance with 426.28 or 427.22, as applicable.

(b) Exception: In industrial establishments only, where the conditions of maintenance and supervision ensure that only qualified personnel are involved, an assured equipment grounding conductor program as specified in 590.6(B)(3) shall be permitted for only those receptacle outlets used to supply equipment that would create a greater hazard if power is interrupted or having a design that is not compatible with GFCI protection.

(5) Sinks – where receptacles are installed within 1.8 meters or 6 feet from the top inside edge of the bowl of the sink;

(a) Exception: In industrial laboratories, receptacles used to supply equipment where removal of power would introduce a greater hazard shall be permitted to be installed without GFCI protection.

(b) Exception: For receptacles located in patient bed locations of general care (Category 2) or critical care (Category 1) spaces of health care facilities other than those covered under 210.8(B)(1), GFCI protection shall not be required.

(6) Indoor wet locations;

- (7) Locker rooms with associated showering facilities;
 - (8) Garages, service bays, and similar areas other than vehicle exhibition halls and showrooms;
 - (9) Crawl spaces – at or below grade level;
 - (10) Unfinished portions or areas of the basement not intended as habitable rooms.
- (C) **Boat Hoists.** GFCI protection shall be provided for outlets not exceeding 240 volts that supply boat hoists installed in dwelling unit locations.
- (D) **Kitchen Dishwasher Branch Circuit.** GFCI protection shall be provided for outlets that supply dishwashers installed in dwelling unit locations.
- (E) **Crawl Space Lighting Outlets.** GFCI protection shall be provided for lighting outlets not exceeding 120 volts installed in crawl spaces.

Section 230.70(A)(1) Readily Accessible Location. Amended to read as follows:

- (a) The service disconnecting means for a One- or Two-Family Dwelling shall be installed at a readily accessible location outside of a building or structure.
- (b) The service disconnecting means for a building or structure other than a One- or Two- Family Dwelling shall be installed at a readily accessible location outside of a building or structure.

Section 4-302. Notice to electric utility 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 electric utility department to determine whether the required power is available and such person's cost in obtaining the same.

Sections 4-303 to 4-306. - Reserved.

ARTICLE IV. – MECHANICAL CODE

Section 4-400. Mechanical Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum standards to provide a reasonable level of safety, health, property protection and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems, including the issuance of permits and providing a penalty for violation thereof, that certain mechanical code known as the "International Mechanical Code", Edition of 2018, including Appendix Chapter A, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known) as the Mechanical Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Mechanical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city

prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Mechanical Code similarly marked, as may be deemed expedient. All references to the Mechanical Code adopted and incorporated into this code shall be in a form designating Section 4-400 followed in parenthesis followed by the section number of the Mechanical Code, as incorporated. (For example, Section 401.3 of the Mechanical Code as incorporated shall be referred to as Section 4-400 (401.3).

Section 4-401. Amendments and deletions to Mechanical Code.

The following sections of the Mechanical Code adopted and incorporated by reference in this Article are hereby amended or deleted as follows:

Section 101.1 Title. Amended to read as follows: These regulations shall be known as the Mechanical Code of the City of Ulysses, Kansas, hereinafter referred to as "this code".

Section 106.5.2 Fee schedule. Amended to read as follows: The fees for mechanical work shall be as indicated in the following schedule: Chapter IV, Section 4-104 of the Code of Ordinances.

Section 106.5.3 Fee refunds. Deleted

Section 108.4 Violation penalties. Amended to read as follows: Any person who violates a provision of this code, who fails to comply with any of the requirements thereof or who performs mechanical work in violation of the approved construction documents, directive of the building official or of a permit or certificate issued under the provisions, shall be guilty of a Class C violation and punished as provided in amended Chapter IV Article 13. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders. Amended to read as follows: Upon notice from the building official that mechanical 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 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 official shall not be required to give a written notice prior to stopping the work. Any person who shall continue 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 guilty of a Class C violation and punished as provided in amended Chapter IV, Article 13

Sections 4-402 to 4-405. - Reserved.

ARTICLE V. – PLUMBING CODE

Section 4-500. Plumbing Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum standards to provide a reasonable level of safety, health, property protection and public welfare by regulating and controlling the design, constructions, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems, including the issuance of permits and providing a penalty for violation thereof, that certain plumbing code known as the "International Plumbing Code", Edition of 2018, including Appendix Chapters B, C, D, E, F and G, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known as the Plumbing Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Plumbing Code shall be marked or stamped

"Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Plumbing Code similarly marked, as may be deemed expedient. All references to the Plumbing Code adopted and incorporated into this code shall be in a form designating Section 4-500 followed in parenthesis followed by the section number of the Plumbing Code, as incorporated. (For example, Section 401.2 of the Plumbing Code as incorporated shall be referred to as Section 4-500 (401.2).

Section 4-501. Amendments and deletions to Plumbing Code.

The following sections of the Plumbing Code adopted and incorporated by reference in this article are hereby amended or deleted as follows:

Section 101.1 Title. Amended to read as follows: These regulations shall be known as the Plumbing Code of the City of Ulysses, Kansas, hereinafter referred to as "this code".

Section 106.6.2 Fee schedule. Amended to read as follows: The fees for all plumbing work shall be as indicated in the following schedule: Chapter IV, Section 4-104 of the Code of Ordinances.

Section 106.6.3 Fee refunds. Deleted

Section 108.4 Violation penalties. Amended to read as follows: Any person who violates a provision of this code, who fails to comply with any of the requirements thereof or who performs plumbing work in violation of the approved construction documents, directive of the building official or of a permit or certificate issued under the provisions, shall be guilty of a Class C violation and punished as provided in amended Chapter IV, Article 13. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders. Amended to read as follows: Upon notice from the building official that plumbing 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 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 official shall not be required to give a written notice prior to stopping the work. Any person who shall continue 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 guilty of a Class C violation and punished as provided in amended Chapter IV, Article 13.

Section 305.4.1 Sewer depth. Deleted

Section 903.1 Roof extension. Amended to read as follows: All open vent pipes that extend through a roof shall be terminated at least six inches (6") 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 seven feet (7') (2134 mm) above the roof.

Section 4-502. Cross connection control.

(a) *Prohibited.* No person shall establish or permit to be established, or maintain or

permit to be maintained, any cross connection whereby a private water supply or any source of contamination may enter the public water supply of the City, unless such source is approved by the Governing Body and by the Kansas Department of Health and Environment.

- (b) *Protective backflow preventers required.* Approved devices to protect against backflow or backsiphonage shall be installed at all fixtures and equipment where backflow or backsiphonage may occur and where there is a hazard of contamination of the public water supply of the City.
- (c) *Inspection; right of entry.* The building official shall have the right of entry into any building or premises in the City as frequently as is necessary in order to ensure that plumbing has been installed in a manner consistent with the requirements of Sections 4-437.
- (d) *Protection from contaminants; refusal to deliver water.* Pursuant to K.S.A. 65-163a, and amendments thereto, the City may refuse to deliver water to any premises where a condition exists which might lead to the contamination of the public water supply and may continue to refuse to deliver water until the condition is corrected to the satisfaction of the City. In addition, the City may immediately terminate water service to a premise where a backflow or backsiphonage condition exists which may be hazardous to the health of customers served by the public water supply system.
- (e). *Regulations adopted.* There is hereby adopted by the City for the purpose of regulating cross connections between the public water supply and any source of contamination, including providing a penalty for violation thereof, that certain manual known as the "Manual of Regulations Regulating Backflow and Backsiphonage of Contaminants Due to Cross Connections", Original Date of Adoption on May 8, 1990, prepared in book form by the City of Ulysses, Kansas. One official copy of said manual shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such manuals similarly marked, as may be deemed expedient.

Sections 4-503 to 4-506. - Reserved.

ARTICLE VI. – FUEL GAS CODE

Section 4-600. Fuel Gas Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum standards to provide a reasonable level of safety, health, property protection and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems, including the issuance of permits and providing a penalty for violation thereof, that certain fuel gas code known as the "International Fuel Gas Code", Edition of 2018, including Appendix Chapters A, B, C, and D, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known as the Fuel Gas Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Fuel Gas Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted

or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Fuel Gas Code similarly marked, as may be deemed expedient. All references to the Fuel Gas Code adopted and incorporated into this code shall be in a form designating Section 4-600 followed in parenthesis followed by the section number of the Fuel Gas Code, as incorporated. (For example, Section 401.2 of the Fuel Gas Code as incorporated shall be referred to as Section 4-600 (401.2).

Section 4-601. Amendments and deletions to Fuel Gas Code.

The following sections of the Fuel Gas Code adopted and incorporated by reference in this Article are hereby deleted or amended to read as follows:

Section 101.1 Title. Amended to read as follows: These regulations shall be known as the Fuel Gas Code of the City of Ulysses, Kansas, hereinafter referred to as "this code".

Section 106 . 6 . 2 Fee schedule. Amended to read as follows: The fees for fuel gas work shall be as indicated in the following schedule: Chapter IV, Section 4-104 of the Code of Ordinances.

Section 106.6.3 Fee refunds. Deleted

Section 108.4 Violation penalties. Amended to read as follows: Any person who violates a provision of this code, who fails to comply with any of the requirements thereof or who performs fuel gas work in violation of the approved construction documents, directive of the building official or of a permit or certificate issued under the provisions, shall be guilty of a Class C violation and punished as provided in amended Chapter IV, Article 13. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders. Amended to read as follows: Upon notice from the building official that fuel gas 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 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 official shall not be required to give a written notice prior to stopping the work. Any person who shall continue 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 guilty of a Class C violation and punished as provided in amended Chapter IV, Article 13.

Section 403.4.3 Copper and copper alloy. Deleted

Section 403.5.3 Copper and copper alloy tubing. Deleted

Section 404.12 Minimum burial depth. Amended to read as follows: All underground piping systems shall be installed a minimum depth of twenty-four inches (24") below grade. Dielectric unions shall be used prior to entering a structure.

Section 404.12.1 Individual outdoor appliances. Deleted

Section 402.1 General considerations. Amended to read as follows: Piping systems shall be of such size and so installed as to provide a supply of gas sufficient to meet the maximum demand and supply gas to each appliance inlet at not less than the minimum supply

pressure required by the appliance. Underground gas lines to the main structure shall be a minimum of one and one-quarter (1 1/4) 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 three-quarter (3/4) inch gas line shall be required to the first outlet. Branch piping shall be sized in accordance with the appropriate tables of Chapter 4. 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 building official shall have the authority to authorize the reduction of pipe size to one (1) inch.

Section 404.13 Trenches. Amended to read as follows: The trench shall be graded so that the pipe has a firm, substantially continuous bearing on the bottom of the trench. 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 406.4.1 Test pressure. Amended to read as follows: 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 pressured with a pressure of twelve inches (12") of mercury or twenty (20) pounds of air, thirty (30) pounds of air if CSST is used, and the same shall have stood for at least fifteen (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 inches (14") (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.

Section 406.4.2 Test duration. Deleted

Sections 4-602 to 4-605. - Reserved.

ARTICLE VII. – HOUSING CODE

Section 4-700. Penalty.

Except as otherwise provided in this Article, a violation of any provisions of this Article is a Class C violation, punishable as provided in Chapter IV, Article 13 of the Code of Ordinances. In addition to the penalties provided in Chapter IV, Article 13, the court may order abatement of any and all conditions found to be in violation of this Article. Abatement may include an order to eliminate a condition determined to be a nuisance, and repair, clean up or demolish and remove a building. The court may also order any building or portion thereof, which is occupied by one or more persons, to be vacated to protect the health, property, safety, or welfare of the public or occupants thereof.

Section 4-701. International Property Maintenance Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum standards to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises, including the issuance of permits and providing a penalty for violation thereof, that certain property maintenance code known as the "International Property Maintenance Code", Edition of 2018, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known as the Property Maintenance Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or

changed. One official copy of said International Property Maintenance Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such International Property Maintenance Code similarly marked, as may be deemed expedient. All references to the International Property Maintenance Code adopted and incorporated into this code shall be in a form designating Section 4-700 followed in parenthesis followed by the section number of the International Property Maintenance Code, as incorporated. (For example, Section 401.2 of the International Property Maintenance Code as incorporated shall be referred to as Section 4-701).

Section 4-702. Amendments and deletions to International Property Maintenance Code.

The following sections of the International Property Maintenance Code adopted and incorporated by reference in this Article are hereby amended or deleted as follows:

Section 101.1 Title. Amended to read as follows: These regulations shall be known as the Property Maintenance Code of the City of Ulysses, Kansas, hereinafter referred to as "this code".

Section 103.5 Fee schedule. Amended to read as follows: The fees for this Article shall be as indicated in the following schedule: Chapter IV, Section 4-104 of the Code of Ordinances.

Section 107 Notices and orders. Deleted

Section 108.1 When a structure or equipment is found by the Building Official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of Chapter IV, Article VII of the Code of Ordinances.

Section 111 Means of Appeal. Deleted

Section 112.4 Stop work orders. Amended to read as follows: Upon notice from the Building Official that any 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, 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 official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work 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 guilty of a Class C violation and punished as provided in amended Chapter IV, Article XII.

Section 302.4 Weeds. Amended to read as follows: Premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve inches (12"). Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal

shall be paid by the owner or agent responsible for the property.

Section 304.14 Insect screens. Deleted

Section 602.3 Heat supply. Amended to read as follows: 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 to maintain a minimum temperature of 68°F (20°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; or (2) In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Amended to read as follows: Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied. Exceptions: (1) Processing, storage and operation areas that require cooling or special temperature conditions; or (2) Areas in which persons are primarily engage in vigorous physical activities.

Section 4-703. Swimming Pool and Spa Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum standards to provide a reasonable level of safety and protection of health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas, including the issuance of permits and providing a penalty for violation thereof, that certain swimming pool and spa code known as the "International Swimming Pool and Spa Code", Edition of 2018, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known as the Swimming Pool and Spa Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Swimming Pool and Spa Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Swimming Pool and Spa Code similarly marked, as may be deemed expedient. All references to the Swimming Pool and Spa Code adopted and incorporated into this code shall be in a form designating Section 4-1003 followed in parenthesis followed by the section number of the Swimming Pool and Spa Code, as incorporated. (For example, Section 401.4 of the Swimming Pool and Spa Code as incorporated shall be referred to as Section 4-1003(401.4).

Section 4-704. Amendments and deletions to Swimming Pool and Spa Code.

The following sections of the Swimming Pool and Spa Code adopted and incorporated by reference in this Article are hereby deleted or amended to read as follows:

Section 101.1 Title. Amended to read as follows: These regulations shall be known as the Swimming Pool and Spa Code of the City of Ulysses, Kansas, hereinafter referred to as "this code".

Section 105 . 6 . 2 Fee schedule. Amended to read as follows: The fees for swimming pool

and spa work shall be as indicated in the following schedule: Chapter 4, Section 4-405 of the Code of Ordinances.

Section 105.6.3 Fee refunds. Deleted

Section 107.4 Violation penalties. Amended to read as follows: Any person who violates a provision of this code, who fails to comply with any of the requirements thereof or who performs pool or spa work in violation of the approved construction documents, directive of the building official or of a permit or certificate issued under the provisions, shall be guilty of a Class C violation and punished as provided in amended Section 18-3. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 107.5 Stop work orders. Amended to read as follows: Upon notice from the building official that pool or spa 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, 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 official shall not be required to give a written notice prior to stopping the work. Any person who shall continue on the pool or spa 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 guilty of a Class C violation and punished as provided in amended Section Chapter IV, Article 13.

Sections 4-705 to 4-708. - Reserved.

ARTICLE VIII - FIRE CODE

Section 4-800. Fire Code adopted, incorporated by reference.

There is hereby adopted by the City for the purpose of establishing rules, regulations and minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire, explosion and other hazards, and to provide a reasonable level of safety to firefighters and emergency responders during emergency operations, including the issuance of permits and providing a penalty for violation thereof, that certain building code known as the "International Fire Code", Edition of 2018, including all Appendix Chapters, prepared and published in book form by the International Code Council, Incorporated, 4051 Flossmoor Road, Country Club Hills, Illinois 60478, to be known as the Building Code of the City of Ulysses, Kansas, save and except such articles, sections, parts, or portions as are hereafter omitted, deleted, modified, or changed. One official copy of said Building Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1326", with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, city attorney, city prosecutor, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Building Code similarly marked, as may be deemed expedient. All references to the Fire Code adopted and incorporated into this code shall be in a form designating Section 4-1100 followed in parenthesis followed by the section number of the Fire Code, as incorporated. (For example, Section 402.2 of the Fire Code as incorporated shall be referred to as Section 4-1100(402.2).)

ARTICLE IX. – UNSAFE, UNFIT OR DANGEROUS STRUCTURES

Section 4-900. Purpose.

The Governing Body has found that there exists within the City structures which are unsafe, unfit, or dangerous for human use or habitation because of conditions caused by dilapidation, deterioration, disrepair, or casualty. Such conditions are adverse to the general welfare of the City in that they have a blighting influence on adjoining properties, neighborhoods, and the City as a whole, or are injurious to the health, safety, or welfare of the residents of the City. The Governing Body desires to promote the public health, safety, and welfare of the City by repair, demolition, or removal of such conditions in the manner provided hereinafter.

Section 4-901. Definitions.

For the purpose of this Chapter, the following words and terms shall have the following meanings:

- (a) *Enforcing Officer* means the Building Official as defined in Article 1, Section 4-101.
- (b) *Structure* means anything constructed or erected which requires location on the ground or is attached to something having a location on the ground, including any appurtenances belonging thereto.
- (c) *Unsafe, Unfit, or Dangerous Structure* means any structure which, as a result of dilapidation, deterioration, disrepair, or casualty would be injurious to the health, safety, or welfare of an individual if the structure were inhabited, results in an increase in possibility of fire or accidents, or is otherwise unsafe, unsanitary, or otherwise inimical to adjoining properties, neighborhoods or the general welfare of the City.

Section 4-902. Authority and enforcement.

- (a) *Authority of Governing Body.* The Governing Body shall have the authority to cause the repair, demolition, or removal of any structure located within the City which may have become unsafe, unfit, or dangerous. The Governing Body shall also have the authority to order a structure vacated until safe for habitation.
- (b) *Enforcing Officer; Duties.* The enforcing officer is hereby authorized to exercise such powers as may be necessary to carry out the purposes of this ordinance, including the following:
 - (1) Inspect any structure which appears to be unsafe, unfit, or dangerous for human habitation;
 - (2) Have authority to enter upon premises at reasonable hours for the purpose of making such inspections. Entry shall be made so as to cause the least possible inconvenience to any person in possession of the structure. If entry is denied, the enforcing officer may seek an order for this purpose from a court of competent jurisdiction;
 - (3) Report all structures which he or she believes to be unsafe, unfit, or dangerous for human habitation to the Governing Body; and
 - (4) Receive complaints as provided in this ordinance.

Section 4-903. Procedure; complaint.

Whenever a complaint is filed with the enforcing officer by a person charging that any structure is unsafe, unfit, or dangerous for human habitation, or whenever it appears to the enforcing officer on his or her own motion that any structure is unsafe, unfit, or dangerous for human habitation, he or she shall, if his or her preliminary investigation discloses a basis for such charge, report such findings to the City Manager and the Governing Body.

Section 4-904. Notice, publication, and hearing officer.

- (a) *Notice.* The Governing Body, upon receiving a report as provided in Section 4-903, shall by resolution fix a time and place at which the owner, the owner's agent, any lien holder of record and any occupant of the structure may appear and show cause why the structure should not be condemned and ordered repaired, or demolished and removed.
- (b) *Publication.*
 - (1) The resolution shall be published once each week for two (2) consecutive weeks on the same day of each week. At least thirty (30) days shall elapse between the date of last publication and the date set for the hearing.
 - (2) A copy of the resolution shall be mailed by first class mail within three (3) days after its first publication to each owner, agent, lien holder, and occupant at the last known place of residence and shall be marked "deliver to addressee only".
- (c) *Hearing Order.* If, after notice and hearing, the Governing Body determines that the structure under consideration is unsafe, unfit, or dangerous for human use or habitation, it shall prepare an order and state in writing its findings of fact in support of such determination and shall cause the order to be published once in the official city newspaper and a copy mailed to the owners, agents, lien holders of record and occupants in the same manner provided for the notice of hearing. The order shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the Governing Body will cause the structure to be demolished and removed.

Section 4-905. Duty of the owner.

- (a) *Duty of Owner.* Whenever any structure within the City shall be found to be unsafe, unfit, or dangerous for human use or habitation, it shall be the duty and obligation of the owner of the property to render the structure secure and safe or to demolish and remove the structure.
- (b) *Failure to Comply.*
 - (1) If, within the time specified in the order, the owner fails to comply with the order to repair, or vacate the structure, the enforcing officer may cause the structure to be repaired, or to be vacated and closed.
 - (2) If, within the time specified in the order, the owner fails to comply with the order to demolish and remove the structure, the enforcing officer may cause the structure to be demolished and removed.

- (c) *Safe Premises.* Upon removal of any structure, the owner shall fill any excavation located upon the property and take any other action necessary to leave the property in a safe condition. If the owner fails to take such action, the enforcing officer may proceed to make the site safe.

Section 4-906. Assessment, appeals and scope.

- (a) *Assessment of costs.*
 - (1) The cost to the City of any repairs, vacating, demolition, or removal by the enforcing officer, including making the site safe, shall be reported to the City Clerk.
 - (2) The City shall give notice to the owner of the structure, by certified mail, of the costs determined in subsection (a)(1). The notice shall also state that payment of the costs are due and payable within thirty (30) days following receipt of the notice.
 - (3) If the costs remain unpaid after thirty (30) days following receipt of notice, the City Clerk may sell any salvage from the structure and apply the proceeds or any necessary portion thereof to pay costs. Any proceeds in excess of that required to recover the costs shall be paid to the owner of the property upon which the structure was located.
 - (4) If the proceeds of the sale of salvage is insufficient to recover the cost, or if there is no salvage, the City Clerk shall, at the time of certifying other city taxes, certify the unpaid portion of the costs to the county clerk who shall extend the same on the tax roll of the county, and such assessment shall become a lien against the property upon which the structure was located, and a personal debt. In addition to remedies available to the City to collect assessments levied against property, if any assessments for costs of abatement levied by the City in accordance with this Section remain unpaid by the owner of a lot or parcel of ground, the City may collect the amount due in the same manner as a personal debt of the property owner to the City, by bringing an action in the Grant County District Court.
- (b) *Immediate Hazard.* When in the opinion of the Governing Body any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, the Governing Body may direct the enforcing officer to erect barricades or cause the structure to be vacated, demolished, repaired, shored, or otherwise made safe without delay. Such action may be taken without prior notice to or hearing of the owners, agents, lienholders and occupants. The cost of any action under this Section shall be assessed against the property as provided in Section 4-706(a).
- (c) *Appeals from Order.* Any person affected by an order issued by the Governing Body under this ordinance may, within thirty (30) days following service of the order, petition the Grant County District Court for an injunction restraining the enforcing officer from carrying out the provisions of the order pending final disposition of the case.
- (d) *Scope of Ordinance.* Nothing in this Chapter shall be construed to abrogate or impair the powers of the courts or of any department of the City to enforce any provisions of

its charter or its ordinances or regulations, nor to prevent or punish violations thereof; and the powers conferred by this ordinance shall be in addition to and supplemental to the powers conferred by the constitution, any other law, statute, or ordinance. Nothing in this Chapter shall be construed to impair or limit in any way the power of the City to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise or to exercise those powers granted specifically by K.S.A. 12-1750 through 12-1756, and amendments thereto.

Sections 4-907 to 4-911. - Reserved.

ARTICLE X. – BUILDING TRADES AND CONTRACTORS

Section 4-1000. Contractor license classifications, definition and descriptions.

- (a) *Class A 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 related improvements to real estate excluding electrical, mechanical, plumbing, and natural or liquefied petroleum gas work related thereto.
- (b) *Class B building 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 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 (3) stories in height. Does not include any electrical, mechanical, plumbing, or natural or liquefied petroleum gas work.
- (c) *Class C residential 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 construction, repair, alteration, remodeling, addition to, subtraction from, improvement, 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.
- (d) *Class D-M 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.
- (e) *Class D-E 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 electric conductors, raceways, and equipment for light, heat, and power.
- (f) *Class D-P 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.

- (g) *Class D-R commercial 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.
- (h) *Class D-CO 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.
- (i) *Class E-F fire sprinkler and 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.
- (j) *Class E-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, concrete flatwork, demolition, drywall and plaster, excavation, fencing, framing, handyman, landlord, lawn irrigation systems, masonry, siding and guttering, signs, stucco, swimming pools, water conditioning systems, windows and doors or any other specialized work that does not meet a specified classification or description defined herein at the determination of the building official.
Class L limited contractor with certification requirements. 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: backflow tester, residential roofing, steel erectors, portable fire extinguisher technician, pre-engineered kitchen fire extinguishing systems technician, pre-engineered industrial fire extinguishing systems technician, engineered fire suppression systems technician and any other specialty to be determined at the discretion of the building official.

Section 4-1001. Contractor license/fees/application/renewal/suspension/revocation.

Contractor License, Fees and Application. A contractor shall complete an application on a form to be supplied by the City for a contractor's license to perform work and pay an application fee prior to performing any work as required in this Chapter. The application shall include information as outlined in this Article and shall also disclose the following:

- (a) Name of applicant;
- (b) Place of business in the city/county and home office if a nonresident;
- (c) The kind of work engaged in;
- (d) The length of time engaged in such work and places where work has been performed within the past 12 months;

- (e) Proof of passage of a State of Kansas recognized trades examination or an annual local trades certification card;
- (f) All other pertinent information needed to issue a license; and
- (g) The application shall be signed by the contractor or an authorized agent.

The application for a contractor's license shall be approved by the building official or his/her designee. Contractor's License- New - \$200.00, Contractor's License- Renewal - \$100.00, Local Certificate for All Trades, Each individual - \$20.00.

Each license issued pursuant to this Article shall set forth the kinds of contract work in which the licensee may engage. A licensee under this Article shall display the license at any place where such licensee may be engaged in contract work or produce the same on subject to penalties as outlined in this Chapter 13.

Renewal. All licenses issued pursuant to this Article shall be renewed annually as in the case of an original license, on or before January 1 of the year for which issued. If such renewal is not completed by January 31 of the year for which the license is issued, then the applicant shall lose his or her grandfathered status. The applicant shall then be subject to reapply as a new contractor and meet all requirements.

It shall be unlawful for any licensee under this Article to contract for any kind of work covered by this Article other than that specified in such license, without first having an approved license for such contract.

Suspension and revocation. The license of any contractor may be suspended temporarily, for a period not to exceed thirty (30) days at any one time, by the Governing Body upon the recommendation of the building official or his or her designee for cause.

Any of the following shall be deemed sufficient to subject the holder of a license to revocation or suspension:

- (a) Misrepresentation of a material fact in obtaining a certificate, license or permit;
- (b) Willful or repeated violations of the building or construction code, or failure to comply with any lawful order of the building official;
- (c) Use of license to obtain building permit for another;
- (d) Failure or neglect to observe conditions of a permit authorizing encumbering of streets or sidewalks for the safety of the public;
- (e) Abandonment of any contract without legal cause;
- (f) Misrepresentation of a material fact by the applicant in obtaining a license by the failure of any licensee to fully satisfy all claims for labor or materials used in the performance of any work for which the licensee has been engaged and for which the licensee has been paid;
- (g) Bad faith or unreasonable delay in the performance of construction work;
- (h) Failure to obtain permits and required inspection;

- (i) The improvement of real property under contract and the foreclosure and final judgment rendered on such lien against any licensee;
- (j) Any final judgment rendered under law against a licensee for the performance of services or failure to perform services under a contract with a property owner and the failure to satisfy said judgments within ten (10) days;
- (k) Diversion of property received for performance or completion of a specific contract, or for a specified purpose in the performance or completion of any contract and the application or use for any other contract, obligation or purpose, or the failure, neglect or refusal to use such property for the performance or completion of such contract without legal cause; or
- (l) Whenever a licensed contractor shall willfully violate City ordinance or display inability to perform that work for which such contractor is licensed.

Notice shall be given in writing to such contractor giving reasonable notice of a time of hearing of the complaint or the matter alleged against such contractor involving the hereinabove stated allegations.

Any licensee may appeal in writing to the Governing Body from any order of the building official suspending the license for its final decision thereon. The Governing Body may upon such hearing terminate such suspension within not more than thirty (30) days thereafter, or may revoke such license or continue such suspension. If any license shall be revoked, the contractor shall not be eligible for a new license during a period of six (6) months thereafter. No fee shall be refunded upon the suspension or revocation of any contractor's license.

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

- (a) *Proof of general liability insurance required for issuance of license.* Before any license shall be issued to any contractor required by this Article to obtain a license with the City, the contractor shall secure and file with the city clerk or his/her designee a certificate of insurance providing for public liability insurance coverage, including bodily injury and property damage insurance coverage in an amount not less than \$500,000.00 per occurrence. The required insurance shall be in full force and effect during the calendar year for which the license is issued. The requirements of this Section shall not apply to a landlord or a water conditioner contractor.
- (b) *State of Kansas franchise tax law.* If a company is not a sole proprietor company, a certificate from the Kansas Secretary of State must be presented at the time of application. If the company is located outside the State of Kansas, a certificate of Foreign Authority to do work in the State of Kansas issued by the Kansas Secretary of State must be presented at the time of application.
- (c) *Disclosures.* The contractor/applicant shall disclose, at the time of application, any current or previous license held in Kansas or any other state and any disciplinary actions taken against such contractor/applicant within the last five (5) years. If the contractor/applicant is employed by or a principal of a firm, the application shall disclose whether the firm or the firm's employees or principals have had any contractor-related disciplinary action taken against them in Kansas or any other state within the last (5) five years.
- (d) *Proof of qualifications/certifications.* Qualifications are established for each trade as outlined herein through a local certificate program or the passage of a State of

Kansas approved trades examination with a passing grade of seventy-five (75) percent or greater. Helpers must serve as such continuously for two (2) years before taking the journeyman's examination, and a journeyman must serve as such continuously for two (2) years before taking the master electrician's examination. Local certificates are intended for those individuals grandfathered into a trade that do not have a proof of passage of a State of Kansas approved trade examination test or for helpers in each trade that helpers are recognized by the City. The local certificate is an annual certificate for helpers, journeyman, master, etc. in the trades. All local certificates will be issued so long as a certificate is maintained and renewed annually as in the case of an original certificate, on or before January 1 of the year for which issued. If such renewal is not completed by January 31 of the year for which the certificate is issued, then the applicant shall lose their grandfathered status and be required to take the State of Kansas approved trades examination if qualified. A fee shall be paid for each certification on an annual basis. A fee shall be established for the sponsorship of any individual wishing to take a nationally recognized or state recognized trade/contractors test to be accepted by the City. Grandfathered in this Subsection shall be defined as any holder of a certificate issued by the City in 2006.

- (1) *Class A general contractor qualifications.* Before any person shall be licensed to conduct business as a class "A" general contractor, such person shall meet the following requirements: Have at least one (1) person in their employ who possesses a certificate issued by the City stating that this person has been certified as a class "A" general contractor or the applicant shall show proof of passage of the class "A" general contractor examination approved by the City. Verification of passage of the class "A" general contractor examination shall be required for certificate renewal. All persons receiving such license shall obtain six (6) hours annually of continuing education. Not less than three (3) hours annually shall consist of code education. Continuing education may be provided by the City, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the building official. All hours of education shall consist of training relative to construction, maintenance and code update training.
- (2) *Class B building contractor qualifications.* Before any person shall be licensed to conduct business as a class "B" general contractor, such person shall meet the following requirements: Have at least one (1) person in their employ who possesses a certificate issued by the City stating that this person has been certified as a class "B" general contractor or the applicant shall show proof of passage of the class "B" general contractor examination approved by the City. Verification of passage of the class "B" general contractor examination shall be required for certificate renewal. All persons receiving such license shall obtain six (6) hours annually of continuing education approved by the building official. Not less than three (3) hours annually shall consist of code education. Continuing education may be provided by the City, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the building official. All hours of education shall consist of training relative to construction, maintenance and code update training.
- (3) *Class C residential contractor qualifications.* Before any person shall be licensed to conduct business as a class "C" general contractor, such person shall meet the following requirements: Have at least one (1) person in their employ who possesses a certificate issued by the City stating that this person has been certified as a class "C" general contractor or the applicant shall show proof of passage of the class "C" general contractor examination approved by the City. Verification of passage of the class "C" general

contractor examination shall be required for certificate renewal. All persons receiving such license shall obtain six (6) hours annually of continuing education approved by the building official. Not less than three (3) hours annually shall consist of code education. Continuing education may be provided by the City, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the building official. All hours of education shall consist of training relative to construction, maintenance and code update training.

- (4) *Class D-M mechanical contractor qualifications.* The following word, terms and phrases, when used in this Subsection, shall have the meanings ascribed to them in this Subsection, except where the context clearly indicates a different meaning:

Master mechanical installer means a person who is qualified and experienced to properly lay out, plan and serve the public in the mechanical installation field.

Journeyman mechanical installer means a person who is qualified and experienced to perform all phases of mechanical work, and who is qualified to work under the master, rather than direct, supervision of a master mechanical installer, and who shall have experience in the mechanical installation field.

Mechanical installer's helper means a person whose status is that of an apprentice in the mechanical installation field. This individual shall work only under the direct supervision of a master or journeyman mechanical installer.

Before any person shall be licensed to conduct business as a class "D-M" contractor, such person shall meet the following requirements: Have at least one person in their employ who possesses a certificate issued or recognized by the City stating that this person has been certified as a master mechanical installer and the applicant shall show proof of passage of a recognized examination approved by the City. Verification of passage of the examination shall be required for certificate renewal.

It shall be unlawful for any person to do mechanical construction work for any other person unless such person shall first have secured a master certificate, journeyman's certificate, or helper's certificate. It shall further be unlawful for any person to engage in the business of the installation or repair of any furnace, air conditioning system, heater, cooling, ventilating system, ducting, steam or hot water piping, boiler or any other installation which may be categorized within the area of heating, cooling or ventilation on any buildings or premises within the corporate limits of the city without first having secured a contractor's license and unless the applicant for such license shall have a certified master mechanical installer in such person's employ.

All persons receiving such license shall obtain six (6) hours annually of continuing education approved by the building official. Not less than three (3) hours annually shall consist of code education. Continuing education may be provided by the City, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the building official. All hours of education shall consist of training relative to construction, maintenance and code update training.

- (5) *Class D-E electrical contractor qualifications.* The following words, terms and phrases, when used in this Subsection, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Master electrician means a person who is qualified and experienced to properly lay out, plan and serve the public on the installation, repair and maintenance of electrical wiring, appliances, fixtures and motors and other apparatus requiring electrical current.

Journeyman electrician means any person qualified to install wires carrying electrical current and to do any electrical work in connection with the repair and maintenance of electrical wiring under the supervision of a master electrician.

Electrician's helper means a person who helps master and/or journeyman electricians in the performance of their work and only in the presence of such master or wireman electrician.

Before any person shall be licensed to conduct business as a class "D-E" contractor, such person shall meet the following requirements: Have at least one person in their employ who possesses a certificate issued or recognized by the City stating that this person has been certified as a master electrician and the applicant shall show proof of passage of a recognized examination approved by the City. Verification of passage of the examination shall be required for certificate renewal.

It shall be unlawful for any person to do electrical construction work for any other person unless such person shall first have secured a master electrician's certificate, journeyman's certificate, or helper's certificate. It shall further be unlawful for any person to engage in the business of the installation of electrical wiring or equipment, apparatus or devices for light, heat or power purposes in or on any buildings or premises within the corporate limits of the City without first having secured an electrical contractor's license and unless the applicant for such license shall have a certified master electrician in such person's employ.

All persons receiving such license shall obtain six (6) hours annually of continuing education approved by the building official. Not less than three (3) hours annually shall consist of code education. Continuing education may be provided by the City, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the building official. All hours of education shall consist of training relative to construction, maintenance and code update training.

- (6) *Class D-P plumbing with gas contractor qualifications.* The following words, terms and phrases, when used in this Subsection, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Master plumber means a person who is qualified, certified and equipped to properly lay out and plan the installation, repairs and maintenance of plumbing, including all sewerage, water and gas piping systems.

Journeyman plumber means a plumber who is qualified, certified or equipped

to do plumbing or gas piping work, install fixtures, make repairs to plumbing or gas piping, or in any work at the plumbing trade or gas piping or fitting for, and under the direction of a master plumber.

Plumber's helper means a person who helps master and/or journeyman plumbers in the performance of their work and only in the presence of such master or journeyman plumber.

Before any person shall be licensed to conduct business as a class "D-P" contractor, such person shall meet the following requirements: Have at least one person in their employ who possesses a certificate issued or recognized by the City stating that this person has been certified as a master plumber with gas and the applicant shall show proof of passage of a recognized examination approved by the building official. Verification of passage of the examination shall be required for certificate renewal.

It shall be unlawful for any person to do plumbing or gas construction work for any other person unless such person shall first have secured a master's certificate, journeyman's certificate, or helper's certificate. It shall further be unlawful for any person to engage in the business of 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 on any buildings or premises within the corporate limits of the City without first having secured a plumbing with gas contractor's license and unless the applicant for such license shall have a certified master plumber with gas in such person's employ.

All persons receiving such license shall obtain six (6) hours annually of continuing education approved by the building official. Not less than three (3) hours annually shall consist of code education. Continuing education may be provided by the City, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the building official. All hours of education shall consist of training relative to construction, maintenance and code update training.

- (7) *Class D-R commercial roofing contractor qualifications.* Before any person shall be licensed to conduct business as a commercial roofing contractor, such person shall meet the following requirements: Have at least one (1) person in their employ who possesses a certificate issued or recognized by the City stating that this person has been certified as a commercial roofing contractor or the applicant shall show proof of passage of the commercial roofing examination approved by the building official. Verification of passage of the commercial roofing examination shall be required for certificate renewal.
- (8) *Class D-CO concrete contractor qualifications.* Before any person shall be licensed to conduct business as a concrete contractor, such person shall meet the following requirements: Have at least one (1) person in their employ who possesses a certificate issued or recognized by the City stating that this person has been certified as a concrete contractor or the applicant shall show proof of passage of the concrete examination approved by the building official. Verification of passage of the concrete examination shall be required for certificate renewal.

- (9) *Class E-F fire sprinkler & protection services contractor qualifications.* Before any person shall be licensed to conduct business as a fire sprinkler & protection services contractor, such person shall provide proof of registration with the State of Kansas. They must also provide qualifications that will include one of the following: Being factory trained and certified or National Institute of Certification in Engineering Technologies (NICET) fire alarm level II certified personnel or personnel licensed by the State of Kansas.

All persons receiving such license shall obtain six (6) hours annually of continuing education approved by the building official. Not less than three (3) hours annually shall consist of code education. Continuing education may be provided by the City, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the Governing Body. All hours of education shall consist of training relative to construction, maintenance and code update training.

- (10) *Class E-SOC specialized other contractor qualifications.* A Class E-SOC license shall entitle the licensee to perform the work limited to the sub-classes of Specialized Other. A separate Class E-SOC license shall be required for each sub-class. Before any person shall be licensed to conduct business as an E-SOC Specialized Other Contractor, such person shall meet the following requirements: Have at least one or more persons in their employ who possess a certificate issued or recognized by the city stating that this person(s) has been certified as one of the following:

- (a) Concrete flat work contractor – a person who is certified to install driveways, interior sidewalks or patios. Any license issued by the City for a Class E-SOC specialized other contractor under this Subsection shall not permit the licensed person to install or otherwise work on sidewalks and driveway approaches, unless said work is approved by the public works director or representative.
- (b) Demolition contractor – a person who is certified to demolish buildings and structures.
- (c) Drywall and plaster contractor – a person who is certified to install or repair drywall or plaster.
- (d) Excavation contractor – a person who is certified to bore, dig, trench or otherwise remove dirt.
- (e) Fencing contractor – a person who is certified to install or repair fencing.
- (f) Framing contractor – a person who is certified to install or repair structural walls.
- (g) Handyman contractor – a person who is certified to install or repair fencing, minor drywall or siding.
- (h) Irrigation sprinkler contractor – a person who is certified to install or repair lawn sprinkler systems. Any license issued by the City for a Class E-SOC specialized other contractor under this Subsection shall not permit the licensed person to engage in work that would involve connecting to the main water line.

- (i) Landlord contractor – a property owner, or said owner's property maintenance employee, who is certified to install, replace or repair fencing, drywall or siding.
 - (j) Masonry contractor – a person who is certified to install or repair masonry brickwork.
 - (k) Siding and guttering contractor – a person who is certified to install or repair siding or guttering.
 - (l) Sign contractor – a person who is certified to install or repair commercial signage. Any license issued by the City for a Class E-SOC specialized other contractor under this Subsection shall permit the licensed person to perform work on any base or poles associated with said commercial signage, but shall not permit the licensed person to perform any electrical wiring work for said commercial signage. Swimming pool contractor – a person who is certified to construct, install or repair inground swimming pools.
 - (m) Stucco contractor – a person who is certified to install or repair stucco.
 - (n) Windows and doors contractor – a person who is certified to install, replace or repair windows or exterior doors. Any license issued by the City for a Class E-SOC specialized other contractor under this Subsection shall permit the licensed person to perform minor repairs related to the installation, replacement or repair of windows or exterior doors.
 - (o) Water conditioning systems contractor – a person who is certified to install or repair water conditioning systems.
- (11) *Class L limited contractor qualifications.* Before any person shall be licensed to conduct business as a limited contractor, such person shall meet the following requirements: Have at least one (1) person in their employ who possesses a certificate issued or recognized by the City stating that this person has been certified as one of the following:
- (a) Backflow test contractor – a person who is certified by the Kansas Rural Water Association for cross connection-backflow prevention and who has at least one (1) year of experience in the field.
 - (b) Residential roofing contractor – a person who is a roofing contractor, who is registered and certified by the Attorney General of the State of Kansas with a roofing contractor registration certificate and who has at least one (1) year of experience in the field.
 - (c) Steel erector contractor – a person who has at least one (1) year of experience in the field of erecting communication towers.
 - (d) Portable fire extinguisher technician – a person who is certified by the National Association of Fire Equipment Distributors as a portable fire extinguisher technician.

- (e) Pre-engineered kitchen fire extinguishing systems technician – a person who is certified by the National Association of Fire Equipment Distributors as a pre-engineered kitchen fire extinguishing systems technician.
- (f) Pre-engineered industrial fire extinguishing systems technician – a person who is certified by the National Association of Fire Equipment Distributors as a pre-engineered industrial fire extinguishing systems technician.
- (g) Engineered fire suppression systems technician - a person who is certified by the National Association of Fire Equipment Distributors as an engineered fire suppression systems technician.

Sections 4-1002 to 4-1005. - Reserved.

ARTICLE XI. – BUILDING APPLICATIONS, PERMITS AND FEES

Section 4-1100. General – Permit required, application, approval and payment of fees.

- (a) *Permit required.* It is unlawful for any person to construct, alter, remove, repair, demolish, locate, equip, use or occupy any building or structure in the City until a permit for any such purpose or purposes shall have been issued by the City. Such permit or permits shall be issued upon the filing of an application therefore by a licensed building contractor or the owner of such building or structure, the approval of such application by the building official and the arrangement for payment of such permit fees as listed in Chapter IV, Article 1, Section 4-104 may be required by this code and by requirements established by the city clerk.
- (b) *Application.* A building permit shall be issued upon an application in writing to the building official on a form or forms provided for that purpose. The application shall among other things, disclose the following:
 - (1) The name of the owner of the lot or tract of ground;
 - (2) The location of the building or structure;
 - (3) The building work proposed;
 - (4) The outside dimensions of the building by floors and dimensions of the basement (if any);
 - (5) The class of occupancy;
 - (6) The class of construction;
 - (7) Kinds of materials to be used for floors, walls, ceilings, roofs and foundations;
 - (8) The estimated cost of the work;
 - (9) The date work will commence;
 - (10) Expected date of completion;
 - (11) Name and address of contractor(s) doing the work; and

- (12) Such other information as may be pertinent to the issuance of the required permit.
 - (13) An application for a building permit shall be signed by the owner or his or her duly authorized agent, or a building contractor licensed by the City as may be authorized herein. If the application is made by the owner or his or her agent, it shall contain the name or names of the licensed contractor or contractors doing the work described in the application unless the owner is required by ordinance to be licensed as a building contractor. A building permit may be issued to the owner upon satisfactory evidence that all described work will be performed solely by the owner and that the proposed work will not be performed by an independent contractor or contractors otherwise required to be licensed.
- (c) *Issuance.* Upon approval of the completed application and a determination that a permit should be issued, the building official shall, over his or her signature, issue a permit to the owner or contractor, as the case may be, authorizing the building work covered by the application as approved, from and after the date of issuance.
- (d) *Duration of validity.* Any permit issued under this Section shall be valid and subsisting and work must begin within six (6) months from the date of issuance. Building work commenced for the purpose of this Section shall mean the beginning of building work other than the preparation of plans or the staking out of the building location or the letting of a building contract, provided that an applicant for a building permit under the ordinance codified in this Chapter shall give an estimate of time necessary to complete the work for which the permit is issued. The permit shall expire after one (1) year if the work has not been completed. The building official may, at the end of one (1) year, require an additional permit to allow for the completion of the original project.
- (e) *Plans and specifications—when required.* Whenever an application for a building permit is made, the building official may, if he or she finds it necessary to determine whether the building work described in the application will comply with the ordinances pertaining to such work, require that the applicant file a written description or drawing of the proposed building as may be prepared for the purpose. If such drawing or description is insufficient for the purposes of determining whether a permit should be issued, the building official may require the applicant to file complete architectural and engineering plans and specifications for such building, or any part thereof, as may be necessary for the inspector to determine compliance with the code.
- (1) For new commercial building projects, new multifamily dwelling structures, additions to existing commercial, additions to multifamily structures, and remodeling projects that require structural alterations and changes in occupancy of existing structures, a plan cover sheet must accompany a complete set of construction documents upon application for a building permit. This complete set of documents shall include at least one (1) set of specifications, as well as two (2) complete drawings of the architectural, structural, mechanical, electrical, elevator (if applicable) and plumbing systems associated with the construction project. Items that are to be included on this cover sheet shall include the following:
 - (a) Type of project (new, addition, remodel, etc.);

- (b) Location (legal and street address);
 - (c) Architect (person responsible, address, phone number);
 - (d) Type of occupancy(ies);
 - (e) Construction type;
 - (f) Basic allowable area based upon the occupancy and type of construction;
 - (g) Percentage increased for open yards, stories and fire protection systems;
 - (h) Mixed occupancy ratio per floor and for total structure;
 - (i) Allowable stories and height limitations;
 - (j) Structural fire protection and applicable sections for particular construction types. In addition to this requirement, the designer shall provide ASTM, UL, etc., design numbers for all assemblies which require an applicable system;
 - (k) Information on applicable fire, life safety items (i.e., sprinklers, standpipes, fire alarms, smoke detection, emergency lighting, exit lighting and other applicable systems);
 - (l) Current adopted codes; and
 - (m) All drawings are to have the designer's seal applied to the system(s) for which they are responsible. This is including, but not limited to, structural, mechanical, plumbing, electrical, sprinkler, elevator, etc.
- (2) In addition to this cover sheet, the designers shall provide a floor plan that provides the following information:
- (a) Dimension lines indicating the distances to property lines, center lines, of public ways and other structures;
 - (b) Locations of all partitions five feet nine inches (5'9") or taller;
 - (c) Location(s) of all rated corridors;
 - (d) Location(s) of all rated shafts;
 - (e) Location(s) of occupancy separation wall(s);
 - (f) Location(s) of all area separation wall(s);
 - (g) Location(s) of all exterior exits;
 - (h) Each room/area shall be labeled according to usage;
 - (i) Each room/area shall have its occupant load calculated and listed

under its name/usage;

- (j) Total number of restroom fixtures, based upon occupant load, according to the Plumbing Code.
- (3) For additions to existing structures, the designer shall provide all of the information set out above in this Section. This data shall be based upon the overall scope of the existing structure and the new addition combined.
- (4) When applicable, an elevation certificate, as provided through the Federal Emergency Management Agency National Flood Insurance Program, shall be filed with the building official prior to the issuance of a certificate of occupancy.
- (5) Plans and specifications shall include, but not be limited to:
 - (a) Site plan;
 - (b) Floor plan; Elevators (two sides minimum);
 - (c) Typical wall sections;
 - (d) Foundation, roof, and floor framing;
 - (e) Description of plumbing and HVAC systems;
 - (f) Description of electrical systems; and
 - (g) Construction material specifications.
- (f) *Classification—Fees.* Before any person shall be issued a permit under the provisions of this code, a request for arrangement for payment of fees shall be made to the City according to Section 4-1100 (g)
- (g) Permit and contractor licensing fees.

All fees referenced in this Chapter shall be set forth in the fee schedule established in Chapter 4 of the Code of Ordinances, Article 1. The number of inspections for a project will be determined by the Building Official at the time of application. Work performed without a permit is subject to the regular fee being doubled and, in addition to any other penalties provided herein.

Building permits. For the erection or construction of any new building, structure or addition with a roof, or placement of a mobile home the fee shall be Fifteen Cents (.15) per square foot of the floor area, of each floor, including garages and basements as measured by the outside dimensions thereof, with a base fee of Fifty Dollars (\$50.00). Fees for repairing or remodeling based on value, a minimum fee of Fifty Dollars (\$50.00), a value equal to or more than Ten Thousand Dollars (\$10,000.00) at Three Dollars (\$3.00) per thousand. Demolition fee of Fifty Dollars (\$50.00) for structures over Two Hundred (200) square feet. A fee of Twenty-Five Dollars (\$25.00) for Residential Driveways/Sidewalks along city right-of-way. A fee of Twenty-Five Dollars (\$25.00) for newly constructed fences. All plans must be reviewed and approved by the Building Official prior to starting construction. Exceptions: Grant County and the City of Ulysses, USD 214 or those specific projects the Governing Body has waived the permit fees. There shall be a double fee if work is in progress before obtaining a permit. Permit void in six (6) months if work

not commenced. Permit void in one (1) year if work not completed.

Electrical permits. For new construction the fees shall be Twenty-Five dollars (\$25.00) for Residential, Fifty Dollars (\$50.00) for Commercial, One Hundred Dollars (\$100.00) for Industrial. Panel size fees shall be Three Dollars (\$3.00) per space for Residential, Four Dollars (\$4.00) per space for Commercial and Industrial. Remodel and addition fees shall be Two Dollars (\$2.00) for each receptacle, Five Dollars (\$5.00) for special outlets, Five Dollars (\$5.00) for circuits added. There shall be a base fee of Fifty Dollars (\$50.00). There shall be a double fee if work is in progress before obtaining a permit. Permit void in six (6) months if work not commenced. Permit void in one (1) year if work not completed.

Mechanical permits. There shall be a base fee of Twenty Dollars (\$20.00). Twelve Dollars (\$12.00) for furnace up to 100,000 BTU's, Fourteen Dollars (\$14.00) for furnace over 100,000 BTU's. Twelve Dollars (\$12.00) for floor furnace. Twelve Dollars (\$12.00) for repairs and alterations. Ten Dollars (\$10.00) for appliance vent not included in appliance permit. Twelve Dollars (\$12.00) for air conditioning 3 ton. Fourteen Dollars (\$14.00) for air conditioning over 3 ton. Compressor and boilers according to the amount of BTU: Twelve Dollars (\$12.00) for 100,000 to 1,750,000. Twenty Dollars (\$20.00) for 100,000 to 500,000. Twenty-six Dollars (\$26.00) for 500,000 to 1,000,000. Sixty Dollars (\$60.00) for over 1,750,000. Ten Dollars (\$10.00) for air handling including 10,000 cubic feet. Ten Dollars (\$10.00) for ventilation system separate from heating and air. Fifty Dollars (\$50.00) for incinerator. Ten Dollars (\$10.00) for other. There shall be a double fee if work is in progress before obtaining a permit. Permit void in six (6) months if work not commenced. Permit void in one (1) year if work not completed.

Plumbing permits. There shall be a base fee of Twenty-five Dollars (\$25.00). Twenty Dollars (\$20.00) for water service line. Twenty Dollars (\$20.00) for sewer service line. Twenty Dollars (\$20.00) for gas service line. Fifteen Dollars (\$15.00) for water heater and replacement. Fifteen Dollars (\$15.00) for water softener and replacement. Fifteen Dollars (\$15.00) for irrigation or sprinkler system. One Hundred Dollars (\$100.00) for wastewater / septic system (county wide) new and replacement. Two Dollars (\$2.00) for all fixtures for new and remodeled construction. There shall be a double fee if work is in progress before obtaining a permit. Permit void in six (6) months if work not commenced. Permit void in one (1) year if work not completed.

All costs of third-party inspections shall be paid by the building permit applicant along with all permit fees required by ordinance.

Contractor License (New). There shall be a fee of Two Hundred Dollars (\$200.00) for all new contractor license applications.

Contractor License (Renewal). There shall be a fee of One Hundred Dollars (\$100.00) for the renewal of license applications.

Local Certificates for all trades. There shall be a fee of Twenty Dollars (\$20.00) for each tradesman card issued.

Sponsorship fee for examinations. There shall be a fee of Forty Dollars (\$40.00) for sponsorship fees for state or national examinations.

Sections 4-1101 to 4-1104. - Reserved.

ARTICLE XII – NUMBERING BUILDINGS AND PREMISES IDENTIFICATION

Section 4-1200. Odd and even numbers.

All dwelling and business houses facing south or west shall bear even numbers and those facing north or east shall bear odd numbers. The numbering shall commence at the following dividing lines:

- (a) Grant Avenue is hereby designated as the dividing line for all streets running in a northerly and southerly direction;
- (b) Main Street and Wichita Drive is hereby designated as the divided line for all streets running in an easterly and westerly direction.
The numbers in each block shall be limited to 100 and advancing to the next hundred when a street is crossed or as otherwise provided herein. (R.O. 1960, 4-701)

Section 4-1201. Short Streets.

On all short streets and avenues the numbering shall correspond with the numbering on parallel streets extending through the city. For example, if a street commences three blocks from the dividing line, the numbering on such street shall commence with the number 400. This same rule shall apply in instance where block and street intersections do not correspond with each other. (R.O. 1960, 4-702)

Section 4-1202. Numbering of Buildings.

A number shall be allotted to each 25 feet facing the street and shall be numbered consecutively. Whenever two buildings are located on the same 25 foot lot, the building farther from the street shall bear the same number assigned to the lot, but with the fraction “?” added. Whenever a single building has a greater frontage than 25 feet, it shall bear the number assigned to the lot on which the majority of the building is situated, or the number assigned to the lot on which the main entrance is located. It shall be the duty of the city clerk to furnish, upon application, information as to the correct number of a house or building. (R.O. 1960, 4-703)

Section 4-1203. Premises Identification.

Approved numbers or addresses shall be placed on all new and existing buildings in such a position to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. The address shall be posted with numbers that are at least four (4) inches in height and have a minimum width of one-half inch. Buildings where it is not practical to post the address on the building, due to distance from the street, geographic considerations, or obstructions, may post the address in an approved location near the vehicular entry point to the property, on an approved sign. The location of sign, size of numbers, and height of the sign shall be subject to the approval of the building official.

Section 4-1204. Exception.

Buildings with existing address numbers that are not in strict compliance with the size of number required by this section, that are plainly visible and legible from the street or road fronting the property, may be allowed to continue, subject to the approval of the building official, or their designee(s).