

**THE JUNE 1, 2004  
AMENDMENTS TO  
CHAPTER IV BUILDINGS AND CONSTRUCTION  
OF THE CODE OF THE CITY OF WAMEGO, KANSAS**

With Subsequent Amendments as Follows:

Ordinance No. 1520, Passed Feb. 19, 2008.

## CHAPTER IV. BUILDINGS AND CONSTRUCTION

Article	1. Board of Appeals
Article	2. Building Contractor Licensing
Article	3. Building
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### ARTICLE 1. BOARD OF APPEALS

- 4-101        **CREATED; PURPOSE.** In order to provide for determination of the suitability of alternate materials and methods of construction or installation and in order to provide for reasonable interpretations of the provisions of the city's building, electrical, plumbing, drainlaying, gas fitting, mechanical, energy conservation, fire and property maintenance codes, there shall be and is hereby created a general board of appeals for such codes.
- 4-102        **CONFLICTING PROVISIONS.** All code sections, ordinances or parts of ordinances inconsistent with this article regarding methods for appeals pertaining to the building, electrical, plumbing, drainlaying, gas fitting, mechanical, energy conservation, fire and property maintenance codes of the city are hereby repealed.
- 4-103        **COMPOSITION.** The general board of appeals shall consist of eleven (11) members who are qualified by experience and training to pass judgment upon matters contained in the city's technical codes. The members shall be selected as follows:
- (a) Two (2) members shall be builders licensed and actively engaged in building in the city.
  - (b) Two (2) members shall be master and journeyman electricians certified and actively engaged in electrical work in the city.
  - (c) Two (2) members shall be master and journeyman plumbers certified and actively engaged in plumbing work in the city.

- (d) Two (2) members shall be master and journeyman gas fitters certified and actively engaged in gas fitting work in the city.
- (e) Two (2) members shall be in the mechanical trade certified and actively engaged in mechanical work in the city.
- (f) One (1) graduate certified engineer residing in the city, licensed to practice in this state.

4-104 APPOINTMENT. The members of the general board of appeals shall be appointed by the mayor, with the advise of the governing body.

4-105 TERMS. The members of the general board of appeals shall serve for three (3) year terms; provided however, that for the initial appointment, the engineer and the two (2) builder appointees shall each serve for three (3) year terms, one (1) of the electrician, plumber, gas fitter and mechanic appointees shall serve for two (2) year terms, and the remaining appointees shall serve for a one (1) year term.

4-106 EX-OFFICIO MEMBER. The building official of the city shall be an ex-officio member of the general board of appeals, or any section or segment thereof, and shall act as secretary of the board.

4-107 ORGANIZATIONS; REGULATIONS. The general board of appeals shall select its own chairperson and other officers, and adopt reasonable rules and regulations as necessary for the conduct of meetings and hearings of the board or any segment thereof.

4-108 THREE-PERSON PANELS. (a) The general board of appeals shall hear and resolve the matters set out in paragraph 4-101, by means of three (3) person panels constituted as follows:

1. Building code and Property Maintenance code: The engineer and the two (2) building members.
2. Electrical code: The engineer and the two (2) electrician members.
3. Plumbing and drain-laying codes: The engineer and the two (2) plumber members.
4. Gas fitting code: The engineer, one (1) plumber and one (1) mechanical member.
5. Mechanical code: The engineer and the two (2) mechanical members.
6. Fire code: The engineer and the two (2) building members.

4-109       FUNCTION OF COMMITTEE AS A WHOLE. For the purpose of reviewing the building, electrical, plumbing, drainlaying, gas fitting, mechanical, energy conservation, fire and property maintenance codes, the general board of appeals shall meet as a committee of the whole and make written suggestions to the governing body regarding any changes or modifications to those codes.

To provide for the prompt resolution of questions, a member from one (1) of the other three (3) person panels may be substituted for an unavailable member of the three (3) person panel to which a hearing is being directed; provided, the substitution is with the consent of all the parties involved in the dispute. Consent to substitution shall not be unreasonably withheld, nor shall it be withheld to foster delay in the hearings. Decisions by any three (3) person panel shall be made by majority vote. If any three (3) person panel should by unanimous vote of all three (3) members determine that the issue involved has a wide reaching effect on the total building industry in the city, the question can then be referred to the full board of appeals for hearing and decision.

4-110       MANNER, DISTRIBUTION OF DECISIONS. All decisions and findings of the code appeals board shall be rendered in writing to the building official of the city's code inspection or code enforcement function with a duplicate copy being furnished to the other effected parties.

4-111       APPEALS. If any party remains aggrieved after any decision of any three (3) member panel, or the eleven (11) member general board of appeals, the aggrieved party may appeal the matter to the governing body within seven (7) days of the date of the decision. A filing fee of fifteen dollars (\$15.00) shall be received before any governing body decision is made. Such fee shall be credited to the general operating fund of the city.

## ARTICLE 2. BUILDING CONTRACTOR LICENSING

4-201       DEFINITIONS. For the purpose of interpreting the provisions of this Chapter, certain terms or words used herein are defined as follows:

(a) Building Contractor – A building contractor, within the meaning of this code, is any person who contracts with the owner or tenant of property, either directly, or indirectly as a subcontractor, to build, construct, alter, repair, add to, or wreck any building or structure upon said property, or any portion thereof, within the City, for which a permit is required by this code, for a fixed price, fee, percentage, or other compensation other than wages, or who advertises or otherwise represents to the public to have the capacity or ability to undertake to build, construct, alter, repair, add to, or wreck any building or structure or any portion thereof; or who builds, constructs, alters, adds to, or wreck any building or structure on either his own or other property, for the purpose of speculation.

The term ‘building contractor’ includes a licensed tradesman contracting work within his trade, such as a licensed electrician, plumber, drain-layer, gas fitter or mechanic, but does not include an employee of the building contractor.

(b) Owner – applied to a building or land, includes any part owner, joint owner, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, city, school district, State, or Federal entities or any agent, servant, officer or employee of any of them.

4-202 BUILDING CONTRACTOR LICENSING. (a) No person shall perform work in the City of Wamego as a building contractor without having first obtained a building contractor’s license.

(b) Any property owner shall have the right to perform work upon a building that is owned by them without procuring a building contractors license as required by this article. In all other respects, such persons and such construction work shall be subject to the provisions of this article as to installation, the procurement of a permit, inspections, and payment of the inspection fees.

(c) Building contractors holding a license from the City of Wamego shall be required to procure an additional building contractor’s license to authorize work in a category other than that for which the original license was issued. The categories are as defined below:

1. Building construction.
2. Electrical.
3. Plumbing, Mechanical, Gas Fitting, Drain-laying.

4-203 SAME; LICENSING AUTHORITY. The building official shall issue licenses for the building contractor described in this article. The license fees prescribed in this article shall be payable biennially on or before the tenth day of January of each odd numbered year, and shall not be prorated because part of the two-year period has elapsed.

4-204 SAME; APPLICATION FORM AND FEE. Applications for building contractor’s licenses shall be upon such form and provide such information as prescribed by the building official, and shall be accompanied by one hundred dollars (\$100.00) for the first year, and forty dollars (\$40.00) for each year thereafter. Such fees shall be submitted along with the application and shall be credited to the general operating fund of the city. Applicants shall procure and maintain a liability insurance policy in the amount of two hundred thousand dollars (\$200,000.00) covering bodily injury and property damage on a combined single limit basis. Such policies of insurance shall be issued by an insurance company authorized to do business in the State of Kansas. A building contractor may

qualify as to the insurance requirements by filing a certificate with the building official executed by the resident agent of such company, stating that the required policy of insurance has been issued by such company for the purpose required by this article and that such insurer will not cancel the policy except upon giving thirty (30) days notice in writing to the city.

4-205 SAME; REVOCATION OF LICENSE. The building official along with the three (3) person panel established under Paragraph 4-108 of this chapter relating to the trade of a subject building contractor (builder, electrician, plumber, drain-layer, gas fitter, mechanic), may upon their motion, and shall upon a verified complaint in writing, require a building contractor to appear before them for a hearing concerning the revocation of his license. The building official shall notify the building contractor at least five (5) days prior to any hearing or by mailing said notice to the contractor's last known address, at least five (5) days prior to any hearing. After hearing all pertinent evidence, the building official, along with the builder members on the code appeals board, shall have the power to suspend for a temporary period, or permanently revoke, the building contractor's license if the building official along with the builder members on the code appeals board makes the finding that the building contractor has committed any one or more of the following acts or admissions.

(a) Willful and deliberate disregard and violation of the provisions of this code or any other ordinance of the city, or failure to comply with any lawful order of the building official.

(b) Misrepresentation of a material fact by the applicant in obtaining a building contractor's license, or in obtaining a building permit.

(c) Fraudulent use of license to obtain building permits for other persons.

(d) Failure to obtain permits as required.

(e) Failure to appear before the building official after notice given as above.

### ARTICLE 3. BUILDING

4-301 ADOPTION OF THE INTERNATIONAL BUILDING CODE. There is hereby incorporated by reference, as provided by law, that certain document, marked and designated as the International Building Code, 2000 Edition, Third Printing (and subsequent errata for the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Printings) updated March 12, 2003, including Appendix Chapters C, I, and J, as published by the International Code Council, Inc., three (3) copies of which are on file in the office of the City Clerk, for the control of multiple-family residential and non-residential buildings and structures as provided therein, and each and all of the regulations, provisions,

penalties, conditions and terms of said International Building Code are hereby referred to, adopted, and made a part of this Article, as if fully set out herein, with the additions, insertions, deletions and changes as set forth under Paragraph 4-302 of this Article.

4-302 SAME; AMENDMENTS. The International Building Code, adopted by Paragraph 4-301 is hereby amended as follows:

(a) Chapter 1 Administration. – replace references to “this code” by “this code and all other applicable regulations of the city”, except under 102.2.

(b) 101.1 Title. – insert [the City of Wamego] at [NAME OF JURISDICTION].

(c) 102.2 Other laws. – add the following:

“Where a conflict arises between this International Building Code, as adopted under Paragraph 4-301 of the Wamego City Code along with the codes and standards referenced herein, and other adopted City of Wamego codes, the matter shall be taken before the Board of Construction Appeals for resolution.”

(d) Section 103 Department of Building Safety – delete.

(e) 105.2. Work exempt from permit. – add:

“14. Application of siding materials and roofing materials which do not increase the load on the structure (i.e. removal and replacement work is exempt).”

(f) 106.1 Submittal of documents – second sentence shall read as follows:

“The construction documents shall be prepared by a registered design professional except as provided under KSA 74-7033.”

(g) 108.2 Schedule of permit fees. – amend to read as follows:

“On buildings, structures, electrical, gas, mechanical, plumbing and drainlaying systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable article of Chapter IV of the City Code.”

(h) 108.4 Work commencing before permit issuance. – delete.

(i) Section 112 Board of Appeals. – delete.

(j) Section 113.4 Violation penalties. – amend to read as follows:

“ Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certified issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than 500 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(k) 114.3 Unlawful continuance. – amend to read as follows:

“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 liable for a fine of not less than 100 dollars or more than 500 dollars.

(l) 501.2 Premises identification. – amend to read as follows:

“Identification of buildings shall be in accordance with Paragraph 4-1205 of the City Code.”

(m) 1403.6 Flood resistance. – replace reference to Section 1612.3 with:

“Paragraph 16-402 of the City Code”.

(n) Section 1612 Flood Loads. – delete.

(o) Chapter 32 Encroachments Into The Public Right-of-Way. – delete.

(p) 3308.11 Obstructions. – amend to read as follows:

“Construction materials and equipment shall not be placed or stored so as to obstruct access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes, nor shall such material or equipment be located within 20 feet (6.1m)(or as provided by Par. 13, Sec. 1, Art. XXVII of the Wamego Zoning Ordinance) of a street intersection, or placed so as to obstruct normal observations of traffic signals or to hinder the use of public transit loading platforms.”

(q) 3409.2 Applicability. – insert [August 6<sup>th</sup>, 1991] at [DATE TO BE INSERTED BY THE JURISDICTION...]

(r) Appendix A – delete.

(s) Appendix B – delete.

- (t) Appendix D – delete.
- (u) Appendix E – delete.
- (v) Appendix F – delete.
- (w) Appendix G – delete.
- (x) Appendix H – delete.

4-303 ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE. There is hereby incorporated by reference, as provided by law, that certain document, marked and designated as the International Residential Code, 2000 Edition, Fourth Printing (and subsequent errata for the 4<sup>th</sup> and 5<sup>th</sup> Printings) updated June 23, 2003 including Appendix Chapters E, G, H, J, K and L as published by the International Code Council, Inc., three (3) copies of which are on file in the office of the City Clerk, for the control of detached one- and two-family dwellings and multiple single-family dwellings (townhouses), and their accessory structures, as provided therein, and each and all of the regulations, provisions, penalties, and conditions and terms of said International Residential Code are hereby referred to, adopted, and made a part of this Article, as if fully set at herein, with the additions, insertions, deletions and changes as set forth under Paragraph 4-304 of this Article.

4-304 SAME; AMENDMENTS. The International Residential Code, adopted by Paragraph 4-303 is hereby amended as follows:

(a) Chapter 1 Administration. – replace references to “this code” by “this code and all other applicable regulations of the city”, except under R102.2.

(b) R101.1 Title. – insert [the City of Wamego] at [NAME OF JURISDICTION].

(c) R102.2 Other laws. – add the following:

“Where a conflict arises between this International Residential Code, as adopted under Paragraph 4-303 of the Wamego City Code along with the codes and standards referenced herein, and other adopted City of Wamego codes, the matter shall be taken before the Construction Board of Appeals for resolution.”

(d) Section R103 Department of Building Safety. – delete.

(e) R105.2 Work exempt from permit. – amend Paragraph 1. to read as follows:

“One- story detached accessory structures, provided the floor area does not exceed 120 square feet.”

(f) R105.2 Work exempt from permit. – add under “Building”:

“10. Application of siding materials and roofing materials which do not increase the load on the structure (i.e. removal and replacement work is exempt).”

(g) R106.1 Submittal documents. – delete the second sentence to clarify that the State of Kansas does not require that construction documents for one and two-family detached construction be prepared by a registered design professional.

(h) R108.2 Schedule of permit fees. – amend to read as follows:

“On buildings, structures, electrical, gas, mechanical, plumbing and drainlaying systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable article of Chapter IV of the City Code.”

(i) Section R112 Board of Appeals. – delete.

(j) R113.4 Violation penalties. – amend to read as follows:

“ Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install alter or repair a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certified issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than 500 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(k) R114.2 Unlawful continuance. – amend to read as follows:

“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 liable for a fine of not less than 100 dollars or more than 500 dollars.

(l) Table R301.2(1) Climatic and Geographic Design Criteria. – complete as follows:

Ground Snow Load	20 lbs./sq. ft.
Wind Speed (mph)	90
Seismic Design Category	B
Subject to Damage from:	
Weathering	Severe
Frost Line Depth	30” below exterior grade
Termite	Moderate to Heavy
Decay	Slight to Moderate

Winter Design Temperature      4° F.  
Flood Hazards                      January 20, 1982  
Date of Entry Into Natl. Flood Insurance Program: January 20, 1981  
Effective Date of Current FIRM: March 17, 2003  
(See Par. 16-401 of the City Code).

(m) R325.1 Premises identification. – amend to read as follows:

“Identification of buildings shall be in accordance with Paragraph 4-1305 of the City Code.”

(n) Section R 327. Flood-Resistant Construction. – delete.

(o) P2902.2 Backflow protection. – amend to read as follows:

“ A means of protection against backflow shall be provided in accordance with Sections P2902.2.1 through P2902.2.6 and Paragraphs 15-318 through 15-327 of the City Code.”

(p) Appendix F. – delete.

(q) Appendix I. – delete.

4-305      BUILDING PERMIT FEE. The fee for a building permit to construct, enlarge, alter or repair buildings and structures as regulated by the International Building Code or the International Residential Code, adopted under Paragraph 4-301 and 4-303 respectively of this Article, shall be six dollars (\$6.00) per one hundred square feet (100 sq. ft.) of the ground level of the building or structure in the case of construction or enlargement, and of the total area upon each level of any alteration or repair. The fee herein shall be paid to the City upon obtaining a building permit and the same shall be credited to the general fund of the City.

4-306      BUILDING PERMITS PRIOR TO PUBLIC IMPROVEMENTS. A building permit may be issued for any construction in newly developed areas or in areas presently developed within the city except that no occupancy of the construction shall take place and no certificate of occupancy permit issued by the city building inspector until all required public improvements have been installed and such installation has been approved by the city building inspector. Public improvements include street, storm drainage, sanitary sewer, water and electricity.

#### ARTICLE 4. ELECTRICAL

4-401      DEFINITIONS. For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them:

(a) Electrical contractor – any person engaged in the business of installing or repairing electrical wiring and who is qualified, or employs master electricians who are qualified to serve the public in the installation, repairing, re-wiring and maintenance of electrical wiring.

(b) Electrical wiring – the installation, repairs, connection, alteration or replacement of wiring in buildings and structures for the use of electrical current for electric fixtures, appliances, motors or other apparatus.

(c) Journeyman electrician – any person who holds a legal certificate showing that he is qualified to do electrical wiring under the direction and supervision of a certified master electrician.

(d) Master electrician – a person who is qualified, certified and equipped to properly layout, plan, make any installation, repair or maintenance of electrical wiring, appliances, fixtures, motors and other apparatus requiring electrical current, and who is or works under the employment of an electrical contractor.

4-402        ADOPTION OF THE NATIONAL ELECTRICAL CODE. There is hereby incorporated by reference, as provided by law, that certain document, marked and designated as the National Electrical Code, 1999 Edition (NEC 1999) as published by the National Fire Protection Association, Inc., One Batterymarch Park, Quincy, Massachusetts 02269, three (3) copies of which are on file in the office of the City Clerk. The regulations, provisions, conditions and terms of said National Electrical Code are hereby referred to, adopted and made a part of this Article, as if fully set out herein, with the additions, insertions, deletions and changes as set forth under Paragraph 4-403 of this Article. Said Code shall constitute the minimum standards for all electrical work done or performed under the provisions of this Article except as hereinafter provided.

4-403        SAME; AMENDMENTS. The National Electrical Code, adopted by Paragraph 4-402 is hereby amended as follows:

(a) Reserved.

4-404        RULES AND REGULATIONS PERTAINING TO NEW ELECTRIC WIRING AND CONNECTIONS. (a) A two-inch (2") rigid conduit shall be required for an entrance mast, when extended through the roof.

(b) All electrical wiring in a commercial building shall be in rigid conduit, electrical metallic tubing, metal molding, or flexible conduit.

4-405        ELECTRICAL CONSTRUCTION; ADMINISTRATION. There is hereby incorporated by reference, as provided by law, that certain document, marked and designated as the ICC Electrical Code, 2000 Edition, as published by the International Code Council, Inc. three (3) copies of which are on file in the office of

the City Clerk, to provide for administration of the National Electrical Code, as adopted under Paragraph 4-402 of this Article, regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the City of Wamego, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such ICC Electrical Code, are hereby referred to, adopted and made a part of this Article as if fully set out herein, with the additions deletions and changes as set forth under Paragraph 406 of this Article.

4-406 SAME; AMENDMENT. The ICC Electrical Code, adopted under Paragraph 4-405 is hereby amended as follows:

(a) Except under Chapter 2 Definitions and 102.3 replace references to “this code” by “this code and all other applicable regulations of the city”.

(b) 101.1 Title. – insert [the City of Wamego] at [NAME of JURISDICTION].

(c) 102.3 Other laws. –add the following:

“Where a conflict arises between this ICC Electrical Code, as adopted under Paragraph 4-405 of the Wamego City Code, along with the codes and standards referenced herein, and other adopted City of Wamego codes, the matter shall be taken before the Board of Construction Appeals for resolution.”

(d) Section 301 Department of Electrical Inspection – delete.

(e) 404.2 Schedule of permit fees. –amend to read as follows:

“The fees for all electrical work shall be as required under Paragraph 4-407 of the City Code.”

(f) 404.5 Refunds. – delete.

(g) 501.1 Submittal documents. – second sentence shall read as follows:

“The construction documents shall be prepared by a registered design professional, except as provided under KSA 74-7033.”

(h) 1003.1 Penalties. – amend to read as follows:

“Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant of this code or violates any condition attached to a permit, approval or certificate shall be guilty of a misdemeanor, punishable by a fine of not more than 500 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(i) 1004.3 Unlawful continuance. – amend to read as follows:

“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 liable for a fine of not less than 100 dollars or more than 500 dollars.”

(j) Chapter 11 Means of Appeal – delete.

4-407 SAME; FEE. The fee for an electric permit to install electric conductors and equipment as regulated by the National Electrical Code, adopted under Paragraph 4-402, of this Article, shall be thirty-five dollars (\$35.00). Such fee is payable at the time the application is submitted for the electric permit, and the same shall be credited to the general operating fund of the city.

4-408 ELECTRICAL REINSPECTION; FEE. All work done in violation of this article is subject to re-inspection by the city building official until such work is approved and found to be in compliance with the National Electrical Code and other applicable city regulations. All re-inspections required after the time period set by the building official to correct the work found to be in violation shall be subject to a twenty-five dollar (\$25.00) re-inspection fee to be paid to the city, and credited to the general fund of the city.

4-409 CERTIFICATION OF ELECTRICIANS; ELECTRICIAN'S BOARD OF CERTIFICATION. The Board shall be comprised of the electrical members from the code appeals board, and the building official. This board shall have the right to modify and approve the qualification requirements, as described hereafter, of all applicants desiring to engage in or work at electrical wiring or electrical work with their jurisdiction.

4-410 SAME; QUALIFICATIONS. Following are the qualifications for certification as an electrician in the city:

(a) Any electrician who submitted an application to the City for certification as a master or journeyman electrician no later than November 14, 1991, and who received approval from the Electrician's Board of Certification as a grandfathered master or journeyman electrician, shall receive the corresponding certificate.

(b) Any electrician providing proof of passage of the block and associate's test for master or journeyman electricians shall receive the corresponding certificate.

(c) Any electrician who holds a current valid electricians certificate issued by a board of examiners from a city with a population equal to or greater than Wamego, and reciprocating with the City of Wamego, and who can give proof of

comparable qualifications as determined by the building official, shall receive a certification (master or journeyman) from the City of Wamego corresponding to the certification held from the other city.

4-411 SAME; RENEWAL AND REGISTRATION. (a) No person shall engage in or work at the electrical business, either as a master electrician or as a journeyman electrician until such person has been certified by the City of Wamego and found qualified and competent to engage in such business provided that a resident or owner may install any electrical fixture, wire, or other item within his own home, shop, garage, or other structure without securing a certificate, but a permit must be secured for such electrical work and such work shall be inspected and approved by the building official and applicable inspection fees paid.

(b) All certificates under this division shall be in effect for two years until December thirty-first (31<sup>st</sup>) of even-numbered years and may thereafter be renewed biennially by payment to the building official of a renewal fee and presentation of 12 clock hours of continuing education of a type acceptable to the building official. All certificates, which are nontransferable, must be registered with the building official not later than January 10<sup>th</sup> of the year following expiration, and it is hereby made the duty of each master to see that each journeyman working for him has been registered.

4-412 SAME; FEES. (a) The following fees for certificates and renewals of certificates under this article shall apply:

(1) Master electrician certification or renewal, per year, \$25.00.

(2) Journeyman electrician certification or renewal, per year, \$15.00.

(b) All such fees shall be paid to the building official and shall become a part of the general fund.

4-413 ELECTRICAL REQUIREMENTS; EXEMPTION OF PUBLIC UTILITY COMPANY. Any public utility company operating under a regular franchise shall be exempt from the requirements of this article relating to certificates, licenses, bonds, permits and fees for work upon property owned or controlled by it.

4-414 ELECTRIC WORK BY OWNER. Nothing herein contained shall prohibit any property owner from installing electrical wiring or equipment within and upon their own property; provided, the owner shall satisfy the building official as to their ability to install such electrical wiring, secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and received a certificate of approval.

## ARTICLE 5. PLUMBING

4-501 DEFINITIONS. For the purpose of this article, the following words and phrases shall have the meanings. Respectively ascribed to them:

(a) Journeyman plumber – a person who holds a legal certificate issued pursuant to law showing him to be qualified to do plumbing work under the direction and control of a qualified master plumber.

(b) Master plumber – a person who is qualified, certified, and equipped to properly lay out, plan, install, repair, and maintain plumbing.

(c) Plumbing - the installation, alteration, repair, relocation, replacement, addition to, and maintenance of plumbing system, defined as water supply and distribution pipes; plumbing fixtures and traps, water treating or water using equipment, soil, waste and vent pipes, sanitary and storm sewers, building drains, in addition to their respective connections, devices and appurtenances within a structure or premises, except for exterior irrigation systems installed beyond a backflow prevention device, where required by city code.

(d) Plumbing contractor – any person, firm or corporation who is qualified or employs master plumbers who are qualified to serve the public in the business of plumbing, and who maintains a place of business.

4-502 ADOPTION OF THE INTERNATIONAL PLUMBING CODE. There is hereby incorporated by reference, as provided by law, that certain document, marked and designated as the International Plumbing Code, 2000 Edition, Third Printing (and subsequent errata for the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Printings) updated December 17, 2003, including Appendix Chapters B, C, D, E, F and G, as published by the International Code Council, Inc. three (3) copies of which are on file in the office of the City Clerk, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the City of Wamego, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such International Plumbing Code, are hereby referred to, adopted and made a part of this Article as if fully set out herein, with the additions, insertions, deletions and changes as set forth under Paragraph 4-503 of this Article.

4-503 SAME; AMENDMENTS. The International Plumbing Code, adopted under Paragraph 4-502 is hereby amended as follows:

(a) Chapter 1 Administration. – replace references to “this code” by “this code and all other applicable regulations of the city”, except under 102.1.1.

(b) 101.1 Title. – insert [the City of Wamego] at [NAME OF JURISDICTION].

(c) 102. Applicability. – add the following:

“1-2.1.1 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. Where a conflict arises between this International Plumbing Code, as adopted under Paragraph 4-502 of the Wamego City Code along with the codes and standards referenced herein, and other adopted City of Wamego codes, the matter shall be taken before the Construction Board of Appeals for resolution.”

(d) Section 103 Department of Plumbing Inspection. – delete.

(e) 106.3.1 Construction documents. – second sentence shall read as follows:

“The code official shall require construction documents, computations and specifications to be prepared and designated by a registered design professional, except as provided under KSA 74-7033.”

(f) 106.6.2 Fee schedule. Amend to read as follows: “The fees for all plumbing work shall be as required under Paragraph 4-504 of the City Code”.

(g) 106.6.3 Fee refunds. – delete.

(h) 108.4 Violation penalties. – insert [misdemeanor] at [SPECIFY OFFENSE], [\$500] at [AMOUNT] and [180] at [NUMBER OF DAYS].

(i) 108.5 Stop work orders. – insert [\$100] at “... not less than [AMOUNT]” and [\$500] at “... more than [AMOUNT]”.

(j) Section 109 Means of Appeal. – delete.

(k) 305.6.1 Sewer depth. – amend to read as follows:

“Building sewers that connect to private sewage disposal systems shall be a minimum of 18 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 18 inches below grade.”

(l) Section 309 Floodproofing. – delete.

(m) 904.1 Roof extension. – insert [12”] at [NUMBER].

(n) Appendix A. – delete.

4-504 PLUMBING PERMIT FEE. The fee for a plumbing permit to erect, install, enlarge, alter, repair, remove, convert or replace any plumbing system, the installation of which is regulated by the International Plumbing Code, adopted under Paragraph 4-502 of this Article shall be twenty-five dollars (\$25.00). Such fee is payable at the time the application is submitted for the plumbing permit, and the same shall be credited to the general operating fund of the city.

4-505 PLUMBING REINSPECTION; FEE. All work done in violation of this article is subject to re-inspection by the city building official until such work is approved and found to be in compliance with the International Plumbing Code and any other applicable City regulations. All re-inspections required after the time period set by the building official to correct the work found to be in violation shall be subject to a twenty-five dollar (\$25.00) re-inspection fee to be paid to the city, and credited to the general fund of the city.

4-506 CERTIFICATION OF PLUMBERS; PLUMBER'S BOARD OF CERTIFICATION. The Board shall be comprised of the plumbing members from the code appeals board and the building official. This board shall have the right to modify and approve the qualification requirements for plumber certification, of all applicants desiring to engage in or work at plumbing within the city. The board also shall have the power to suspend for a definite period or to revoke, after a hearing, the certificate of any plumber, for violation of rules and regulations governing plumbing work or for other violations of this article.

4-507 SAME; QUALIFICATIONS. Following are the qualifications for certification as a plumber in the City:

(a) Any plumber who submitted an application to the City for certification as a master or journeyman plumber no later than November 14, 1991, and who received approval from the Plumber's Board of Certification as a grandfathered master or journeyman plumber, shall receive the corresponding certificate.

(b) Any plumber providing proof of passage of the block and associates test for master or journeyman plumbers shall receive the corresponding certificate.

(c) Any plumber who holds a current valid plumber certificate, issued by a board of examiners from a city with a population equal to or greater than Wamego, and reciprocating with the City of Wamego, and who can give proof of comparable qualifications as determined by the building official, shall receive a certificate (master or journeyman) from the City corresponding to the certification held from the other city.

4-508 SAME; RENEWAL AND REGISTRATION. (a) No person shall engage in or work at the plumbing business, either as a master plumber or as a journeyman plumber until such person has been certified by the City of Wamego and found qualified and competent to engage in such business provided that a resident or

owner may install any plumbing fixture, or pipe, or other item within his own home, shop, garage, or other structure without securing a certificate, but a permit must be secured for such plumbing work and such work shall be inspected and approved by the building official and applicable inspection fees paid.

(b) All certificates under this division shall be in effect for two years until December thirty-first (31<sup>st</sup>) of even-numbered years and may thereafter be renewed biennially by payment to the building official of a renewal fee and presentation of 12 clock hours of continuing education of a type acceptable to the building official. All certificates, which are nontransferable, must be registered with the building official not later than January 10<sup>th</sup> of the year following expiration, and it is hereby made the duty of each master to see that each journeyman working for him has been registered.

4-509 SAME; FEES. (a) The following fees for certification and renewals of certificates under this article shall apply:

(1) Master plumber certification or renewal, per year, \$25.00.

(2) Journeyman plumber certification or renewal, per year, \$15.00.

(b) All such fees shall be paid to the building official and shall become a part of the general fund.

4-510 PLUMBING WORK BY OWNER. Nothing herein contained shall prohibit any property owner from installing a plumbing system within and upon their own property; provided, the owner shall satisfy the building official as to their ability to install such plumbing system secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and receive a certificate of approval.

## ARTICLE 6. DRAINLAYING

4-601 DEFINITIONS. For the purpose of this article, the following words are phrases shall have the meanings respectively ascribed to them.

(a) Drainlaying – laying of sewer laterals from the public sewer to a point not less than two (2) foot from the foundation walls of the building to be drained.

(b) Drainlaying Contractor – any person, firm or corporation who is qualified or employs master drainlayers who are qualified to serve the public in the business of drainlaying and who maintains a place of business. A plumbing contractor is considered to be a drainlaying contractor.

(c) Journeyman Drainlayer – a person holding a certificate authorizing him to work as a drainlayer under the control of a master drainlayer. A person holding

a certificate as a journeyman plumber is considered to be a journeyman drainlayer.

(d) Master Drainlayer – a person who is qualified, certified and equipped to properly lay out, plan, install, repair and maintain a drainlaying installation. A person holding a certificate as a master plumber is considered to be a master drainlayer.

4-602 DRAINLAYING; REFERENCE TO THE INTERNATIONAL PLUMBING CODE. The International Plumbing Code, 2000 Edition, adopted under Paragraph 4-502 of the Chapter, as amended under Paragraph 4-503 of this Chapter, shall regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of drainlaying installation in the City of Wamego, provide for the issuance of permits, collection of fees and application of penalties therefore.

4-603 SAME; CONNECTION TO THE PUBLIC SEWER. No house, building or premises shall be connected with the public sewer without permits therefore issued by the building official. All connections of building sewers to the public sewers shall be made through “Y” connections, if available. Where no branch is available in the public sewer line and with the approval of the building official, a neat hole may be cut in the public sewer to receive the building sewer connection with entry in the downstream direction at an angle of about forty-five degrees (45°). The invert of the building sewer at the point of connection shall be at a point four (4) inches or more above the invert of public sewer. Where possible, all connections shall be made by the use of a saddle and a smooth, neat joint shall be made and the connection made secure and watertight by incasement in concrete; provided, that a forty-five degree (45°) factory-made “L” may be used to make such a connection with the spigot end cut off as not to extend past the inner surface of the public sewer, with the approval of the building official. All taps and connections into the public sewer lateral shall be inspected and approved by the building official before the work is covered.

4-604 SAME; SEWER PERMIT FEE. (a) The fee for a sewer permit to erect, install, enlarge, alter, repair, remove or convert any drainlaying system, the installation of which is regulated by the International Plumbing Code, adopted under Paragraph 4-502 of this Article is six dollars (\$6.00). Such fee is payable at the time the application is submitted for the sewer permit, and the same shall be credited to the general operating fund of the city.

4-605 SAME; REINSPECTION; FEE. All work done in violation of this article is subject to re-inspection by the city building official until such work is approved and found to be in compliance with the International Plumbing Code and any other applicable City regulations. All re-inspections required after the time period set by the building official to correct the work found to be in violation shall be subject to a

twenty-five dollar (\$25.00) re-inspection fee to be paid to the city, and credited to the general fund of the city.

4-606 CERTIFICATION OF DRAINLAYERS; PLUMBER'S BOARD OF CERTIFICATION. The Plumber's Board of Certification, established under Paragraph 4-505 of this Chapter, shall have the right to modify and approve the qualification requirements for drainlayer certification, of all applicants desiring to engage in or work at drainlaying within the City. The Board also shall have the power to suspend for a definite period or to revoke after a hearing, the certificate of any drainlayer, for violation of rules and regulations governing drainlaying or for other violations of this article.

4-607 SAME; QUALIFICATIONS. Following are the qualifications for certification as a drainlayer in the city:

(a) Any drainlayer who submitted an application to the City for certification as a master or journeyman drainlayer no later than November 14, 1991, and who received approval from the Plumber's Board of Certification as a grandfathered master or journeyman drainlayer, shall receive the corresponding certificate.

(b) Any plumber or drainlayer providing proof of passage of the block and associates tests for master or journeyman plumbers shall receive the corresponding drainlaying certificate, however, the corresponding plumber's certificate shall indicate qualification as a drainlayer.

(c) Any plumber or drainlayer who holds a current valid plumber or drainlayer certificate, issued by a board of examiners from a city with a population equal to or greater than Wamego, and reciprocating with the City of Wamego, and who can give proof of comparable qualification as determined by the building official, shall receive a certification (master or journeyman) from the City corresponding to the certification held from the other city.

4-608 SAME; RENEWAL AND REGISTRATION. (a) No person shall engage in or work at the drainlaying business, either as a master drainlayer or as a journeyman drainlayer until such person has been certified by the City of Wamego and found qualified and competent to engage in such business provided that a resident or owner may install any drainlaying system, or other item within his own home, shop, garage, or other structure without securing a certificate, but a permit must be secured for such drainlaying work and such work shall be inspected and approved by the building official and applicable inspection fees paid.

(b) All certificates under this division shall be in effect for two years until December thirty-first (31<sup>st</sup>) of even-numbered years and may thereafter be renewed biennially by payment to the building official of a renewal fee and presentation of 12 clock hours of continuing education of a type acceptable to the building official. All certificates, which are nontransferable, must be registered

with the building official not later than January 10<sup>th</sup> of the year following expiration, and it is hereby made the duty of each master to see that each journeyman working for him has been registered.

4-609 SAME; FEE. (a) The following fees for certificates and renewals of certificate under this article shall apply.

(1) Master drainlayer certification or renewal, per year, \$25.00.

(2) Journeyman drainlayer certification or renewal, per year, \$15.00.

(b) All such fees shall be paid to the building official and shall become a part of the general fund.

4-610 DRAINLAYING WORK BY OWNER. Nothing herein contained shall prohibit any property owner from installing a drainlaying system upon their own property; provided, the owner shall satisfy the building official as to their ability to install such drainlaying system, secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and receive a certificate of approval.

#### ARTICLE 7. GAS FITTING

4-701 DEFINITIONS. For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them.

(a) Gas fitting – the installation of fuel gas piping systems, and related accessories.

(b) Gas fitting contractor – any person, firm or corporation who is qualified or employs master gas fitters who are qualified to serve the public in the business of gas fitting, and who maintains a place of business.

(c) Journeyman gas fitter – a person holding a certificate authorizing him to work as a gas fitter under the control of a master gas fitter.

(d) Master gas fitter – a person who is qualified, certified and equipped to properly lay out, plan, install, repair and maintain a fuel gas piping system.

4-702 ADOPTION OF THE INTERNATIONAL FUEL GAS CODE. There is hereby incorporated by reference as provided by law, that certain document, marked and designated as the International Fuel Gas Code, 2000 Edition, Fifth Printing (and subsequent errata for the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Printings) updated December 29, 2003, as published by the International Code Council, Inc., three (3) copies of which are on file in the office of the City Clerk, for regulating the design, construction, quality of material, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas piping systems, fuel gas utilization equipment, and related accessories, in the City

of Wamego, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provision, conditions and terms of such International Fuel Gas Code, are hereby referred to, adopted and made a part of this Article as if fully set out herein, with the addition, insertions, deletions and changes as set forth under Paragraph 4-703 of this Article.

4-703 SAME; AMENDMENTS. The International Fuel Gas Code, adopted under Paragraph 4-702 is hereby amended as follows:

(a) Chapter 1 Administration. – replace references to “this code” by “this code and all other applicable regulations of the city”, except under 102.1.1.

(b) 101.1 Title. – insert [the City of Wamego] at [NAME of JURISDICTION].

(c) 102 Applicability. – add the following:

“102.1.1 Other laws. The provision of this code shall not be deemed to nullify any provisions of local, state or federal law. Where a conflict arises between this International Fuel Gas Code, as adopted under Paragraph 4, 702 of the Wamego City Code along with the codes and standards referenced herein, and other adopted City of Wamego codes, the matter shall be taken before the Construction Board of Appeals for resolution. “

(d) Section 103 (IFGC) Department of Inspection. – delete.

(e) 106.3.1 Construction documents. - second sentence shall read as follows:

“The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional, except as provided under KSA 74-7033.”

(f) 106.5.2 Fee schedule. – Amend to read as follows:

“The fees for all gas fitting shall be as required under Paragraph 4-704 of the City Code.”

(g) 106.5.3 Fee refunds. – delete.

(h) 108.4 Violation penalties. – insert [misdemeanor] at [SPECIFY OFFENSE]. Insert [\$500] at [AMOUNT] and insert [180] at [NUMBER OF DAYS].

(i) 108.5 Stop work order. – insert [\$100] at “... not less than [AMOUNT]”. Insert [\$500] at “...more than [AMOUNT]”.

(j) 108.7.2 Authority to disconnect service utilities. – amend first and second sentence to read as follows:

“The building official or the fire chief or his designee shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official, fire chief or his designee shall notify the serving authority, and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action.”

(k) Section 109 (IFGC) Means of Appeal. – delete.

(l) 301.11 Flood hazard. – amend to read as follows:

“For structures located in special flood hazard areas, the appliance, equipment and system installations regulated by this code shall comply with the flood resistant construction requirements of City Code Paragraph 16-401 et. seq.”

4-704        GAS FITTING PERMIT FEE. The fee for a gas fitting permit to erect, install, enlarge, alter, repair, relocate, replace add to or maintain any fuel gas system, the installation of which is regulated by the International Fuel Gas Code, adopted under Paragraph 4-702 of this Article, shall be six dollars (\$6.00). Such fee is payable at the time the application is submitted for the gas fitting permit, and the same shall be credited to the general fund of the city.

4-705        NATURAL GAS CONNECTION TO MOBILE HOMES. Natural gas may be connected to a mobile home providing the following procedure and safety regulations are complied with:

(a) All provisions of this article.

(b) Mobile homes shall be solidly blocked with jacks or suitable blocking with open spaces not to exceed ten (10) feet.

(c) Mobile homes shall be anchored to prohibit moveability with not less than four (4) anchors.

(d) An iron-bodied, brass core shut-off cock having not less than one (1”) inch thread size shall be placed on the riser as near as possible above ground level.

(e) The connector from the break-away nipple to the mobile home shall be approved A.G.A. flexible connector (self-identified) not smaller than three-fourths (3/4”) inch I.D. size and not exceeding six (6) feet in length.

4-706        GAS PIPING SYSTEM; RE-INSPECTION; FEE. All work done in violation of this Article is subject to re-inspection by the city building official until such work is approved and found to be in compliance with the International Fuel Gas Code and any other applicable city regulations. All re-inspections required after the time

period set by the building official to correct the work found to be in violation shall be subject to a twenty-five dollar (\$25.00) re-inspection fee to be paid to the city, and credited to the general fund of the city.

4-707 CERTIFICATION OF GAS FITTERS; GAS FITTER'S BOARD OF CERTIFICATION. The Board shall be comprised of the gas fitter members from the code appeals board and the building official. This board shall have the right to modify and approve the qualification requirements for gas fitter certification, of all applicants desiring to engage in or work at gas fitting within the city. The Board also shall have the power to suspend for a definite period or to revoke, after a hearing, the certificate of any gas fitter, for violation of rules and regulations governing gas fitting or for other violations of this article.

4-708 SAME; QUALIFICATIONS. Following are the qualifications for certifications as a gas fitter in the city:

(a) Any gas fitter who submitted an application to the City for certification as a master or journeyman gas fitter no later than November 14, 1991, and who received approval from the Gas Fitter's Board of Certification as a grandfathered master or journeyman shall receive the corresponding certificate.

(b) Any gas fitter providing proof of passage of the block and associates test for master or journeyman gas fitters shall receive the corresponding gas fitter's certificate.

(c) Any gas fitter who holds a current valid gas fitter's certificate, issued by a board of examiners from a city with a population equal to or greater than Wamego, and reciprocating with the City of Wamego, and who can give proof of comparable qualifications as determined by the building official, shall receive a certification (master or journeyman) from the City corresponding to the certification held from the other city.

4-709 SAME; RENEWAL AND REGISTRATION. (a) No person shall engage in or work at the gas fitting business, either as a master gas fitter or as a journeyman gas fitter until such person has been certified by the City of Wamego and found qualified and competent to engage in such business; provided that a resident or owner may install any gas piping, valve, or other item within his own home, shop, garage, or other structure without securing a certificate, but a permit must be secured for such gas fitting work and such work shall be inspected and approved by the building official and applicable inspection fees paid.

(b) All certificates under this division shall be in effect for two years until December thirty-first (31<sup>st</sup>) of even-numbered years and may thereafter be renewed biennially by payment to the building official of a renewal fee and presentation of 12 clock hours of continuing education of a type acceptable to the building official. All certificates, which are nontransferable, must be registered

with the building official not later than January 10<sup>th</sup> of the year following expiration, and it is hereby made the duty of each master to see that each journeyman working for him has been registered.

4-710 SAME; FEES. (a) The following fees for certificates and renewals of certificates under this article shall apply:

(1) Master gas fitter certificates or renewal, per year, \$25.00.

(2) Journeyman gas fitter certification or renewal, per year, \$15.00.

(b) All such fees shall be paid to the building official and shall become a part of the general fund.

4-711 GAS FITTINGS BY OWNER. Nothing herein contained shall prohibit any property owner from installing a fuel gas system upon their own property; provided, the owner shall satisfy the building official as to their ability to install such fuel gas system, secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and receive a certificate of approval.

#### ARTICLE 8. MECHANICAL

4-801 DEFINITIONS. For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them.

(a) Mechanical Contractor. A mechanical contractor is defined as any person, firm, or corporation who is qualified or employ mechanical masters who are qualified to serve the public in the business of mechanical work and maintains a place of business.

(b) Mechanical Journeyman. A mechanical journeyman is a person who holds a legal certificate issued pursuant to law showing him to be qualified to do mechanical work under the direction and control of a qualified mechanical master.

(c) Mechanical Master. A mechanical master is defined as a person who is qualified, certified, and equipped to properly lay out and plan the installation, repairs, and maintenance of mechanical work.

(d) Mechanical Work. All work dealing with heating, ventilation, cooling, refrigeration systems, incinerators, and other heat-producing appliances that are regulated by the Uniform Mechanical Code.

4-802 ADOPTION OF THE INTERNATIONAL MECHANICAL CODE. There is hereby incorporated by reference as provided by law, that certain document, marked and designated as the International Mechanical Code, 2000 Edition, Third Printing (and subsequent errata for the 3<sup>rd</sup> and 4<sup>th</sup> Printing) updated December 15, 2003, including Appendix Chapter A, as published by the International Code

Council, Inc., three (3) copies of which are on file in the office of the City Clerk, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, in the City of Wamego, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such International Mechanical Code, are hereby referred to, adopted and made a part of this Article as if set at herein, with the addition, insertions, deletions and changes as set forth under Paragraph 4-803 of this Article.

4-803 SAME; AMENDMENTS. The International Mechanical Code, adopted under Paragraph 4-802 is hereby amended as follows:

(a) Chapter 1 Administration. – replace references to “this code” by “this code and all other applicable regulations of the city”, except under 102.1.1.

(b) 101.1 Title. Insert [the City of Wamego] at [NAME of JURISDICTION].

(c) 102 Applicability. – add the following:

“102.1.1 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. Where a conflict arises between this International Mechanical Code, as adopted under Paragraph 4-802 of the Wamego City Code along with the codes and standards referenced herein, and other adopted City of Wamego codes, the matter shall be taken before the Construction Board of Appeals for resolution.”

(d) Section 103. – delete.

(e) 106.3.1 Construction documents. – second sentence shall read as follows:

“The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional except as provided under KSA 74-7033.”

(f) 106.5.2 Fee schedule. – amend to read as follows:

“The fees for mechanical work shall be required under Paragraph 4-804 of the City Code.”

(g) 106.5.3 Fee refunds. – delete.

(h) 108.4 Violation penalties - insert [misdemeanor] at [SPECIFY OFFENSE]. Insert [\$500] at [AMOUNT] and insert [180] at [NUMBER of DAYS].

(i) 108.5 Stop work orders. – insert [\$100] at “... not less than [AMOUNT]”, and insert [\$500] at “....more than [AMOUNT]”.

(j) Section 109 Means of Appeal. – delete.

(k) [B] 301.13 Flood hazard. – amend to read as follows:

“For structures located in a special flood hazard are, mechanical systems shall comply with the flood-resistant construction requirements of the City Code Paragraph 16-401 et. seq.”

(l) 603.7.3 Flood hazard. – amend to read as follows:

“All underground ducts located in a flood-hazard or a high-hazard zone shall be located above one foot (1’) above the base flood elevation or shall be protected so as to prevent water from entering or accumulating within the ducts during floods up to one foot (1’) above the base flood elevation. If the ducts are located below one foot (1’) above the base flood elevation, the ducts shall be capable of resisting hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to one foot (1’) above the base flood elevation.”

(m) Appendix B. – delete.

4-804 MECHANICAL PERMIT FEE. The fee for a mechanical permit to erect, install, enlarge, alter, repair, remove, convert or replace any mechanical system the installation of which is regulated by the International Mechanical Code, adopted under Paragraph 4-802 of this Article, shall be fifteen dollars (\$15.00). Such fee is payable at the time the application is submitted for the mechanical permit, and the same shall be credited to the general operating fund of the city.

4-805 SAME; RE-INSPECTION; FEE. All work done in violation of this article is subject to re-inspection by the city building official until such work is approved and found to be in compliance with the International Mechanical Code and any other applicable City regulations. All re-inspections required after the time period set by the building official to correct the work found to be in violation shall be subject to a twenty-five dollar (\$25.00) re-inspection fee to be paid to the city, and credited to the general fund of the city.

4-806 CERTIFICATION OF MECHANICS; MECHANIC’S BOARD OF CERTIFICATION. The Mechanic’s Board of Certification, established under Paragraph 4-505 of this Chapter, shall have the right to modify and approve the qualification requirements for mechanic certification, of all applicants desiring to engage in or perform mechanical work within the city. The Board also shall have the power to suspend for a definite period or to revoke, after a hearing, the certificate of any mechanic, for violation of rules and regulations governing mechanical work or for other violations of this article.

4-807 SAME; QUALIFICATIONS. Following are the qualifications for certification as a mechanic in the city:

(a) Any mechanic who submitted an application to the City for certification as a master or journeyman mechanic no later than November 14, 1991, and who received approval from the Mechanic's Board of Certification as a grandfathered master or journeyman mechanic, shall receive the corresponding certificate.

(b) Any mechanic providing proof of passage of the block and associates test for master or journeyman mechanics shall receive the corresponding certificate.

(c) Any mechanic who holds a current valid mechanical certificate issued by a board of examiners from a city with a population equal to or greater than Wamego, and reciprocating with the City of Wamego and who can give proof of comparable qualifications as determined by the building official, shall receive a certification (master or journeyman) from the City corresponding to the certification held from the other city.

4-808 SAME; RENEWAL AND REGISTRATION. (a) No person shall engage in or work at the mechanical business either as a master mechanic or as a journeyman mechanic until such person has been certified by the City of Wamego and found qualified and competent to engage in such business provided that a resident or owner may install any mechanical equipment of other item with in her own home, shop, garage, or other structure with securing a certificate, but a permit must be secured for such mechanical work and such work shall be inspected and approved by the building official and applicable inspection fees paid.

(b) All certificates under this division shall be in effect for two years until December thirty-first (31<sup>st</sup>) of even-numbered years and may thereafter be renewed biennially by payment to the building official of a renewal fee and presentation of 12 clock hours of continuing education of a type acceptable to the building official. All certificates, which are nontransferable, must be registered with the building official not later than January 10<sup>th</sup> of the year following expiration, and it is hereby made the duty of each master to see that each journeyman working for him has been registered.

4-809 SAME; FEES. (a) The following fees for mechanical certificates and renewals of certificates under this division shall apply:

(1) Mechanical master certification or renewal, per year...\$25.00

(2) Mechanical journeyman certification or renewal, per year..\$25.00

(b) All such fees shall be paid to the building official and shall become a part of the general fund.

4-810 MECHANICAL WORK BY OWNER. Nothing herein contained shall prohibit any property owner from installing a mechanical system within and upon their own property; provided, the owner shall satisfy the building official as to their ability to install such mechanical system, secure a permit, pay required fees, do work in accordance with this article, and apply for an inspection and receive a certificate of approval.

#### ARTICLE 9. ENERGY CONSERVATION

4-901 ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE. There is hereby incorporated by reference as provided by law, that certain document, marked and designated as the International Energy Conservation Code, 2000 Edition Third Printing (and subsequent errata for the 3<sup>rd</sup> Printing updated March 29, 2002, as published by the International Code Council, Inc., three (3) copies of which are on file in the office of the City Clerk, for regulating the

design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the building envelope, mechanical, lighting and power systems in the City of Wamego; and each and all of the regulations, provisions, conditions and terms in such International Energy Conservation Code, are hereby referred to, adopted and made a part of the Article as if fully set out herein, with the additions, insertions, deletions and changes as set forth under Paragraph 4-902 of this Article.

4-902 SAME; AMENDMENTS. The International Energy Conservation Code, adopted under Paragraph 4-901 is hereby amended as follows:

(a) 101.1 Title. – insert [the City of Wamego] at [NAME of JURISDICTION].

(b) 104.1 General. – second sentence shall read as follows:

“The construction documents and designs submitted under the provisions of Chapter 4 shall be prepared by a registered design professional except as provided under KSA 74-7033.

(c) Table 302.1 Exterior Design Conditions. – complete as follows:

<u>Condition</u>	<u>Value</u>
Winter, Design Dry-bulb (°F)	+ 3°
Summer, Design Dry-bulb (°F)	95°
Summer, Design Wet-bulb (°F)	77°
Degree days heating	5,265

Degree days cooling  
Climate zone

3,880  
11B

## ARTICLE 10. PROPERTY MAINTENANCE

4-1001 ADOPTION OF The INTERNATIONAL PROPERTY MAINTENANCE CODE. There is hereby incorporated by reference as provided by law, that certain document, marked and designated as the International Property Maintenance Code, 2000 Edition, Third Printing (and subsequent errata for the Third Printing) updated March 29, 2002, as published by the International Code Council, Inc., three (3) copies of which are on file in the office of the City Clerk, to provide minimum requirements and standards applicable to existing residential and non-residential structures and premises for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards; for safe and sanitary maintenance; for the responsibility of owners, operators and occupants; and for the occupancy of said structures and premises. Each and all of the regulations, provisions conditions and terms in such International Property Maintenance Code, are hereby referred to, adopted and made a part of this Article as if fully set out herein, with the additions, insertions, deletions and changes as set forth under Paragraph 4-1002 of this Article.

4-1002 SAME; AMENDMENTS. The International Property Maintenance Code, adopted under Paragraph 4-1001 is hereby amended as follows:

(a) Chapter 1 Administration. – replace references to “this code” by “ this code and all other applicable regulations of the city, except under 102.1.1. “

(b) 101.1 Title. – insert [the City of Wamego] at [NAME OF JURISDICTION].

(c) 102 Applicability. – add the following:

“102.1.1 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. Where a conflict arises between this International Property Maintenance Code, as adopted under Paragraph 4-1001 of the Wamego City Code along with the codes and standards referenced herein, and other adopted City of Wamego codes, the matter shall be taken before the Construction Board of Appeals for resolution.”

(d) Section 103 Department of Property Maintenance Inspection. – delete.

(e) 104.7 Department records. Amend to read as follows:

“Record keeping. The Code Official shall keep official records of all business and activities specified in the provisions of this code. Such records shall be retained in

the official records as long as the building or structure to which such records relate remain in existence unless otherwise provided for by other regulations.”

(f) 106.4 Violation penalties. – amend to read as follows:

“ Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor, punishable by a fine of not more than 500 dollars or by imprisonment not exceeding 180 days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(g) Section III Means of Appeal. – delete.

(h) 302.4 Weeds. – Amend to read as follows:

“All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches (305mm). All noxious weeds shall be prohibited. Weeds shall be defined as all annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.”

(i) 303.3 Premises identification. – delete.

(j) 303.14 Insect screens. – insert [April 1<sup>st</sup>] to [December 1<sup>st</sup>6] at [DATE] to [DATE].

(k) 602.3 Heat supply. – insert [November1st] to [March 31<sup>st</sup>] at [DATE] to [DATE].

## ARTICLE 11. MOVING BUILDINGS

4-1101 MOVING BUILDINGS; PERMIT. No person, firm or corporation shall move, haul, or transport any house, building, derrick, or other structure of the height when loaded for movement of 16 feet or more from the surface of the highway, road, street or alley, or a width of 15 feet or more or which cannot be moved at a speed of four (4) miles per hour or faster, upon, across or over any street, alley or sidewalk in this city without first obtaining a permit therefore as hereinafter provided.

4-1102 SAME; APPLICATION. All applications for permits required shall be made in writing to the building official specifying the day and hour the moving is to commence and the route through the city’s streets over which the building or structure shall be moved. If it shall be necessary to cut and move, raise or in any way interfere with any wires or poles, the application shall state the name of the

owner of the wires or poles and the time and place, when and where the removal of the poles or the cutting, raising or otherwise interfering of the wires will be necessary. The city may specify a different route when deemed advisable. The application shall be made not less than 48 hours before the moving is to commence.

4-1103 SAME; BOND. It shall be the duty of any person at the time of making application for a permit as provided in this article to give a good and sufficient surety bond to the city, to be approved by the city manager, indemnifying the city against any loss or damage resulting from the failure of any such person to comply with the provisions of this article or for any damage or injury caused in moving any such house or structure provided the bond herein shall be in the sum of \$5,000, or cash may be deposited in lieu of such surety bond. A public liability insurance policy issued by an insurance company authorized to do business in the State of Kansas, in the amount of \$100,000 per person, \$300,000 per accident as to personal injury, and \$50,000 property damage may be permitted in lieu of a bond.

4-1104 SAME; FEE. Before any permit to move any house or structure is given under the provisions of this article, the applicant shall pay a sum of \$100 therefore to the building official, to be deposited to the credit of the general operating fund of the city.

4-1105 SAME; NOTICE TO OWNERS. (a) Upon issuance of a moving permit the applicant shall give not less than 15 days written notice to any person owning or operating any wires, cables or other aerial equipment along the proposed route of the intent to move the structure, giving the time and location that the applicants moving operation shall necessitate the cutting, moving, raising or interfering of any wires, cables or other aerial equipment.

(b) The notice provision of subsection (a) shall not apply where the person owning or operating any wires, cables or other aerial equipment has waived their right to advance notice.

(c) Should the moving operation be delayed, the applicant shall give the owner or his or her agent not less than 24 hours advance notice of the actual operation.

4-1106 SAME; DUTY OF OWNERS. It shall be the duty of the person or the city owning or operating such poles or wires after service of notice as provided herein, to furnish competent linemen or workmen to remove such poles, or raise or cut such wires as will be necessary to facilitate the moving of such house or structure. The necessary expense which is incurred thereby shall be paid by the holder of the moving permit.

4-1107 SAME; INTERFERING WITH POLES AND WIRES. No person engaged in moving any house or other structure shall raise, cut or in any way interfere with

any such poles or wires unless the persons or authorities owning or having control of the same shall refuse to do so after having been notified as provided in section 4-707, and then only competent and experienced workmen shall be employed in such work, and in such case the necessary and reasonable expense shall be paid by the owners of the poles and wires handled. The work shall be done in a careful and workmanlike manner, and the poles and wires shall be promptly replaced and the drainages thereto properly repaired.

4-1108 SAME; CUTTING TREES. No person shall trim or cut any shade trees for the purpose of allowing any building to pass through or upon any street, avenue or alley or lands within the city without the consent and under the direction of the owner of the trees and of the director of public works.

4-1109 SAME; INSPECTION. It shall be the duty of the chief of police or his or her designee from time to time, to inspect the progress of moving any building, derrick, house or other structure and to see that the house, building, derrick, or other structure is being moved in accordance with the provisions of this article.

4-1110 SAME; DISPLAY OF LIGHTS; BARRICADES. It shall be the duty of mover during the course of the moving to display red lights on the structure in such a manner as to show the extreme height and width thereof from 30 minutes after sunset to 30 minutes before sunrise, and in the nighttime when the structure shall be standing in any street or public way, the same shall be guarded in the above manner by barricades and flares.

## ARTICLE 12. NUMBERING BUILDINGS

4-1201 NUMBERING BUILDINGS; CONTINUATION OF EXISTING SYSTEM. The long established and existing system of numbering buildings in the city shall be continued as hereinafter provided.

4-1202 SAME; ASSIGNMENT OF NUMBERS. It shall be the duty of the building official to assign street numbers for all newly erected buildings, or for any changes in the fronts of buildings already erected. Such numbers shall be assigned to conform, as nearly as possible, to the existing system of numbering buildings.

4-1203 SAME; DISPUTES. In case of any dispute or controversy as to the street number of any existing building or of any building hereafter erected, the matter shall be submitted to and determined by the city manager, whose decision shall be final.

4-1204 SAME; SYSTEM VARIATIONS. In the cases of irregular shaped blocks and irregularly designed or routed streets or cul-de-sacs, the building official in his or her discretion, may vary the established building numbering system as he or she shall deem necessary and reasonable under the circumstances.

4-1205 SAME; DISPLAY OF NUMBERS REQUIRED. The owner or occupant of every building in the city is required to display the street number of such building on the front of such building. In the case of multiple buildings on a site, the building designation shall also be displayed. The numbers and/or letters so displayed shall be in accordance with Section 505 of the International Fire Code, except that the minimum height of the numbers and/or letters for business building addresses shall have a height of not less than six inches. Identification of multiple-tenancy buildings shall include display of each unit designation upon or near the door of the corresponding unit, which shall have height of not less than two and one half inches.

4-1206 SAME; PENALTY. Any person owning or occupying a building in the city who shall fail to display the street number assigned to such building by the city manager as herein provided, shall, upon conviction thereof, be fined not more that \$10.

### ARTICLE 13. DEMOLITION OF STRUCTURES

4-1301 DEMOLITION OF STRUCTURES; PERMIT REQUIRED. No person shall demolish any building or structure within the City of a type regulated by the building codes of the City, without having first obtained a demolition permit issued by the building official in accordance with the provisions of this article.

4-1302 SAME; FEE. A fee of twenty-five (\$25.00) per building or structure shall be collected from the applicant at the time the demolition permit is issued. Such fee shall be charged for inspection by the building official for compliance with the provisions of this article, and credited to the general operating fund of the city.

4-1303 ABANDONED SEWERS. Every abandoned building sewer, or part thereof, shall be plugged or capped in an approved manner within five (5') feet of the property line. This work shall be accomplished and inspected by the building official within three (3) days after the building is demolished.

4-1304 SAME; CLEAN-UP; FILLING IN OF BASEMENT. Within one (1) week following commencement of the demolition of any building or structure, the lot shall be cleaned up, and the basement, foundation, footings and any other subterranean structure such as a cistern, shall be removed, filled in and leveled. The demolition area shall be secured by an approved means during removal. Completion of such work may extend beyond the one (1) week time period upon approval of an application therefore by the building official.

4-1305 SAME; VIOLATION. Any person in violation of this article shall be guilty of an offense punishable as provided by Paragraph 1-117 of the Wamego City Code.