

## ORDINANCE NO. 216

### AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING CODE

An ordinance of the City of Linn Valley adopting the 2006 edition of the *International Building Code*, 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 in the City of Linn Valley; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 34 of the City of Linn Valley and all other ordinances and parts of the ordinances in conflict therewith.

The Council of the City of Linn Valley does ordain as follows:

**SECTION 1.** That a certain document, three (3) copies of which are on file in the office of the City Clerk of as published by the International Code Council, be and 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 ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**SECTION 2.** The following sections are hereby revised:

Section 101.1. Insert: **City of Linn Valley**

Section 1612.3. Insert: **City of Linn Valley**

Section 1612.3. Insert: **City of Linn Valley**

Section 3410.2. Insert: **2006**

Add Section 108.2.1: Said Fees shall be assessed according to the schedule of Building Permit Fees (Exhibit A) and Building Permit Fee Worksheet (Exhibit B), incorporated herein by reference. No inspection fees shall be assessed for the following repairs to exceed \$5000 in cost, in which case inspection fees shall be assessed on that portion of repair exceeding \$5000 in cost:

- A. Repair or replace roof
- B. Fencing yard
- C. General outside maintenance, excluding foundation and electrical work.

**SECTION 3.** That Ordinance No. 34 of the City of Linn Valley entitled “An Ordinance establishing the minimum regulations 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; known as The Building Code” and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**SECTION 5.** That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**SECTION 6.** This Ordinance shall take effect from and after the publication of its summary in the Linn County News and the publication of the entire Ordinance on the City’s official website, [www.cityoflinnvalley.com](http://www.cityoflinnvalley.com), for one week following the aforesaid newspaper publication.

**SECTION 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect September 16, 2020 from and after the date of its final passage and adoption.

PASSED AND APPROVED THIS 14<sup>th</sup> DAY OF SEPTEMBER, 2020.

  
\_\_\_\_\_  
Cindy Smith, Mayor

Attest:

  
\_\_\_\_\_  
Karen Siffring, City Clerk

SECTION 103.5

EXHIBIT A

BUILDING PERMIT FEES FOR CONVENTIONAL HOUSING

TOTAL VALUATION	FEES
\$1.00 to \$500.00	\$25.00
\$501.00 to \$2,000	\$25.00 for the first \$500.00 plus \$2.75 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$62.25 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00 or fraction thereof to and including \$25,000
\$25,001.00 to \$50,000.00	\$349.75 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$574.75 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00 or fraction thereof to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$887.25 for the first \$50,000.00 plus \$5.00.00 for each additional \$1,000.00 or fraction thereof to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,887.25 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00 or fraction thereof to and including \$1,000,000.00
\$1,000,000 and up	\$5,012.25 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof.

Manufactured housing fees are 50% of the fees for conventional housing.

The total building permit fee for any shed less than 240 square feet in size shall be \$35.00

No building permit fee shall be assessed for the following listed repairs to existing buildings unless said repairs exceed \$5,000.00 in cost:

- a. Repair or replacement of roof
- b. Fencing yard
- c. General outside maintenance excluding foundation and electrical work

SECTION 103.5: EXHIBIT B  
BUILDING PERMIT FEE WORKSHEET

New House

1. 1<sup>st</sup> Floor sq. ft. \_\_\_\_\_
2. 2<sup>nd</sup> Floor sq. ft. \_\_\_\_\_
3. Total Area (1 + 2) \_\_\_\_\_
4. Wood frame sq. ft. \_\_\_\_\_ x 60.00 = (a) \_\_\_\_\_
5. Masonry sq. ft. \_\_\_\_\_ x 62.00 = (b) \_\_\_\_\_
6. Attached Garage sq. ft. \_\_\_\_\_ x 14.00 = (c) \_\_\_\_\_
7. Garage or Large Building \_\_\_\_\_ x 18.00 = (d) \_\_\_\_\_
8. Manufactured Home \_\_\_\_\_ x 35.00 = (e) \_\_\_\_\_
9. Finished Basement \_\_\_\_\_ x 14.00 = (f) \_\_\_\_\_
10. Unfinished Basement \_\_\_\_\_ x 8.00 = (g) \_\_\_\_\_
11. TOTAL (a - g) (h) \_\_\_\_\_
12. Use total (f) and follow the formula on Exhibit A, to determine permit fee.

\_\_\_\_\_  
+ \_\_\_\_\_

TOTAL PERMIT FEE \_\_\_\_\_