

Article 2. Building Code

4-201. International building code.

The 2006 edition of the International Building Code, three (3) copies of which are on file in the office of the City Clerk, as published by the International Code Council, is hereby adopted as the Building Code of the City of Linn Valley, in the State of Kansas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Linn Valley are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 4-202.

(Ord. 34; Ord. 216; Code 2021)

4-202. Amendments.

The following sections of the 2006 International Building Code are hereby amended to read in their entirety:

Section 108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

Section 108.1.1 An application fee shall be required with all permit applications. Review of the application will not commence until such fee is paid. The application fee shall be applied to payment of the permit fee. The application fee will not be refunded for an application denied approval by the city or withdrawn.

Section 108.1.2 If the permit fee has not been paid within thirty days of issuance, approval of the permit shall be withdrawn.

Section 108.2 Permit Fees. On buildings, structures, electrical, gas, mechanical, plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required prior to commencing any work included on said permit.

Section 108.2.1 All said fees shall be set by resolution.

Section 108.2.2 Permit fees for improvements or construction not included in 108.2.1 shall be determined by multiplying the base fee by the number of inspections needed.

Section 108.2.3 The base fee will be applied to approved changes to an existing permit. Fees will be due upon the building official's approval of changes.

Section 108.2.4 An environment impact fee set by resolution will be assessed for installation of each sewer holding tank and water holding tank in addition to the required permit fees. Environmental impact fee shall be set by resolution.

Section 108.2.5 No permit or fee shall be required or assessed for the following:

- A. Roof repair if project does not exceed \$5,000 in cost.
- B. Yard fences under six feet in height.

- C. Skid Sheds less than 240 square feet, not permanently fixed to concrete slab or other structural base, and with no connection to utilities including: electric, water, and/or sewer waste disposal.
- D. Lot clearing – removal of brush and small trees. Excavation shall require a building permit. Excavation is defined as removal of soil or rock from a property site or within a site to form an open face, or hole using tools or machinery. Purposes for excavation may include but not exclusively for footings, basements, and structural foundations.
- E. Culverts not connecting to city or county roadways.
- F. Driveways not connecting to city or county roadways.
- G. Non-structural concrete slab.
- H. General outside maintenance, excluding foundation and electrical work that does not exceed \$5,000 in cost.

Work exempt from permit requirements must comply with city code and ordinances.

Section 108.4 Penalties. Any person who commences any work requiring a permit prior to obtaining the necessary permit shall be required to obtain a permit and be subject to a fine of no more than \$100 a day, but not less than \$25 a day, until such time as the property permit is obtained.

Section 108.6 Refunds. The building official is authorized to grant refunds of up to one half of original permit fees up to \$200 provided the request for a refund was submitted in writing no more than 60 days from the date of issuance of permit.

(Ord. 34; Ord. 36; Ord. 39; Ord. 101; Ord. 125; Ord. 216; Ord. 224; Code 2021; Ord. 238; Ord. 240; Ord. 244)