ORDINANCE NO. 18702

AN ORDINANCE introduced by Councilmember John Alcala repealing the enforcement of City building codes outside of the City and within the City's municipal services area, amending Topeka City Code §§ 26-58, 26-116, 26-139.1.5. and 26-298, and repealing said original sections.

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

Section 1. That City of Topeka Code § 26-58, Administrative and other fees, is hereby amended to read as follows:

Administrative and other fees.

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

Residential trade permit for work which is not done under a duly issued building permit: . . . . $50.00

Commercial trade permit for work which is not done under a duly issued building permit for projects up to $200,000.00 total cost: . . . . $100.00

Commercial trade permit for work which is not done under a duly issued building permit for projects from $200,000.00 up to $500,000.00 total cost: . . . . $500.00

Commercial trade permit for work which is not done under a duly issued building permit for projects exceeding $500,000.00 total cost: . . . . $1,000.00

Driveway permit for work which is not done under a duly issued building permit: . . . . $50.00

Sidewalk permit for work which is not done under a duly issued building permit: . . . . $30.00
Parking lot permit plan review and inspection for work which is not done under a duly issued building permit (per hour): . . . . $50.00

Homeowner permit for work which is not done under a duly issued building 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 for work which is not done under a duly issued building permit or exceeds one hour (per hour): . . . . $50.00

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

(b) Additional permit fee in the municipal service area. An additional fee of 25 percent 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 outside the city's boundaries and within the city's municipal service area as defined in Chapter 134.
Fees for trade contractor work commenced without a permit. Any work commenced by a trade contractor without having first obtained the required permit shall be charged a fee of $500.00, in addition to the fee for the permit.

Section 2. That City of Topeka Code § 26-116, Adoption of Uniform Building Code, is hereby amended to read as follows:

Adoption of Uniform Building Code.

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; 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 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 outside the City's boundaries and within the City's municipal service area as defined in Chapter 134.

Section 3. That 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:


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 city manager to a lesser amount, such modification not to exceed twenty-five percent (25%) of the scheduled fees provided the city manager 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 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. That 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>
<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>
<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>
<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>Cost</td>
<td>Fee</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------</td>
</tr>
<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>
</tbody>
</table>
| $5,001.00--$10,000.00 | $60.00 |}

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 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. That City of Topeka Code §§ 26-58, 26-116, 26-139.1.5, and 26-298 are hereby specifically repealed.

Section 6. 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 August 22, 2006.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Iris E. Walker, City Clerk