ORDINANCE NO. 17980

AN ORDINANCE introduced by Councilmembers Gary Price, Lisa Stubbs, Lisa Hecht, and Clark Duffy relating to the grounds for mandatory denial of a residential or commercial building permit.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. City of Topeka Code Chapter 26, Article II, Division 3, Section 57, is hereby amended to read as follows:

Grounds for Mandatory Permit Denial.

The following shall constitute grounds for mandatory denial of a residential or commercial building permit under this Chapter:

1. The owner of the premises for which a residential or commercial building permit has been requested owes any delinquent debt or has past due or any delinquent outstanding financial obligations to the City relating to the premises for which the residential or commercial building permit has been sought.

2. The owner of the premises for which a residential or commercial building permit has been requested owes any delinquent real estate taxes, personal property taxes or special assessments on any real estate or personal property located within the City of Topeka boundaries or located within the three (3) mile area adjacent to the City of Topeka boundaries the premises for which the residential or commercial building permit has been sought.

3. The owner of the premises for which a residential or commercial building permit has been requested owes any delinquent real estate taxes or special assessment to the City of Topeka on any parcels of real estate located in the City or Topeka boundaries or within the three (3) mile area adjacent to the City of Topeka boundaries contained in the same subdivision for which the final plat approval has been given by the City. The Mayor
or a designee may waive the restrictions imposed by this paragraph three. All waivers shall be reported to the City Council.

4. Nothing contained in this section shall prohibit the issuance of a residential or commercial building permit to perform repairs to an existing structure which is unsafe within the meaning of this chapter if the public works director or his or her designee determines such repairs should be performed immediately to protect the safety of either the building's occupant or the public.

Section 2. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council MARCH 11, 2003.

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 3/13/03 BY
TO BE CODIFIED
NOT TO BE CODIFIED