

CITY OF WESTWOOD HILLS, KANSAS

ORDINANCE NO. 197

AN ORDINANCE REGULATING BUILDING AND CONSTRUCTION PRACTICES AND REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIAL, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PROPERTY, BUILDINGS, AND STRUCTURES AND TO PROVIDE 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 WITHIN THE CORPORATE LIMITS OF THE CITY OF WESTWOOD HILLS, KANSAS; INCORPORATING BY REFERENCE THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE, EXCLUDING ALL APPENDICES; THE 2000 EDITION OF THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS INCLUDING APPENDIX CHAPTERS A., B., C., D., E., J., AND K., BUT EXCLUDING APPENDIX CHAPTERS F., G., H., AND I.; THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE INCLUDING APPENDIX CHAPTER A., BUT EXCLUDING APPENDIX CHAPTER B.; THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE, EXCLUDING ALL APPENDIX CHAPTERS; THE 2000 EDITION OF THE INTERNATIONAL PLUMBING CODE EXCLUDING ALL APPENDIX CHAPTERS; THE 2000 EDITION OF THE INTERNATIONAL FUEL GAS CODE, INCLUDING APPENDIX CHAPTERS A., B., AND C., BUT EXCLUDING APPENDIX CHAPTER D.; AND THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE, INCLUDING APPENDIX CHAPTERS A., B., C. D., AND E.; WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO AND PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; SUBSTITUTING THE PROPERTY MAINTENANCE CODES OF THE CITY OF WESTWOOD HILLS FOR THE INTERNATIONAL PROPERTY MAINTENANCE CODE; ESTABLISHING A BOARD OF CODE APPEALS, AND THE MEMBERSHIP AND PROCEDURES THERETO; ESTABLISHING CERTAIN STORM WATER AND DRAINAGE CONTROL PROCEDURES; PROVIDING FOR CERTAIN FEES; ESTABLISHING THE APPLICABILITY OF THE NATIONAL ELECTRICAL CODE; AND REPEALING CERTAIN SECTIONS OF THE MUNICIPAL CODE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

Section 1. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Building Code" 2000 Edition, excluding all Appendices, as published by the International Code

Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Building Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Building Code similarly marked, as may be deemed expedient.

Section 2. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE: The following sections of the International Building Code shall be revised, amended, or deleted:

1. Section 101.1 shall be amended to read "These regulations shall be known as the Building Code of the City of Westwood Hills, Kansas."

2. Section 101.2 shall be amended to read : "Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code as amended."

3. Section 101.4.1. shall be amended to read: "The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto."

4. Section 105.2. entitled "Work exempt from permit," shall be revised to and amended to delete the exemptions numbered 1. through 13. under the sub-category "Building" from the permit requirement. The requirement for a permit is further set forth in section 5-103 of the Westwood Hills Municipal Code.

5. Section 105.3.2 shall be amended to read as follows: "An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension or extensions shall be requested in writing and justifiable cause demonstrated."

6. Section 108.3, entitled "Building permit valuations," shall be amended to add the following sentence at the end of said provision: "Alternatively, building permits fees

may be set and established administratively by the City according to the schedule as established by the City and as amended."

7. Section 113.4, entitled "Violation penalties," shall be amended to add the following at the end of said provision:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

8. Section 1612.3, entitled "Establishment of flood hazard area," shall be deleted, and in lieu thereof, shall be inserted the following: "To establish flood hazard areas, the City of Westwood Hills may adopt a flood hazard map and supporting data. If and when the city undertakes such a task, such shall comply with the requirements of Section 1612.3 and shall be incorporated into the city's code requirements."

9. Section 3409.2, entitled "Applicability," shall be amended so that the first sentence thereof shall read: "Structures existing prior to the date of adoption of this code, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3402 through 3406."

Section 3. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Residential Code for One-and Two-Family Dwellings" 2000 Edition, excluding Appendix Chapters F., G., H., and I. but including Appendix Chapters A., B., C., D., E., J., and K, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Residential Code for One- and Two Family Dwellings shall be marked or stamped "Official Copy as Adopted by Ordinance No.197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of

official copies of such International Residential Code for One- and Two-Family Dwellings similarly marked, as may be deemed expedient.

Section 4. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO--FAMILY DWELLINGS. The following sections of the International Residential Code for One- and Two-Family Dwellings 2000 Edition shall be revised, amended, or deleted:

1. Section R101.1, entitled "Title," shall be amended to read: "These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Westwood Hills, Kansas, and shall be cited as such and will be referred to herein as 'this code.'"

2. Section R105.2, entitled "Work exempt from permit," shall be revised and amended to delete the exemptions numbered 1. through 9. under the sub-category "Building" from the permit requirement. The requirement for a permit is further set forth in section 5-103 of the Westwood Hills Municipal Code.

3. Section R305.1, entitled "Minimum height," shall be amended to amend only the first sentence thereof to read as follows: "Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 6 feet 8 inches." Also, the subparagraph of Section R305.1, entitled "Exceptions 3.," shall be amended to read as follows: "Not more than 50% of the required floor area of a room or space is permitted to have a sloped ceiling less than 6 feet, 8 inches in height with no portion of the required floor area less than 5 feet in height."

4. Section R201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, International Fire Code, the International Fuel Gas Code, or the International Mechanical Code, such terms shall have meanings ascribed to them as in those codes."

5. Section R108.1, entitled "Building permit valuations," shall be amended to add the following sentence at the end of said provision: "Alternatively, building permits fees maybe set and established administratively by the City according to the schedule as established by the City and as amended."

6. Section R113.4, entitled "Violation penalties," shall be amended to add the following at the end of said provision:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a

separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

7. Section 301.2, entitled "Climatic and geographic design criteria, shall be amended as follows: "The criteria herein shall be administratively established by the building official and inserted herein."

Section 5. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Mechanical Code" 2000 Edition, including Appendix Chapter A., but excluding Appendix Chapter B., as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Mechanical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Mechanical Code similarly marked, as may be deemed expedient.

Section 6. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE. The following sections of the International Mechanical Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read: "These regulations shall be known as the Mechanical Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 106.5.2, entitled "Fee schedule," shall be amended to read as follows: "The fees for mechanical work and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

3. Section 106.5.3, entitled "Fee refunds," shall be amended to read as follows: "The building official is authorized to establish a refund policy."

4. Section 201.3, entitled "Terms defined in other codes," shall be amended to

read as follows: "Where terms are not defined in this code and are used in the International Building Code, the National Electrical Code, the International Fire Code, the International Fuel Gas Code, or the International Plumbing Code, such terms shall have meanings ascribed to them as in those codes."

5. Section 108.4, entitled "Violation penalties," shall be amended 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 mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be guilty of a violation of this code. In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

6. Section 108.5, entitled "Stop work orders," shall be amended so that the final sentence thereof shall read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a violation of this code, and punished in accordance herewith."

Section 7. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Fire Code" 2000 Edition, excluding all Appendix Chapters, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Fire Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Fire Code similarly marked, as may be deemed expedient.

Section 8. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE. The following sections of the International Fire Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read as follows: "These regulations shall be known as the International Fire Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, the International Fuel Gas Code, International Mechanical Code, or International Plumbing Code, such terms shall have meanings ascribed to them as in those codes."

3. Section 105.1, entitled "Permits required," shall be amended to add a final sentence as follows: "The fees for this code and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

4. Section 109.3, entitled "Prosecution of violations," shall be amended to add the following:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

5. Section 111.4, entitled "Failure to comply," shall be amended 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 guilty of a violation of this code, and punished in accordance herewith."

6. Section 3406.2.4.4., entitled "Locations where above-ground tanks are prohibited," shall be amended to read: "The storage of Class I and II liquids in above-ground tanks is prohibited anywhere in the city, except that a permit for such tanks may be granted by the Governing Body upon good cause shown and assurances by all competent sources that such tank poses no unreasonable threat or danger to persons or property."

Section 9. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL PLUMBING CODE. There is hereby incorporated by reference for the purpose of

regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Plumbing Code" 2000 Edition, excluding all Appendix Chapters, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Plumbing Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Plumbing Code similarly marked, as may be deemed expedient.

Section 10. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL PLUMBING CODE. The following sections of the International Plumbing Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read: "These regulations shall be known as the International Plumbing Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, International Fire Code, the International Fuel Gas Code, or the International Mechanical Code, such terms shall have meanings ascribed to them as in those codes."

3. Section 106.6.2., entitled "Fee schedule," shall be amended to read as follows: "The fees for all plumbing work and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

4. Section 106.6.3., entitled "Fee refunds," shall be amended to read as follows: "The building official is authorized to establish a refund policy."

5. Section 108.4, entitled "Violation penalties," shall be amended to read as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair plumbing work in violation of the approved construction documents or directive of

the code official, or of a permit or certificate issued under the provisions of this code shall be guilty of a violation of this code. In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

6. Section 108.5, entitled "Stop work orders," shall be amended so that the final sentence thereof shall read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a violation of this code, and punished in accordance herewith."

7. Section 305.6. 1., entitled "Sewer depth," shall be amended to read as follows: Building sewers that connect to private sewage disposal systems shall be a minimum of 36 inches below finished grade at the point of septic tank connection. Building sewers shall be constructed in accordance with the requirements of Johnson County Wastewater.

8. Section 904. 1, entitled "Roof extension," shall be amended to read as follows:

All open vent pipes that extend through a roof shall be terminated at least 18 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (2134 mm) above the roof.

Section 11. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL FUEL GAS CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Fuel Gas Code" 2000 Edition, including Appendix Chapters A., B., and C., but excluding Appendix D., as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Fuel Gas Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of

the city, such number of official copies of such International Fuel Gas Code similarly marked, as may be deemed expedient.

Section 12. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL FUEL GAS CODE. The following sections of the International Fuel Gas Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read: "These regulations shall be known as the International Fuel Gas Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, International Fire Code, International Mechanical Code, or International Plumbing Code, such terms shall have meanings ascribed to them as in those codes."

3. Section 106.5.2, entitled "Fee schedule," shall be amended to read as follows: "The fees for all work pursuant to this code and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

4. Section 106.5.3., entitled "Fee refunds," shall be amended to read as follows: "The building official is authorized to establish a refund policy."

5. Section 108.4., entitled "Violation penalties," shall be amended to read as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be guilty of a violation of this code. In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

6. Section 108.5 entitled "Stop work orders," shall be amended so that the final sentence thereof shall read: "Any person who shall continue any work 'in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a violation of this code, and punished in accordance herewith."

Section 13. INCORPORATING THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "National Electrical Code" 1999 Edition, including all Appendix Chapters A., B., C., D., and E., as published by the National Fire Protection Association, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the National Electrical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such National Electrical Code similarly marked, as may be deemed expedient.

Section 14. DELETING REFERENCES TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE. Wherever reference is made to the International Property Maintenance Code in any of the aforementioned codes, there shall be substituted therein "all property maintenance codes of the City of Westwood Hills, Kansas."

Section 15. PENALTIES. Unless a penalty provision is otherwise provided for in any of the above codes, in addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of these codes shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

Section 16. APPEAL; BOARD OF CODE APPEALS ESTABLISHED.

Section 1. BOARD OF CODE APPEALS ESTABLISHED. There is hereby established and created a Westwood Hills, Kansas "Board of Code Appeals. This shall succeed to the duties and responsibilities of the Board of Structural Appeals previously established.

Section 2. SAME; MEMBERSHIP. The board shall consist of three members to be appointed by the mayor and with the consent of the governing body. The members first appointed shall serve for terms of one, two and three years. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by

appointments for the unexpired term. The members of the board shall serve without compensation. In the absence of a duly appointed Board of Code Appeals, the City Council shall serve as the Board of Code Appeals.

Section 3. SAME; POWERS AND DUTIES. The powers and duties of the Board of Code Appeals shall be in accordance with the codes adopted by reference herein.

Section 17. STORM WATER RUNOFF. In addition to any other drainage or surface water requirements in the codes herein, under Federal law or regulation, or any other code of the City of Westwood Hills, any application for construction or additional development of a property which in the building official's judgment may increase storm water runoff and/or the possibility of erosion on adjoining properties shall require the submission of a site plan with provisions for the containment and/or direction of any and all additional runoff. All storm water runoff shall be contained or directed to a drainage point on the same lot or property as the development occurs. No additional runoff may be directed toward, or allowed to drain by lay of the land (or natural topography) on any adjoining property or properties. Before the final inspection approval the building official shall certify that drainage, storm water runoff and erosion requirements have been met.

Section 18. FEES. Notwithstanding any provision to the contrary, a fee or fees shall be charged for any permit under any of the codes herein and shall be subject to the following: "The fees for all work pursuant to these codes and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

Section 19. DELETING REFERENCES TO THE 2000 ICC ELECTRICAL CODE AND SUBSTITUTING THE 1999 NATIONAL ELECTRICAL CODE THEREFORE.

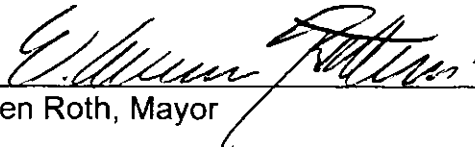
Wherever reference is made to the 2000 ICC Electrical Code in any of the aforementioned codes, there shall be substituted therein "the National Electrical Code 1999 Edition."

Section 20. REPEAL AND SAVINGS CLAUSE. Sections 5-101 and 5-102 of the Westwood Hills Municipal Code, 1994 Edition, are specifically repealed and all other ordinances inconsistent herewith are repealed; however the repeal of said ordinances does not affect any right which has accrued, and duty imposed, any penalty incurred, nor any proceeding commenced, under or by virtue of the ordinance repealed. If any section, subsection, sentence, clause or phrase of this ordinance (or any code adopted thereby) is for any reason, held to be unconstitutional, unenforceable, or otherwise void, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Westwood Hills hereby declares that it would have passed this ordinance (or any code adopted thereby), 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, unenforceable, or otherwise void. Further, nothing herein shall repeal or void any zoning, development, or land use code or practice of the City.

Section 21. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the Council the 5th day of May, 2003.

APPROVED by the Mayor this 5th day of May, 2003.



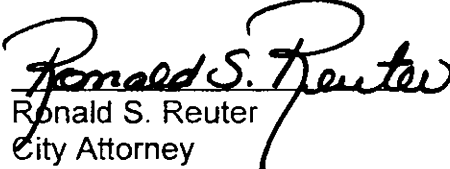
E. Allen Roth, Mayor

ATTEST:



Shawna Samuel, City Clerk

APPROVED AS TO FORM:



Ronald S. Reuter
City Attorney

The Legal Record

213 E. Santa Fe, Suite 2
Olathe, KS 66061
(913) 780-5790

ORD197

Publication Fees: \$120.53

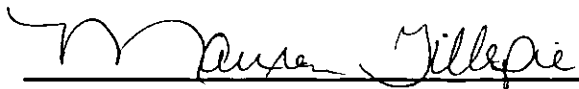
CITY OF WESTWOOD HILLS
ATTN: SHAWNA SAMUEL
2004 W 50TH
WESTWOOD HILLS, KS 66205

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Billing Clerk of The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any)

for 1 consecutive week(s), as follows:

ORDINANCE NO. 197--5/20/03



Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

MAY 21, 2003



Notary Public



My appointment expires: January 31, 2005.

\$120.53

CONTINUED FROM PRECEDING PAGE

Section 13. INCORPORATING THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "National Electrical Code" 1999 Edition, including all Appendix Chapters A, B, C, D, and E, as published by the National Fire Protection Association, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the National Electrical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such National Electrical Code similarly marked, as may be deemed expedient.

Section 14. DELETING REFERENCES TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE. Wherever reference is made to the International Property Maintenance Code in any of the aforementioned codes, there shall be substituted therein "all property maintenance codes of the City of Westwood Hills, Kansas."

Section 15. PENALTIES. Unless a penalty provision is otherwise provided for in any of the above codes, in addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of these codes shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

Section 16. APPEAL; BOARD OF CODE APPEALS ESTABLISHED.

Section 1. BOARD OF CODE APPEALS ESTABLISHED. There is hereby established and created a Westwood Hills, Kansas "Board of Code Appeals. This shall succeed to the duties and responsibilities of the Board of Structural Appeals previously established.

Section 2. SAME; MEMBERSHIP. The board shall consist of three members to be appointed by the mayor and with the consent of the governing body. The members first appointed shall serve for terms of one, two and three years. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by

appointments for the unexpired term. The members of the board shall serve without compensation. In the absence of a duly appointed Board of Code Appeals, the City Council shall serve as the Board of Code Appeals.

Section 3. SAME; POWERS AND DUTIES. The powers and duties of the Board of Code Appeals shall be in accordance with the codes adopted by reference herein.

Section 17. STORM WATER RUNOFF. In addition to any other drainage or surface water requirements in the codes herein, under Federal law or regulation, or any other code of the City of Westwood Hills, any application for construction or additional development of a property which in the building official's judgment may increase storm water runoff and/or the possibility of erosion on adjoining properties shall require the submission of a site plan with provisions for the containment and/or direction of any and

Section 21. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the Council the 5th day of May, 2003.

APPROVED by the Mayor this 5th day of May, 2003.

/s/ E. Allen Roth
E. Allen Roth, Mayor

ATTEST:

/s/ Shawna Samuel
Shawna Samuel, City Clerk

APPROVED AS TO FORM:

/s/ Ronald S. Reuter
Ronald S. Reuter, City Attorney

such number of official copies of such National Electrical Code similarly marked, as it may be deemed expedient.

F. Donald S. Reuter, City Attorney

Section 14. DELETING REFERENCES TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE. Wherever reference is made to the International Property Maintenance Code in any of the aforementioned codes, there shall be substituted therein "all property maintenance codes of the City of Westwood Hills, Kansas."

Section 15. PENALTIES. Unless a penalty provision is otherwise provided for in any of the above codes, in addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of these codes shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

Section 16. APPEAL; BOARD OF CODE APPEALS ESTABLISHED.

Section 1. BOARD OF CODE APPEALS ESTABLISHED. There is hereby established and created a Westwood Hills, Kansas "Board of Code Appeals. This shall succeed to the duties and responsibilities of the Board of Structural Appeals previously established.

Section 2. SAME; MEMBERSHIP. The board shall consist of three members to be appointed by the mayor and with the consent of the governing body. The members first appointed shall serve for terms of one, two and three years. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by

appointments for the unexpired term. The members of the board shall serve without compensation. In the absence of a duly appointed Board of Code Appeals, the City Council shall serve as the Board of Code Appeals.

Section 3. SAME; POWERS AND DUTIES. The powers and duties of the Board of Code Appeals shall be in accordance with the codes adopted by reference herein.

Section 17. STORM WATER RUNOFF. In addition to any other drainage or surface water requirements in the codes herein, under Federal law or regulation, or any other code of the City of Westwood Hills, any application for construction or additional development of a property which in the building official's judgment may increase storm water runoff and/or the possibility of erosion on adjoining properties shall require the submission of a site plan with provisions for the containment and/or direction of any and all additional runoff. All storm water runoff shall be contained or directed to a drainage point on the same lot or property as the development occurs. No additional runoff may be directed toward, or allowed to drain by lay of the land (or natural topography) on any adjoining property or properties. Before the final inspection approval the building official shall certify that drainage, storm water runoff and erosion requirements have been met.

Section 18. FEES. Notwithstanding any provision to the contrary, a fee or fees shall be charged for any permit under any of the codes herein and shall be subject to the following: "The fees for all work pursuant to these codes and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

Section 19. DELETING REFERENCES TO THE 2000 ICC ELECTRICAL CODE AND SUBSTITUTING THE 1999 NATIONAL ELECTRICAL CODE THEREFORE. Wherever reference is made to the 2000 ICC Electrical Code in any of the aforementioned codes, there shall be substituted therein "the National Electrical Code 1999 Edition."

Section 20. REPEAL AND SAVINGS CLAUSE. Sections 5-101 and 5-102 of the Westwood Hills Municipal Code, 1994 Edition, are specifically repealed and all other ordinances inconsistent herewith are repealed; however the repeal of said ordinances does not affect any right which has accrued, and duty imposed, any penalty incurred, nor any proceeding commenced, under or by virtue of the ordinance repealed. If any section, subsection, sentence, clause or phrase of this ordinance (or any code adopted thereby) is for any reason, held to be unconstitutional, unenforceable, or otherwise void, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Westwood Hills hereby declares that it would have passed this ordinance (or any code adopted thereby), 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, unenforceable, or otherwise void. Further, nothing herein shall repeal or void any zoning, development, or land use code or practice of the City.

Section 21. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the Council the 6th day of May, 2003.

APPROVED by the Mayor this 6th day of May, 2003.

/s/ David F. Patzman
David F. Patzman, Mayor

ATTEST:

/s/ Shelley Gregory
Shelley Gregory, City Clerk

APPROVED AS TO FORM:

/s/ Ronald S. Reuter
Ronald S. Reuter, City Attorney

NOTICE OF ABATEMENT

First published in The Legal Record, Tuesday, May 20, 2003.

First Published in The Legal Record on Tuesday, May 20, 2003

CITY OF PRAIRIE VILLAGE, KANSAS

NOTICE OF ABATEMENT

This is official notice that the properties located at:

1. OP44000004 0028 - LOT 28BLK 4 - PRAIRIE HEIGHTS - 7908 MAPLE
2. OP44000005 0003 - LOT 3 BLK 5 PRAIRIE HEIGHTS - 7911 MAPLE
3. OP55000053 0015 - LOT 15 BLK 53 - PRAIRIE VILLAGE - 5003 W. 70TH TERR
4. OP251216 2023 - BEGIN CTR 68TH ST SW 1/4 W 165 NLY 151 W 110 S 156 E 110 - 4712 W. 68TH
5. OP11000000 0101 - LOT 101 - GRANTHURST - VACANT LOT - NO ADDRESS ON 71ST TERR
6. OP25000015 0009 - LOT 9 BLK 15 - MEADOWLAKE - 2507 W. 77TH ST
7. OP44000004 0022 - LOT 22 BLK 4 - PRAIRIE HEIGHTS - 7940 MAPLE
8. OP42000010 0009 - LOT 9 BLK 10 - PRAIRIE FIELDS - 5809 W. 75TH ST
9. OP42000010 0011 - LOT 11 BLK 10 - PRAIRIE FIELDS - 5801 W. 75TH ST
10. OP42000012 0001 - LOT 1 BLK 12 - PRAIRIE FIELDS - 6225 W. 76TH ST
11. OP55000018 0011 - LOT 11 BLK 18 - PRAIRIE VILLAGE - 4407 W. 71ST ST

Prairie Village, Kansas have weeds, grasses or other vegetation growth in violation of Prairie Village Municipal Code, Chapter 7.17; WEEDS, GRASSES OR OTHER VEGETATION IN EXCESS OF EIGHT (8) INCHES.

PERSONS OWNING OR OTHERWISE IN CONTROL OF SAID PROPERTIES ARE HEREBY REQUIRED TO ABATE THE VIOLATION WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE. Failure to comply with this notice will result in the City arranging for the abatement of the violation by cutting or otherwise removing the vegetation. Any costs to the City will be assessed against the property owner or persons in control of said property. Failure to pay within 30 days after abatement by the City will result in the filing of a special assessment against the property. No additional notice will be provided before the expiration of this notice. You may request a hearing regarding this case by calling the Prairie Village Codes Department at 913-385-4605.

NOTICE: No further notice to cut the weeds or overgrown vegetation prior to its removal by the City shall be given to you for the remainder of the calendar year.
CITY OF PRAIRIE VILLAGE CODES DEPARTMENT

ADVERTISEMENT FOR BID

First published in The Legal Record, Tuesday, May 20, 2003.

ADVERTISEMENT FOR BID

aled proposals for the PUBLIC SAFETY FACILITY AND CITY HALL CCTV AND ACCESS CONTROL SYSTEMS AUDIO, VIDEO AND COMPUTER PRESENTATION SYSTEMS, in the City of Merriam, Kansas will be received from qualified bidders by the City of Merriam, Kansas at 9000 West 62nd Terrace, Merriam, Kansas 66202 until June 3, 2003 at 4:00 p.m., at which time and place all bids will be publicly opened and read.

These projects encompass the furnishing and installation of audio, video and security components associated with the new Public Safety Facility and renovated City Hall.

The Project Manual, consisting of the Bidding Documents may be examined at the office of the Community Development Director of Merriam, Kansas, 9000 West 62nd Terrace, Merriam, Kansas 66202. The Project Manual may be obtained at Shaughnessy Fickel Scott Architects, Inc., 1150 Grand Boulevard, Suite 400, Kansas City, MO 64106, for \$10.00 per set (non-refundable).

ORDINANCE NO. 197

First published in The Legal Record, Tuesday, May 20, 2003.

CITY OF WESTWOOD HILLS, KANSAS

ORDINANCE NO. 197

AN ORDINANCE REGULATING BUILDING AND CONSTRUCTION PRACTICES AND REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIAL, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PROPERTY, BUILDINGS, AND STRUCTURES AND TO PROVIDE 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 WITHIN THE CORPORATE LIMITS OF THE CITY OF WESTWOOD HILLS, KANSAS; INCORPORATING BY REFERENCE THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE, EXCLUDING ALL APPENDICES; THE 2000 EDITION OF THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS INCLUDING APPENDIX CHAPTERS A., B., C., D., E., J., AND K., BUT EXCLUDING APPENDIX CHAPTERS F., G., H., AND I.; THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE INCLUDING APPENDIX CHAPTER A., BUT EXCLUDING APPENDIX CHAPTER B.; THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE, EXCLUDING ALL APPENDIX CHAPTERS; THE 2000 EDITION OF THE INTERNATIONAL PLUMBING CODE EXCLUDING ALL APPENDIX CHAPTERS; THE 2000 EDITION OF THE INTERNATIONAL FUEL GAS CODE, INCLUDING APPENDIX CHAPTERS A., B., AND C., BUT EXCLUDING APPENDIX CHAPTER D.; AND THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE, INCLUDING APPENDIX CHAPTERS A., B., C. D., AND E.; WITH CERTAIN COMMISSIONS, CHANGES AND ADDITIONS THERETO AND PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; SUBSTITUTING THE PROPERTY MAINTENANCE CODES OF THE CITY OF WESTWOOD HILLS FOR THE INTERNATIONAL PROPERTY MAINTENANCE CODE; ESTABLISHING A BOARD OF CODE APPEALS, AND THE MEMBERSHIP AND PROCEDURES THERETO; ESTABLISHING CERTAIN STORM WATER AND DRAINAGE CONTROL PROCEDURES; PROVIDING FOR CERTAIN FEES; ESTABLISHING THE APPLICABILITY OF THE NATIONAL ELECTRICAL CODE; AND REPEALING CERTAIN SECTIONS OF THE MUNICIPAL CODE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

Section 1. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Building Code" 2000 Edition, excluding all Appendices, as published by the International Code

Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Building Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Building Code similarly marked, as may be deemed expedient.

Section 2. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE: The following sections of the International Building Code shall be revised, amended, or deleted:

1. Section 101.1 shall be amended to read "These regulations shall be known as the Building Code of the City of Westwood Hills, Kansas."

2. Section 101.2 shall be amended to read: "Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code as amended."

3. Section 101.4.1. shall be amended to read: "The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto."

4. Section 105.2, entitled "Work exempt from permit," shall be revised to and amended to delete the exemptions numbered 1. through 13. under the sub-category "Euilding" from the permit requirement. The requirement for a permit is further set forth in section 5-103 of the Westwood Hills Municipal Code.

5. Section 105.3.2 shall be amended to read as follows: "An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension or extensions shall be requested in writing and justifiable cause demonstrated."

6. Section 108.3, entitled "Building permit valuations," shall be amended to add the following sentence at the end of said provision: "Alternatively, building permits fees

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may be set and established administratively by the City according to the schedule as established by the City and as amended."

7. Section 113.4, entitled "Violation penalties," shall be amended to add the following at the end of said provision:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

8. Section 1612.3, entitled "Establishment of flood hazard area," shall be deleted, and in lieu thereof, shall be inserted the following: "To establish flood hazard areas, the City of Westwood Hills may adopt a flood hazard map and supporting data. If and when the city undertakes such a task, such shall comply with the requirements of Section 1612.3 and shall be incorporated into the city's code requirements."

9. Section 3409.2, entitled "Applicability," shall be amended so that the first sentence thereof shall read: "Structures existing prior to the date of adoption of this code, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3402 through 3408."

Section 3. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Residential Code for One- and Two-Family Dwellings" 2000 Edition, excluding Appendix Chapters F., G., H., and I. but including Appendix Chapters A., B., C., D., E., J., and K; as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Residential Code for One- and Two Family Dwellings shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of

official copies of such International Residential Code for One- and Two-Family Dwellings similarly marked, as may be deemed expedient.

Section 4. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS. The following sections of the International Residential Code for One- and Two-Family Dwellings 2000 Edition shall be revised, amended, or deleted:

1. Section R101.1, entitled "Title," shall be amended to read: "These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Westwood Hills, Kansas, and shall be cited as such and will be referred to herein as 'this code.'"

2. Section R105.2, entitled "Work exempt from permit," shall be revised and amended to delete the exemptions numbered 1. through 9. under the sub-category "Building" from the permit requirement. The requirement for a permit is further set forth in section 5-103 of the Westwood Hills Municipal Code.

3. Section R305.1, entitled "Minimum height," shall be amended to amend only the first sentence thereof to read as follows: "Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 6 feet 8 inches." Also, the subparagraph of Section R305.1, entitled "Exceptions 3.," shall be amended to read as follows: "Not more than 50% of the required floor area of a room or space is permitted to have a sloped ceiling less than 6 feet, 8 inches in height with no portion of the required floor area less than 5 feet in height."

4. Section R201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, International Fire Code, the International Fuel Gas Code, or the International Mechanical Code, such terms shall have meanings ascribed to them as in those codes."

5. Section R108.1, entitled "Building permit valuations," shall be amended to add the following sentence at the end of said provision: "Alternatively, building permits fees may be set and established administratively by the City according to the schedule as established by the City and as amended."

6. Section R113.4, entitled "Violation penalties," shall be amended to add the following at the end of said provision:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a

separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

7. Section 301.2, entitled "Climatic and geographic design criteria, shall be amended as follows: "The criteria herein shall be administratively established by the building official and inserted herein."

Section 5. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Mechanical Code" 2000 Edition, including Appendix Chapter A., but excluding Appendix Chapter B., as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Mechanical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Mechanical Code similarly marked, as may be deemed expedient.

Section 6. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE. The following sections of the International Mechanical Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read: "These regulations shall be known as the Mechanical Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 106.5.2, entitled "Fee schedule," shall be amended to read as follows: "The fees for mechanical work and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

3. Section 106.5.3, entitled "Fee refunds," shall be amended to read as follows: "The building official is authorized to establish a refund policy."

4. Section 201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are used in the International Building Code, the National Electrical Code, the International Fire Code, the International Fuel Gas Code, or the International Plumbing Code, such terms shall have meanings ascribed to them as in those codes."

5. Section 108.4, entitled "Violation penalties," shall be amended 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 mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be guilty of a violation of this code. In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

6. Section 108.5, entitled "Stop work orders," shall be amended so that the final sentence thereof shall read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a violation of this code, and punished in accordance herewith."

Section 7. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Fire Code" 2000 Edition, excluding all Appendix Chapters, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Fire Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Fire Code similarly marked, as may be deemed expedient.

Section 8. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE. The following sections of the International Fire Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read as follows: "These regulations shall be known as the International Fire Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, the International Fuel Gas Code, International Mechanical Code, or International Plumbing Code, such terms shall have meanings ascribed to them as in those codes."

3. Section 105.1, entitled "Permits required," shall be amended to add a final sentence as follows: "The fees for this code and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

4. Section 109.3, entitled "Prosecution of violations," shall be amended to add the following:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

5. Section 111.4, entitled "Failure to comply," shall be amended 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 guilty of a violation of this code, and punished in accordance herewith."

6. Section 3406.2.4.4., entitled "Locations where above-ground tanks are prohibited," shall be amended to read: "The storage of Class I and II liquids in above-ground tanks is prohibited anywhere in the city, except that a permit for such tanks may be granted by the Governing Body upon good cause shown and assurances by all competent sources that such tank poses no unreasonable threat or danger to persons or property."

Section 9. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL PLUMBING CODE. There is hereby incorporated by reference for the purpose of

regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Plumbing Code" 2000 Edition, excluding all Appendix Chapters, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Plumbing Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Plumbing Code similarly marked, as may be deemed expedient.

Section 10. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL PLUMBING CODE. The following sections of the International Plumbing Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read: "These regulations shall be known as the International Plumbing Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, International Fire Code, the International Fuel Gas Code, or the International Mechanical Code, such terms shall have meanings ascribed to them as in those codes."

3. Section 106.6.2., entitled "Fee schedule," shall be amended to read as follows: "The fees for all plumbing work and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

4. Section 106.6.3., entitled "Fee refunds," shall be amended to read as follows: "The building official is authorized to establish a refund policy."

5. Section 108.4, entitled "Violation penalties," shall be amended to read as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair plumbing work in violation of the approved construction documents or directive of

the code official, or of a permit or certificate issued under the provisions of this code shall be guilty of a violation of this code. In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

6. Section 108.5, entitled "Stop work orders," shall be amended so that the final sentence thereof shall read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a violation of this code, and punished in accordance herewith."

7. Section 305.6.1., entitled "Sewer depth," shall be amended to read as follows: Building sewers that connect to private sewage disposal systems shall be a minimum of 36 inches below finished grade at the point of septic tank connection. Building sewers shall be constructed in accordance with the requirements of Johnson County Wastewater.

8. Section 904.1, entitled "Roof extension," shall be amended to read as follows:

All open vent pipes that extend through a roof shall be terminated at least 18 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (2134 mm) above the roof.

Section 11. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL FUEL GAS CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Fuel Gas Code" 2000 Edition, including Appendix Chapters A, B, and C, but excluding Appendix D, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Fuel Gas Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of

the city, such number of official copies of such International Fuel Gas Code similarly marked, as may be deemed expedient.

Section 12. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL FUEL GAS CODE. The following sections of the International Fuel Gas Code 2000 Edition shall be revised, amended, or deleted:

1. Section 101.1, entitled "Title," shall be amended to read: "These regulations shall be known as the International Fuel Gas Code of the City of Westwood Hills, Kansas, hereinafter referred to as 'this code.'"

2. Section 201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, International Fire Code, International Mechanical Code, or International Plumbing Code, such terms shall have meanings ascribed to them as in those codes."

3. Section 106.5.2, entitled "Fee schedule," shall be amended to read as follows: "The fees for all work pursuant to this code and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

4. Section 106.5.3., entitled "Fee refunds," shall be amended to read as follows: "The building official is authorized to establish a refund policy."

5. Section 108.4., entitled "Violation penalties," shall be amended to read as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be guilty of a violation of this code. In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

6. Section 108.5 entitled "Stop work orders," shall be amended so that the final sentence thereof shall read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a violation of this code, and punished in accordance herewith."

Section 13. INCORPORATING THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "National Electrical Code" 1999 Edition, including all Appendix Chapters A., B., C., D., and E., as published by the National Fire Protection Association, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the National Electrical Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such National Electrical Code similarly marked, as may be deemed expedient.

Section 14. DELETING REFERENCES TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE. Wherever reference is made to the International Property Maintenance Code in any of the aforementioned codes, there shall be substituted therein "all property maintenance codes of the City of Westwood Hills, Kansas."

Section 15. PENALTIES. Unless a penalty provision is otherwise provided for in any of the above codes, in addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of these codes shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

Section 16. APPEAL; BOARD OF CODE APPEALS ESTABLISHED.

Section 1. BOARD OF CODE APPEALS ESTABLISHED. There is hereby established and created a Westwood Hills, Kansas "Board of Code Appeals. This shall succeed to the duties and responsibilities of the Board of Structural Appeals previously established.

Section 2. SAME; MEMBERSHIP. The board shall consist of three members to be appointed by the mayor and with the consent of the governing body. The members first appointed shall serve for terms of one, two and three years. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by

appointments for the unexpired term. The members of the board shall serve without compensation. In the absence of a duly appointed Board of Code Appeals, the City Council shall serve as the Board of Code Appeals.

Section 3. SAME; POWERS AND DUTIES. The powers and duties of the Board of Code Appeals shall be in accordance with the codes adopted by reference herein.

Section 17. STORM WATER RUNOFF. In addition to any other drainage or surface water requirements in the codes herein, under Federal law or regulation, or any other code of the City of Westwood Hills, any application for construction or additional development of a property which in the building official's judgment may increase storm water runoff and/or the possibility of erosion on adjoining properties shall require the submission of a site plan with provisions for the containment and/or direction of any and all additional runoff. All storm water runoff shall be contained or directed to a drainage point on the same lot or property as the development occurs. No additional runoff may be directed toward, or allowed to drain by lay of the land (or natural topography) on any adjoining property or properties. Before the final inspection approval the building official shall certify that drainage, storm water runoff and erosion requirements have been met.

Section 18. FEES. Notwithstanding any provision to the contrary, a fee or fees shall be charged for any permit under any of the codes herein and shall be subject to the following: "The fees for all work pursuant to these codes and the permits therefor shall be set and established administratively by the City according to the schedule as established by the City and as amended."

Section 19. DELETING REFERENCES TO THE 2000 ICC ELECTRICAL CODE AND SUBSTITUTING THE 1999 NATIONAL ELECTRICAL CODE THEREFORE. Wherever reference is made to the 2000 ICC Electrical Code in any of the aforementioned codes, there shall be substituted therein "the National Electrical Code '999 Edition."

Section 20. REPEAL AND SAVINGS CLAUSE. Sections 5-101 and 5-102 of the Westwood Hills Municipal Code, 1994 Edition, are specifically repealed and all other ordinances inconsistent herewith are repealed; however the repeal of said ordinances does not affect any right which has accrued, and duty imposed, any penalty incurred, nor any proceeding commenced, under or by virtue of the ordinance repealed. If any section, subsection, sentence, clause or phrase of this ordinance (or any code adopted thereby) is for any reason, held to be unconstitutional, unenforceable, or otherwise void, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Westwood Hills hereby declares that it would have passed this ordinance (or any code adopted thereby), 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, unenforceable, or otherwise void. Further, nothing herein shall repeal or void any zoning, development, or land use code or practice of the City.

Section 21. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the Council the 5th day of May, 2003.

APPROVED by the Mayor this 5th day of May, 2003.

/s/ E. Allen Roth
E. Allen Roth, Mayor

ATTEST:

/s/ Shawna Samuel
Shawna Samuel, City Clerk

APPROVED AS TO FORM:

/s/ Ronald S. Reuter
Ronald S. Reuter, City Attorney

ORDINANCE NO. 1076

First published in The Legal Record, Tuesday, May 20, 2003.

CITY OF MISSION

ORDINANCE NO. 1076

AN ORDINANCE AMENDING CHAPTER XVI, ARTICLE 1, SECTION 102 MEMBERSHIP, AND SECTION 103, TERMS OF OFFICE, OF THE CODE OF THE CITY OF MISSION, KANSAS IN ORDER TO ALLOW FIVE AT LARGE MEMBERS ON THE CITY OF MISSION PLANNING COMMISSION.

ARTICLE 1. CITY PLANNING COMMISSION

16-102. MEMBERSHIP. The Planning Commission shall consist of nine members, one of whom may be a nonresident of the City. At least one (1) member shall be from each ward and no ward may have more than three (3) members.

16-103. TERMS OF OFFICE. The mayor, with the consent of the council shall appoint members of the Planning Commission. Members shall be appointed for terms of three years each except as otherwise herein provided. Vacancies shall be filled by appointment for the unexpired term only. The number of members may not be reduced unless a vacancy exists or unless the reduction takes effect at the end of term. Members of the Planning Commission shall be appointed at the first regular meeting of the governing body in September. Members shall serve without compensation.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF MISSION, KANSAS, this 14th day of May 2003.

APPROVED BY THE MAYOR OF THE CITY OF MISSION, KANSAS, this 14th day of May 2003.

CITY OF MISSION

Laura L. McConwell
Laura L. McConwell, Mayor

ATTEST:

Cheri L. Williams
Cheri L. Williams, Deputy City Clerk

NOTICE OF HEARING

First published in The Legal Record, Tuesday, May 20, 2003.

NOTICE OF HEARING

The City of Leawood Planning Commission will hold a public hearing on Tuesday, June 10, 2003 at 6:00 p.m. at the Leawood City Hall, Council Chambers, 4800 Town Center Drive, Leawood, Kansas, to consider approval of an amendment to the Leawood Development Ordinance on section 16-2-8.1, Planned Recreation.

If you require any accommodation (i.e. qualified interpreter, hearing assistance, etc.) in order to attend this meeting, please notify this office at (913) 338-9112 no later than 48 hours prior to the scheduled commencement of the meeting.

J. Paul Duffendack, Chairperson
Leawood Planning Commission

may be set and established administratively by the City according to the schedule as established by the City and as amended."

7. Section 113.4, entitled "Violation penalties," shall be amended to add the following at the end of said provision:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

8. Section 1612.3, entitled "Establishment of flood hazard area," shall be deleted, and in lieu thereof, shall be inserted the following: "To establish flood hazard areas, the City of Westwood Hills may adopt a flood hazard map and supporting data. If and when the city undertakes such a task, such shall comply with the requirements of Section 1612.3 and shall be incorporated into the city's code requirements."

9. Section 3409.2, entitled "Applicability," shall be amended so that the first sentence thereof shall read: "Structures existing prior to the date of adoption of this code, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3402 through 3406."

Section 3. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Residential Code for One- and Two-Family Dwellings" 2000 Edition, excluding Appendix Chapters F., G., H., and I. but including Appendix Chapters A., B., C., D., E., J., and K, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Residential Code for One- and Two Family Dwellings shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of

official copies of such International Residential Code for One- and Two-Family dwellings similarly marked, as may be deemed expedient.

Section 4. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS. The following sections of the International Residential Code for One- and Two-Family Dwellings 2000 Edition shall be revised, amended, or deleted:

1. Section R101.1, entitled "Title," shall be amended to read: "These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Westwood Hills, Kansas, and shall be cited as such and will be referred to herein as 'this code.'"

2. Section R105.2, entitled "Work exempt from permit," shall be revised and amended to delete the exemptions numbered 1. through 9. under the sub-category "Building" from the permit requirement. The requirement for a permit is further set forth in section 5-103 of the Westwood Hills Municipal Code.

3. Section R305.1, entitled "Minimum height," shall be amended to amend only the first sentence thereof to read as follows: "Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 6 feet 8 inches." Also, the subparagraph of Section R305.1, entitled "Exceptions 3.," shall be amended to read as follows: "Not more than 50% of the required floor area of a room or space is permitted to have a sloped ceiling less than 6 feet, 8 inches in height with no portion of the required floor area less than 5 feet in height."

4. Section R201.3, entitled "Terms defined in other codes," shall be amended to read as follows: "Where terms are not defined in this code and are defined in the 1999 National Electrical Code, International Building Code, International Fire Code, the International Fuel Gas Code, or the International Mechanical Code, such terms shall have meanings ascribed to them as in those codes."

5. Section R108.1, entitled "Building permit valuations," shall be amended to add the following sentence at the end of said provision: "Alternatively, building permits fees may be set and established administratively by the City according to the schedule as established by the City and as amended."

6. Section R113.4, entitled "Violation penalties," shall be amended to add the following at the end of said provision:

In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof, be fined in a sum not to exceed \$500, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a

ORDINANCE NO. 197

First published in The Legal Record, Tuesday, May 20, 2003.

CITY OF WESTWOOD HILLS, KANSAS**ORDINANCE NO. 197**

AN ORDINANCE REGULATING BUILDING AND CONSTRUCTION PRACTICES AND REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIAL, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PROPERTY, BUILDINGS, AND STRUCTURES AND TO PROVIDE 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 WITHIN THE CORPORATE LIMITS OF THE CITY OF WESTWOOD HILLS, KANSAS; INCORPORATING BY REFERENCE THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE, EXCLUDING ALL APPENDICES; THE 2000 EDITION OF THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS INCLUDING APPENDIX CHAPTERS A., B., C., D., E., J., AND K., BUT EXCLUDING APPENDIX CHAPTERS F., G., H., AND I.; THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE INCLUDING APPENDIX CHAPTER A., BUT EXCLUDING APPENDIX CHAPTER B.; THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE, EXCLUDING ALL APPENDIX CHAPTERS; THE 2000 EDITION OF THE INTERNATIONAL PLUMBING CODE EXCLUDING ALL APPENDIX CHAPTERS; THE 2000 EDITION OF THE INTERNATIONAL FUEL GAS CODE, INCLUDING APPENDIX CHAPTERS A., B., AND C., BUT EXCLUDING APPENDIX CHAPTER D.; AND THE 1999 EDITION OF THE NATIONAL ELECTRICAL CODE, INCLUDING APPENDIX CHAPTERS A., B., C. D., AND E., WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO AND PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; SUBSTITUTING THE PROPERTY MAINTENANCE CODES OF THE CITY OF WESTWOOD HILLS FOR THE INTERNATIONAL PROPERTY MAINTENANCE CODE; ESTABLISHING A BOARD OF CODE APPEALS; AND THE MEMBERSHIP AND PROCEDURES THERETO; ESTABLISHING CERTAIN STORM WATER AND DRAINAGE CONTROL PROCEDURES; PROVIDING FOR CERTAIN FEES; ESTABLISHING THE APPLICABILITY OF THE NATIONAL ELECTRICAL CODE; AND REPEALING CERTAIN SECTIONS OF THE MUNICIPAL CODE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

Section 1. INCORPORATING THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood Hills, Kansas, that certain document known as the "International Building Code" 2000 Edition, excluding all Appendices, as published by the International Code

Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of the International Building Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 197," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be on a CD-ROM or in another electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Building Code similarly marked, as may be deemed expedient.

Section 2. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2000 EDITION OF THE INTERNATIONAL BUILDING CODE: The following sections of the International Building Code shall be revised, amended, or deleted:

1. Section 101.1 shall be amended to read "These regulations shall be known as the Building Code of the City of Westwood Hills, Kansas."

2. Section 101.2 shall be amended to read: "Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code as amended."

3. Section 101.4.1. shall be amended to read: "The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto."

4. Section 105.2, entitled "Work exempt from permit," shall be revised to and amended to delete the exemptions numbered 1. through 13. under the sub-category "Building" from the permit requirement. The requirement for a permit is further set forth in section 5-103 of the Westwood Hills Municipal Code.

5. Section 105.3.2 shall be amended to read as follows: "An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension or extensions shall be requested in writing and justifiable cause demonstrated."

6. Section 108.3, entitled "Building permit valuations," shall be amended to add the following sentence at the end of said provision: "Alternatively, building permits fees

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance # 197 ; that said ordinance was passed on the 5th day of May , 2003 ; that the record of the final vote on its passage is found in the minutes of the above mentioned date; that it was published in the Legal Record on the _____ day of _____, _____.

Shawna Samuel

Shawna Samuel
City Clerk

SEAL

*It also appeared in the May edition
of the Westwood Hills newsletter.*