(Published in the Topeka Metro News  June 15, 2005  )

ORDINANCE NO. 18449

AN ORDINANCE introduced by Councilmember Brett Blackburn, amending City of Topeka Ordinance No. 17951 and City of Topeka Code §§ 26-58, 26-139.1.5, and 26-298 to limit the extension of the City of Topeka building code and permit process outside the City’s boundaries to the City’s Municipal Service Area.

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

Section 1. City of Topeka Ordinance No. 17951, Section 1, is hereby amended to read as follows:

Pursuant to the authority granted by K.S.A. 12-751, the City of Topeka adopts the following building codes: uniform building code, 1997 edition, as amended; one-(1) and two-(2) family dwelling code, 1989 edition; International Residential Code for one and two family dwellings, 2003 Edition as adopted in part and as amended; uniform code for building conservation, 1997 edition, as amended; national electrical code, 2002 edition; uniform plumbing code, 2000 edition, as amended; uniform mechanical code, 1997 edition, as amended; uniform fire code, 1997 edition, as amended; and life safety code, 1991 edition, as amended, for those areas within the three-(3) mile area adjacent to the contiguous City of Topeka boundaries outside the City’s boundaries and within the City’s municipal service area as defined in Chapter 134. All permit and inspection requirements as contained in the above-referenced codes, as may be amended from time to time, shall apply to the areas within the three-(3) mile area adjacent to the contiguous City of Topeka boundaries outside the City’s boundaries and within the City’s municipal service area as defined in Chapter 134.
Section 2. City of Topeka Code § 26-58, Administrative and other fees, is hereby amended to read as follows:

Administrative and other fees.

(a) In addition to the permit and other fees specifically imposed under this chapter, the following fees and charges shall also apply:

Residential trade permit without building permit: . . . $50.00

Commercial trade permit without building permit for projects up to $200,000.00 total cost: . . . $100.00

Commercial trade permit without building permit for projects from $200,000.00 up to $500,000.00 total cost: . . . $500.00

Commercial trade permit without building permit for projects exceeding $500,000.00 total cost: . . . $1,000.00

Driveway permit without building permit: . . . $50.00

Sidewalk permit without building permit: . . . $30.00

Parking lot permit plan review and inspection (per hour): . . . $50.00

Homeowner permit: . . . $50.00

Reinspection charge: . . . $50.00

Onsite consultation--No permit (per hour): . . . $50.00

After hours inspection--weekend: . . . $100.00

After hours inspection--Holiday weekend: . . . $200.00

Inspection requested after four o'clock (4:00) p.m.: . . . $50.00

Specified inspection time: . . . $50.00

Water heater replacement--Self inspection: . . . $20.00
Heating, ventilation and air conditioning system replacement—Self inspection: . . .

$20.00

Fire alarm test (per hour): . . . $50.00

Electrical inspection service clearance for existing structures (per hour): . . . $50.00

(b) An additional fee of twenty-five percent (25%) of the inspection, permit, or testing fees or charges required under this chapter shall be imposed for each inspection, permit, or test done or commenced within the three (3) mile area adjacent to the contiguous City of Topeka boundaries outside the City's boundaries and within the City's municipal service area as defined in Chapter 134.

Section 3. City of Topeka Code § 26-139.1.5, Section 107, Fees of the Uniform Building Code, 1997 Edition, is hereby amended to read as follows:


Section 107, Fees of the Uniform Building Code, 1997 Edition, is hereby amended by the addition of the following language:

Building permit fees and plan review fees as required by City of Topeka Code section 26-139.2, Plan review fees, for building projects with a total valuation of five million dollars ($5,000,000.00) or more may be modified by the chief administrative officer to a lesser amount, such modification not to exceed twenty-five percent (25%) of the scheduled fees provided the chief administrative officer determines the building project encourages economic development and creation of jobs. Modifications of building permit fees and plan review fees which exceed twenty-five percent (25%) of the scheduled fees shall be approved by the city council. However, no modification of building permit fees and plan
review fees shall be made if: 1) the applicant utilizes other available tax incentives and/or
2) the subject property is exempt from real estate taxation.

107.2 of the Uniform Building Code is hereby amended to read as follows:

Permit fees.

107.2 a. The fee for each permit issued for work to be commenced within the
City of Topeka boundaries shall be as set forth in Table 1-A, except that
commencing January 1, 2004, all such fees in areas identified by the City Council
shall be waived provided the Joint Economic Development Organization reimburses
the City of Topeka for all such fees.

107.2 b. An additional fee of twenty-five percent (25%) of the building permit
fee as shown in Table 1-A shall be imposed for each permit issued for work to be
commenced within those areas within the three-mile area adjacent to the contiguous
City of Topeka boundaries outside the City's boundaries and within the City's
municipal service area as defined in Chapter 134.

107.2 c. The determination of value or valuation under any of the provisions
of this code shall be made by the building official. The value to be used in
computing the building permit and building plan review fees shall be the total value
of all construction work for which the permit is issued, as well as all finish work,
painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-
extinguishing systems and any other permanent equipment.

107.7 Elevators, dumbwaiters, escalators and moving walks inspection and
administrative fees.
The following fees shall apply to inspections or certificates of elevators, dumbwaiters, escalators and moving walks:

- Annual passenger elevator certificate per unit: . . . $50.00
- Annual freight elevator certificate per unit: . . . $50.00
- Annual escalator certificate per unit: . . . $35.00
- Annual dumbwaiter certificate per unit: . . . $20.00
- Annual access lift certificate per unit: . . . $20.00
- Full load test: . . . $200.00
- Reinspection fee: . . . $50.00
- 107.8 Administrative fees.

In addition to the permitting and other fees permitted in this section, the following fees and charges for services shall also apply:

- Certification of occupancy--Duplicate: . . . $50.00
- Compliance letter: . . . $100.00
- Flood plain verifications: . . . $30.00
- Technology improvement for each permit or license: . . . $3.00

Section 4. City of Topeka Code §26-298, Schedule of permit fees, is hereby amended to read as follows:

**Schedule of permit fees.**

Section R-108.2, Schedule of permit fees, is hereby amended to read as follows:

A. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the following schedule:
New construction (this includes all permit fees):

**TABLE INSET:**

<table>
<thead>
<tr>
<th>Type construction</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family and duplex</td>
<td></td>
</tr>
<tr>
<td>0--1,500</td>
<td>$480.00</td>
</tr>
<tr>
<td>1,501--3,000</td>
<td>$660.00</td>
</tr>
<tr>
<td>3,001 and over</td>
<td>$830.00</td>
</tr>
</tbody>
</table>

Room additions (this includes all fees):

**TABLE INSET:**

<table>
<thead>
<tr>
<th>Area (sq. ft.)</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0--100</td>
<td>$ 40.00</td>
</tr>
<tr>
<td>101--250</td>
<td>$ 75.00</td>
</tr>
<tr>
<td>251--500</td>
<td>$125.00</td>
</tr>
<tr>
<td>501--750</td>
<td>$200.00</td>
</tr>
<tr>
<td>751--1,000</td>
<td>$275.00</td>
</tr>
<tr>
<td>1,001 or more</td>
<td>$325.00</td>
</tr>
</tbody>
</table>
Garage additions (this includes all fees):

**TABLE INSET:**

<table>
<thead>
<tr>
<th>Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single</td>
<td>$50.00</td>
</tr>
<tr>
<td>Double</td>
<td>$75.00</td>
</tr>
<tr>
<td>Triple</td>
<td>$75.00</td>
</tr>
</tbody>
</table>

Accessory structure: Only building fee: $30.00.

Interior alteration (building fee only):

**TABLE INSET:**

<table>
<thead>
<tr>
<th>Cost</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00--$500.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>$501.00--$5,000.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>$5,001.00--$10,000.00</td>
<td>$60.00</td>
</tr>
<tr>
<td>$10,001.00 and over</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

B. An additional fee of twenty-five percent (25%) of the permit fee as shown in subsection 108.2(A) shall be imposed for work to be commenced within those areas within the three (3) mile area adjacent to the contiguous City of Topeka boundaries outside the City's boundaries and within the City's municipal service area as defined in Chapter 134.
C. Working without permit. Whenever work that requires a permit has
commenced without a permit, an additional investigation fee equal to the permit fee shall
be collected.

Section 5. City of Topeka Ordinance No. 17951, Section 1, and City of Topeka
Code §§ 26-58, 26-139.1.5, 26-298 are hereby specifically repealed.

Section 6. This Ordinance shall take effect and be in force after its passage,
approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council [JUN 07 2005]

William W. Bunten, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 4/18/05 BY
TO BE CODIFIED X
NOT TO BE CODIFIED

LORD/AMENDING17951 06/08/05 8