

CITY OF HAYSVILLE

Agenda

November 25, 2019

CALL TO ORDER

ROLL CALL

INVOCATION BY: Pastor David Vetter, West Haysville Baptist Church

PLEDGE OF ALLEGIANCE

PRESENTATION AND APPROVAL OF MINUTES

- A. [Minutes of November 12th, 2019](#)

ITEM #1 CITIZENS TO BE HEARD

- A. Sedgwick County Fire Department

ITEM #2 APPROVAL OF LICENSES AND BONDS

- A. [Cereal Malt Beverage License, Dollar General Store #2551, 180 N. Main St.](#)
- B. [Cereal Malt Beverage License Renewal, Jump Start Stores Inc., 7200 S. Broadway](#)

ITEM #3 INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ITEM #4 NOTICES AND COMMUNICATIONS

- A. Governing Body Announcements
- B. [Letter from Chris Cloud Re: Haysville Activity Center](#)
- C. [Letter from Special Olympics of Kansas Re: Polar Plunge 2020](#)
- D. [Official Certificate of Canvass](#)

ITEM #5 OLD BUSINESS

ITEM #6 OTHER BUSINESS

- A. [First Reading of Annual City Code Update](#)
- B. [Consideration of Title VI Program Document](#)
- C. [Consideration of Purchase of Pass-Through Lockers](#)

D. [Consideration of South Main Lift Station Variable Frequency Drive](#)

E. [Consideration of Farm Lease Agreement](#)

ITEM #7 DEPARTMENT REPORTS

A. Administrative Services – Will Black

B. City Clerk – Janie Cox

C. Police – Jeff Whitfield

D. [Public Works – Tony Martinez](#)

E. Recreation – Georgie Carter

ITEM #8 APPOINTMENTS

A. [Fred Plummer, 1222 E. Winesap Re: Planning Commission Appointment \(three year term\)](#)

ITEM #9 OFF AGENDA CITIZENS TO BE HEARD

ITEM #10 EXECUTIVE SESSION

ITEM #11 BILLS TO BE PAID

A. [Bills to be Paid for the Last Half of November](#)

ITEM #12 CONSENT AGENDA

ITEM #13 COUNCIL ITEMS

A. Council Concerns

B. Council Action Request Updates

ITEM #14 ADJOURNMENT

The Regular Council Meeting was called to order by City Clerk Janie Cox at 7:00 p.m. in the Haysville Municipal Building, 200 West Grand Avenue. Cox stated that she would be presiding over the meeting in the absence of Mayor Armstrong and Council President Dan Benner. She advised she would not vote.

Roll was taken by Recording Secretary Ginger Cullen: Walters here, Rardin here, Ewert here, Parton here, Crum here, Thompson here. Councilpersons Russ Kessler and Dan Benner were not present.

Invocation was given by Pastor David Vetter of the West Haysville Baptist Church.

City Clerk Janie Cox led everyone present in the Pledge of Allegiance.

Under Presentation and Approval of Minutes, City Clerk Janie Cox presented for approval the Minutes of October 28th, 2019.

Motion by Ewert – Second by Walters

I'd like to make a motion that we approve the October 28th 2019 minutes.

Walters yea, Rardin yea, Ewert yea, Parton abstain, Crum yea, Thompson yea.

Motion declared carried.

There were no Citizens to be Heard.

There were no Licenses or Bonds for Approval.

Under Introduction of Ordinances and Resolutions, City Clerk Janie Cox presented A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE CITY'S POLICE DEPARTMENT, AN EXISTING PUBLIC BUILDING IN THE CITY OF HAYSVILLE, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF. She introduced Bret Shogren, from the City's financial advisor's office. Shogren advised that the public finance division of the City's financial advisor, George K. Baum and Co., was purchased by Stifel Nicolaus & Company Inc., making them the largest public finance platform in the nation. Shogren went on to explain this Resolution and the two Resolutions that follow, advising costs relating to the Police Department project were expected to be around \$465,000.00 and the costs relating to the Senior Center project were expected to be around \$285,000.00. He stated the city sought a temporary note in the amount of \$785,000.00 and the note would be put up for bid on December 9th, at which time he would report results back to staff.

Motion by Crum – Second by Parton

I'd just go ahead and make a motion that we approve A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE CITY'S POLICE DEPARTMENT, AN EXISTING PUBLIC BUILDING IN THE CITY OF HAYSVILLE, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

Walters yea, Rardin yea, Ewert yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

Regular Council Meeting

November 12, 2019

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Under Introduction of Ordinances and Resolutions, City Clerk Janie Cox presented A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE CITY'S SENIOR CENTER, AN EXISTING PUBLIC BUILDING IN THE CITY OF HAYSVILLE, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

Motion by Parton – Second by Ewert

I make a motion we accept that resolution you just read.

Walters yea, Rardin yea, Ewert yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

Under Introduction of Ordinances and Resolutions, City Clerk Janie Cox presented A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES B, 2019, OF THE CITY OF HAYSVILLE, KANSAS.

Motion by Crum – Second by Ewert

I'll make a motion that we approve A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES B, 2019, OF THE CITY OF HAYSVILLE, KANSAS.

Walters yea, Rardin yea, Ewert yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

Under Notices and Communications, City Clerk Janie Cox called for Governing Body Announcements. Councilperson Steve Crum reviewed upcoming events from the Haysville Community Library, and discussed athletic and academic achievements in the school district. City Clerk Cox advised of upcoming events at the Senior Center.

Under Notices and Communications, City Clerk Janie Cox presented Unofficial Election Results.

There was no Old Business.

There was no Other Business

City Clerk Janie Cox asked for Department Reports.

Chief Administrative Officer Will Black had nothing to report.

City Clerk Janie Cox had nothing to report.

Police Chief Jeff Whitfield advised the visiting officer was Officer Miguel Galvez. Chief Whitfield also advised of a car seat safety check event on November 16th at Sedgwick County Fire Station #34.

Regular Council Meeting

November 12, 2019

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Public Works Director Tony Martinez advised Mies Construction was nearly finished with the waterline replacement on 7th Street. He also advised the scheduled mill and overlay street work was ongoing.

Deputy Administrative Officer Georgie Carter advised of upcoming events and programs at the HAC, and advised WSU Haysville would host a ribbon cutting for their Little Free Library network on November 21st at 4:30 p.m. in Riggs Park.

There were no Appointments.

There were no Off Agenda Citizens to be Heard.

There was no Executive Session.

Under Bills to be Paid, City Clerk Janie Cox presented the Bills to be Paid for the First Half of November.

Motion by Ewert – Second by Walters

I'd like to make a motion we pay the first half of November bills.

Walters yea, Rardin yea, Ewert yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

There was nothing under the Consent Agenda.

Under Council Items, City Clerk Janie Cox asked for Council Concerns. Councilperson Bob Rardin thanked Public Works Director Tony Martinez for the prompt response the Public Works department provided when they learned of inoperable fire hydrants in the Old Oak neighborhood. Councilperson Steve Crum thanked the nation's military Veterans for their service, and thanked VFW post #6957 for the Veterans Day ceremony they held. He advised that the flagpole located in the Riggs Park Veterans Memorial was inoperable due to the condition of the halyard rope. He also asked that Public Works investigate the condition of trees in Riggs Park, as some look unsturdy.

Under Council Items, there were no Council Action Request Updates.

City Clerk Janie Cox presented for approval Adjournment.

Motion by Rardin – Second by Ewert

I make a motion we adjourn.

Walters yea, Rardin yea, Ewert yea, Parton yea, Crum yea, Thompson yea.

Motion declared carried.

The Regular Council Meeting adjourned at 7:19 p.m.

Janie Cox, City Clerk

[RETURN TO AGENDA](#)

MEMORANDUM

TO: Honorable Mayor Bruce Armstrong; City Council

FROM: Kayla Kostecki, Administrative Secretary

DATE: November 25, 2019

RE: New Cereal Malt Beverage License 2019

The following business has made application for their Cereal Malt Beverage License:

Dollar General Store #2551 – 180 N. Main St.

All requirements have been met and fees have been paid. Approval is recommended.

Sincerely,

Kayla Kostecki
Administrative Secretary
City of Haysville

MEMORANDUM

TO: Honorable Mayor Bruce Armstrong; City Council

FROM: Kayla Kostecki, Administrative Secretary

DATE: November 25, 2019

RE: Cereal Malt Beverage Renewal 2020

The following business has made application for their Cereal Malt Beverage License:

Jump Start Stores Inc. – 7200 S. Broadway

All requirements have been met and fees have been paid. Approval is recommended.

Sincerely,

Kayla Kostecki
Administrative Secretary
City of Haysville

[RETURN TO AGENDA](#)

MON
11-18-19

MAYOR BRUCE ARMSTRONG:

TODAY UPON ARRIVAL AT THE HAYSVILLE ACTIVITY CENTER, WE WERE GREETED WITH A "MEMBER APPRECIATION DAY". ACCORDING TO JENNY IF IT WERE NOT FOR THE MEMBERS, THERE WOULD BE NO NICE FACILITY AND JOBS FOR STAFF.

NOT ONLY DID WE HEAR "THANK YOU FOR BEING A MEMBER, WE ALSO RECEIVED A TSHIRT, BOTTLED WATER AND A TASTY GRANOLA BAR." ALL OF THIS WAS THE TALK OF ALL INVOLVED.

THE FACILITY DESERVES PRAISE ON NOT JUST TODAY'S EVENT BUT EACH DAY FOR PRESENTING A POSITIVE IMAGE TO ALL WHO UTILIZE HAC.

THOUGHT YOU SHOULD KNOW

THANK YOU FOR LISTENING

SINCERELY
Chris Cloud



Special Olympics
Kansas
South Central Area

3153 West Maple
P 316-263-1181

Wichita, KS 67213
1-888-860-3407

mgsoks@aol.com
F 316-263-1368

November 20th, 2019,

Greetings Mayor Armstrong! Special Olympics Kansas will once again partner with Law Enforcement Torch Run Officers in Haysville for the 2020 Polar Plunge. This annual fundraising event will proudly be held for the fifth year in row at Riggs Park on February 8th, 2020..!!

This is a wonderful community experience where the public is more than welcome to watch, plunge and applaud those that are taking the plunge to support Special Olympics Kansas. We would like to invite all of the members of your administration to come to this exciting event and promote this experience. Let us all pack Riggs Park in anticipation of those willing to take the plunge.!!

During the upcoming months of February and March, there will be 11 Law Enforcement Torch Run Polar Plunges around the state of Kansas raising money for the nearly 5,000 athletes that proudly represent Special Olympics Kansas. If you have any questions, please call me at 815.210.5671 or email me at talaricob@ksso.org

Thank you always for your support, and I hope you enjoy your Thanksgiving Holiday!

Sincerely,

Brian Talarico
South Central Regional Director
Special Olympics Kansas



SPECIAL OLYMPICS KANSAS

POLAR PLUNGE®

Haysville Polar Plunge & Strut

Saturday, February 8, 2020

Riggs Park

**Registration online at
plungeks.org**

*\$75 fundraising minimum to Plunge and
receive official event long sleeve t-shirt*

*\$30 fundraising minimum to take part in 1-mile or 5K
Polar Strut and receive Polar Strut gloves*

Theme: Say Freeze

Contests:

**Best Costume (individual and group)
Top Fundraising (individual and group)
Team with most participants**

Are you ready to #SayFreeze

[RETURN TO AGENDA](#)

CERTIFICATE OF CANVASS

STATE OF KANSAS)
SEDGWICK COUNTY)

Pursuant to K.S.A. 25-3104 the Board of County Commissioners, acting as a Board of Canvassers met at 9:00 a.m. on Friday, November 15, 2019 in the Sedgwick County Election Office, First Floor, Historic Courthouse, to canvass the votes cast in the General Election conducted on November 5, 2019 for the offices of City Council Members, Wards 1, 2, 3, & 4 for the **City of Haysville**, with the following present:

David Dennis, Chairman
Peter F. Meitzner, Chair Pro Tem – Michael Pepoon, Proxy
Michael O'Donnell, II, Commissioner
Lacey Cruse, Commissioner
Jim Howell, Commissioner

The returns of the election were presented to the Board as received from the official conducting the election. The Board proceeded to canvass the votes and found the results of the election on the proposition to be as follows:

Office	Candidates	Votes	Provisional Votes	Total Votes
City Council Member HAYSVILLE WARD 1				
Vote for 1				
	Dale Thompson	124	1	125
	Write-In Totals (See Attached)	3	0	3
City Council Member HAYSVILLE WARD 2				
Vote for 1				
	Janet Parton	134	3	137
	Write-In Totals (See Attached)	5	0	5
City Council Member HAYSVILLE WARD 3				
Vote for 1				
	Bob Rardin	119	1	120
	Write-In Totals (See Attached)	5	0	5
City Council Member HAYSVILLE WARD 4				
Vote for 1				
	Russ Kessler	119	2	121
	Write-In Totals (See Attached)	5	0	5

Whereupon, it was determined that the following candidates were duly elected:

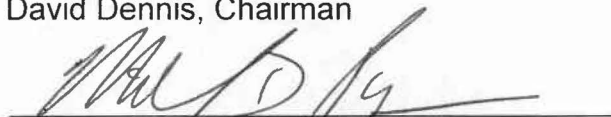
City Council Member HAYSVILLE WARD 1: Dale Thompson
City Council Member HAYSVILLE WARD 2: Janet Parton
City Council Member HAYSVILLE WARD 3: Bob Rardin
City Council Member HAYSVILLE WARD 4: Russell Kessler

The undersigned hereby certify that the foregoing results are shown by the finalized abstract of election returns.

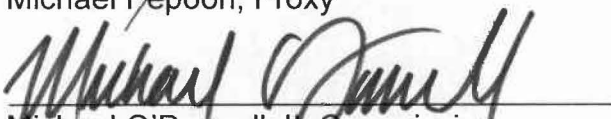
Dated this 18th day of November, 2019.



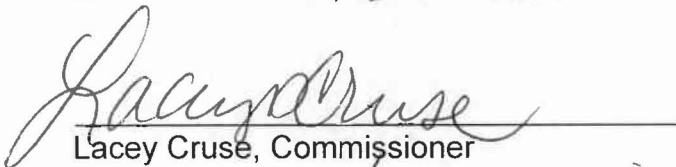
David Dennis, Chairman



Peter F. Meitzner, Chair Pro Tem –
Michael Pepoon, Proxy



Michael O'Donnell, II, Commissioner



Lacey Cruse, Commissioner



Jim Howell, Commissioner

BOARD OF COUNTY CANVASSERS
SEDGWICK COUNTY, KANSAS

ATTEST:



Tabitha M Lehman
Commissioner of Elections

SEAL

Official Official Write-in Names Report

2019 General Election

November 5, 2019

Sedgwick County, Kansas, Kansas

Heading	Candidate Name		
Haysville City Council, Ward 1		Total Write-In Votes :	3
	BRIAN CAIN		1
	LEROY TICE		1
	RYAN BEEHLER		1
Haysville City Council, Ward 2		Total Write-In Votes :	5
	BOB DOLE		1
	CHANGE		1
	CINDY MILES		1
	DANIEL L WEBER		1
	MANUEL MENDOZA		1
Haysville City Council, Ward 3		Total Write-In Votes :	5
	ANYONE ELSE		1
	LILLY THE WIENER DOG		1
	MATTHEW BOWIE MOSER		1
	NANCY SCOTT		1
	PAUL RABERTS		1
Haysville City Council, Ward 4		Total Write-In Votes :	5
	DARREN POKOISKI		1
	GEO CARTER		1
	JASON WELCH		1
	LEROY L TICE		1
	RYAN SCHREMMER		1

MEMO

TO: The Honorable Bruce Armstrong, Mayor
Haysville City Councilmembers

FROM: Will Black, Chief Administrative Officer

SUBJECT: Proposed City Code Updates for 2020

DATE: November 22, 2019

Proposed changes to the City Code are before you for review. Proposed changes are shown in red. Deletions are struck-through and additions are underlined. A codification ordinance will be presented to Council at the December 9th meeting. The ordinance will also integrate code relevant ordinances and resolutions passed since the last annual codification (Ordinance 1059: Enhanced Cereal Malt Beverages and Ordinances 1062, 1063, & 1064: Dog Park Regulations) into the code. Please contact me with any questions.

Summary of Proposed Changes

- ❖ Chapter 1. Administration
 - Article 4. Administrative Officers
 - 1-402. Officers, Qualifications.
 - Modified to reflect 2019 Personnel Manual revision
 - Changed to 30 mile radius
- ❖ Chapter 2. Animals and Fowl
 - Article 1. General Provisions
 - 2-101. Definitions.
 - (cc) Running at Large
 - Incorporation of Ordinance 1063
 - Article 2. Dogs and Other Animals
 - 2-210. Trapping of Animals.
 - (b) Dogs & wildlife to be removed by officers while cats are to be removed by property owner or occupant
 - 2-302. Dangerous Dog – Failure to Confine – Destruction and Defenses.
 - (d) Removed language concerning a spay/neuter voucher
- ❖ Chapter 3. Beverages
 - Article 1. Cereal Malt Beverages
 - Incorporation of Ordinance 1059
 - Article 4. Drinking Establishments, Private Clubs, Caterers, Temporary Permits
 - Incorporation of Ordinance 1059
- ❖ Chapter 4. Building, Construction and Installations
 - Article 1 General Regulations/Supplements
 - 4-103 Permit

- (a) modified to include language changing the occupancy of a building or structure to require a permit
- Article 3. Residential Construction
 - 4-301 Adoption of the International Residential Code, 2018 Edition, as the one and two family dwelling code, with certain additions and deletions
 - 4-310 City Provisions additional to or supplemental to the standard provisions of the Wichita-Sedgwick County Unified Building and Trade Code
 - Amendments correlate with the Sedgwick County Metropolitan Area Building and Construction Department (MABCD) amendments
- Article 5. Electrical Code
 - 4-501 Adoption of the NFPA 70, National Electrical Code, 2017 Edition, as the electrical code, with certain additions and deletions
 - 4-503. Amendments
 - Amendments correlate with the Sedgwick County Metropolitan Area Building and Construction Department (MABCD) amendments
- Article 6. Plumbing and Gas Fitting Code
 - 4-601 Adoption of the Uniform Plumbing Code, 2015 Edition, as the plumbing code, with certain additions and deletions.
 - 4-603. Amendments
 - Amendments correlate with the Sedgwick County Metropolitan Area Building and Construction Department (MABCD) amendments
- Article 11. Fences, Hedges, Bushes, Shrubbery and Foliage
 - Makes clear these regulations apply to commercial and industrial properties as well as residential
 - Allows for taller fences in commercial (8') and industrial (10') zones
 - All fences shall be constructed with finished surface facing outward – Posts and support structure on the inside
- ❖ Chapter 5. Business Regulations and Licenses
 - Article 9. Mobile Ice Cream Vendors
 - 5-906. Places Where Sales Prohibited
 - Added Meridian Avenue as a street that is unlawful for sales
 - Article 12. Temporary Portable Business Permits
 - Changed the enforcing officer from Public Works Director to City Clerk
 - Moved some of the sections around to keep all of the permit related sections together
 - Made one appeal process, instead of two
 - Removed the sign verbiage as that is already addressed within Chapter 16B
 - Added verbiage requiring approval by the Health Department for food vendors
 - Article 15. Recreational Vehicles, Camps
 - 5-1503. License and Permit Fees
 - a. Modification of Temporary Permits

- Number allowed in a twelve month period changed from two to four
 - Clarified permits cannot be consecutive
 - Permit length changed from 30 to 14 days
 - Fee established in Chapter 17 - \$10.00
- Article 16. Mobile Food Vendors – New Section
 - Section added to better address vendors such as Food Trucks
 - Streamline licensing process
 - Regulate separate from non-food Temporary Portable Businesses
- ❖ Chapter 6. Fire Protection
 - Incorporating Sedgwick County Fire Code, 2019 Edition
- ❖ Chapter 7. Health and Welfare
 - Article 6. Weeds
 - 7.611. Uniform Complaint and Notice to Appear; Non-Impairment; Fines and Costs.
 - Upon conviction for a first offense, changed fine from \$25 to \$35
 - Upon conviction of a second offense, changed fine from \$50 to \$75
 - Upon conviction of a third offense, changed fine from \$100 to \$125
 - Upon conviction of a fourth offense, changed fine from \$200 to \$250
- ❖ Chapter 11. Public Offenses
 - Article 1. General Provisions
 - 11-102. Incorporating Uniform Public Offense Code
 - Incorporation of new UPOC (No Red Line Draft)
 - Article 6. Offenses Against Property
 - 11-601. Amendments
 - (o) Littering.
 - Removed – Covered by Section 6.8 of the UPOC
 - Article 7. Offenses Affecting Governmental Functions
 - 11-701. Amendments
 - (c) Interference with Police.
 - Removed – Covered by Section 7.2 of the UPOC
 - Article 9. Offenses Against Public Peace
 - 11-901. Amendments
 - (a) Placing of Signs Prohibited.
 - Removed – Regulated in Sign Code
 - Article 10. Offenses Against Public Safety
 - 11-1002. Amendments to Section 10.1.1 of the UPOC, Criminal Carrying of a Weapon
 - Removed – Covered by Section 10.1.1 of the UPOC
 - Article 11. Offenses Against Public Morals
 - 11-1101. Amendments
 - (c) Drug Paraphernalia; Definitions.
 - Removed – Covered by Section 9.9.2 of the UPOC
 - (d) Possession or Use of Certain Substances or Paraphernalia.
 - Removed – Covered by Section 9.9.2 of the UPOC
 - (e) Sale, Inhalation of Toxic Vapors, Glue, Related Products.

- Removed – Covered by Section 9.9 of the UPOC
- ❖ Chapter 12. Public Property
 - Article 4. Dog Park Rules
 - Incorporation of Ordinance 1062
- ❖ Chapter 14. Traffic
 - Article 1. Standard Traffic Ordinance
 - 14-101. Standard Traffic Ordinance Incorporated
 - Incorporation of new STO (No Red Line Draft)
- ❖ Chapter 15. Utilities
 - Article 1. Water Department and Regulations
 - 15-106. Water Service Installation.
 - Regulation of placement of water meter and barrel
 - Article 3. Sewer Regulations
 - 15-315. Connection Into Public Sewer.
 - Identification of type of saddle to be used
 - Article 8. Stormwater Management Regulations
 - 15-803. Specific Prohibitions and Requirements
 - A. Corrected reference to Section 15-802
- ❖ Chapter 16. (B) Building Preservation Code and Sign Code
 - Article 2. Sign Code
 - Re-organization of code section
 - Where possible, regulations have been shortened and made easier to understand
 - Examples have been removed (Can be provided upon request)
 - Sign heights and area are clearly established eliminating the need for any calculations
 - Application requirements have been removed (Can still be included in the application, but removes the need to make a code change should staff determine there is a need to make a change to the application requirements)
 - Number of signs and their sizes are listed in tables based on the use of the property
- ❖ Chapter 17. Fee Schedule
 - Article 3. Specific Charges, Taxes, Fees and Certain Salaries
 - 17-311. Building Reinspection Fee/ Non-Business Hours.
 - Changed from \$35 per hour to \$35 per occurrence
 - 17-319. Court Fees; Miscellaneous.
 - Changed Court Costs from \$81.50 to \$84.00 to align with state law
 - 17-327. Drain Laying Reinspection/ Non-Business Hours; Fee.
 - Changed from \$35 per hour to \$35 per occurrence
 - 17-332. Electrical Permits.
 - Removed reference to Sedgwick County
 - 17-333. Electrical Reinspection/ Non-Business Hours; Fee.
 - Changed from \$35 per hour to \$35 per occurrence
 - 17-336. Excavation Reinspection/ Non-Business Hours; Fee.
 - Changed from \$35 per hour to \$35 per occurrence
 - 17-352. Mechanical Permits.
 - Removed reference to Sedgwick County

- 17-353. Mechanical Reinspection/ Non-Business Hours; Fee.
 - Changed from \$35 per hour to \$35 per occurrence
- 17-354. Mobile Food Vendors; Fee. – New Section
 - Added fee schedule for Mobile Food Vendors
- 17-362. Plumbing Permits.
 - Removed reference to Sedgwick County
- 17-363. Plumbing Reinspection/ Non-Business Hours; Fee.
 - Changed from \$35 per hour to \$35 per occurrence
- 17-369. Recreational Vehicle Temporary Permit Fee.
 - Re-incorporation of previous code language with updates to length of permit, number of permits in a twelve month period, and fee
- 17-372. Roofing and Siding Permits.
 - Removed reference to Sedgwick County
- 17-374. Sewer System Tap.
 - Changed fee from \$250 to \$500
- 17-387. Water Tap Fees.
 - For 3/4 and 5/8-inch connections, changed fee from \$1,500 to \$1,750
 - For 1-inch connections, changed fee from \$1,625 to \$2,000
 - For 2-inch connections, changed fee from \$2,200 to \$3,500
- 17-388. Water Customer Non-Payment Penalty.
 - Changed penalty amount from \$20 to \$40
- 17-389. Water Meter Calibration.
 - For first test, changed fee from \$5 to \$20
 - For subsequent tests within a one year period, changed fee from \$10 to \$40
- 17-392. Well Permits; Water.
 - Changed fee from \$5 to \$20

1-402. OFFICERS, QUALIFICATIONS. Except where otherwise specifically required or permitted by ordinance, all elected officers shall be qualified electors of the city. All officers appointed by the mayor to serve after April 8, 2019 ~~July 12, 2004~~, shall live within a ~~thirtyfive~~ (1530) mile radius of the Haysville city building within one hundred eighty days (180) days of appointment except that the mayor may appoint as city engineer, municipal judge, city attorney, city prosecutor, and law enforcement officers individuals who reside outside of the ~~thirtyfive~~ (1530) mile radius when deemed necessary, including the appointment of such individuals who also serve as municipal judge or law enforcement officers of another municipality or public agency. Any officer appointed to serve after April 8, 2019 ~~July 12, 2004~~, who was an appointed officer of the city for successive previous terms or who was employed by the city of Haysville prior to the passage of this section and thereafter was appointed who did not, prior to April 8, 2019 ~~July 12, 2004~~, reside within the ~~thirtyfive~~ (1530) mile radius of the Haysville city building, shall be exempt from the residency requirement as set forth in this section. Failure to comply with this ordinance may subject an employee to discipline, up to and including termination for cause.

(C.O. 24 (2016))

- (cc) Running at Large: An animal off the premises of its owner, keeper or harborer and not effectively controlled and restrained by means of a leash, cord, or chain not exceeding ten (10) feet in length. For the purposes of this definition, “the premises of its owner, keeper, or harborer” shall not include common areas of the grounds of a condominium, townhouse or apartment, and unrestrained animals upon those areas shall be deemed to be running at large. The phrase “effectively controlled and restrained” does not exclude extendable leashes that are maintained at ten (10) feet of length or less. It shall be a question of fact whether an individual, due to age, ability, or attention was able to effectively control and restrain an animal by means of a leash, cord, or chain of any length. This Section shall not apply to working dogs authorized by the City, or animals inside a fenced dog park or designated off-leash area as described in Chapter 12, Article 4.

2-210. TRAPPING OF ANIMALS. (a) The owner or occupant of any property within the city upon which any animal is running at large or creating a nuisance may request the placement, by any animal control or police officer, of a humane trap or traps on such property for the purpose of capturing such animal. Thereafter, any animal control or police officer may place such traps if, at and within their discretion, they deem trapping to be necessary for the general health, welfare and safety of any person or persons.

(b) Animal control or police officers shall remove dogs and wildlife caught in animal traps, however cats caught in the traps are the responsibility of the owner or occupant of the property to remove in a humane manner.

(~~c~~b) Animal control or police officers are authorized and empowered to use any tranquilizer gun, firearm, humane trap, or other suitable device to subdue, capture or destroy any animal that, at and within their discretion, they determine constitutes a danger to itself or to the general health, welfare and safety of any person or persons.

(~~e~~d) It shall be unlawful for any person or entity to set or cause to be set within the city any steel-jaw leg hold trap, snare, or any trap other than a humane trap for the purpose of capturing any wild or domesticated animal.

(Code 1984; Ord. 851)

(d) The owner, keeper or harborer of any dog that has been determined to be dangerous shall be required to have the animal surgically sterilized by a licensed veterinarian within thirty days of the dangerous animal determination, at his or her own expense. For any animal required to be surgically sterilized, ~~the Chief of Police or designee shall collect payment for and issue a spay/neuter voucher at the time of the animal's redemption, and~~ the owner, keeper or harborer shall provide documentation of the sterilization upon completion. If the dog's owner had a valid dog license, such owner shall not receive a refund of the licensing fees paid for the altering or micro chipping of the dog. Upon the renewal of the license, the amount will be changed to reflect the altering and micro chipping of the dog.

CHAPTER IV. BUILDING, CONSTRUCTION AND INSTALLATIONS

- Article 1. General Regulations/Supplements
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ARTICLE 1. GENERAL REGULATIONS/SUPPLEMENTS

4-101. **BUILDING STANDARDS.** No person, firm or corporation shall hereafter design, construct, erect, remodel, alter, demolish, locate, relocate or remove any building or structure, or place or install service equipment therein in the city except in accordance with this article, and all other applicable codes and ordinances of this City relating to such buildings or structures.

4-101A. **Site Address, Premises Identification.** Approved numbers or addresses shall be provided for all new residential and commercial buildings.

(a.) **Residential Buildings.** Address shall be mounted or installed on the principal structure with numbers or letters, 3" minimum in height. Such numbers or letters shall be visible from the street or right-of-way which gives the property its address. Such numbers or letters shall be of contrasting color from the structure.

(b.) **Commercial and Industrial Buildings.** Address shall be mounted or installed on the principal structure with numbers or letters 6" minimum in height. Such numbers or letter shall be visible from the street or right-of-way which gives the property its address. Such number or letter shall be of a contrasting color from the structure.

(Code 1971, Sec. 4-101; Code 2012)

4-102 **LICENSES.** All contractors and tradesmen shall provide proof to the City of both a current and valid Metropolitan Area Building and Construction Department [hereinafter "MABCD" or "Metropolitan Area Building and Construction Department"] Contractor's License and a City of Haysville Contractor's License prior to being issued a permit to design, construct, erect, remodel, alter, demolish, locate, relocate or remove any building or structure, or place or install service equipment within the City.

(a). **License of City of Haysville.** City of Haysville licenses for all trades and

construction for building, mechanical, electrical, plumbing and manufactured housing installation shall be issued exclusively through City.

(b). License of Metropolitan Area Building and Construction Department. Metropolitan Area Building and Construction Department licenses for all trades and construction for building, mechanical, electrical, plumbing and manufactured housing installation shall be issued exclusively through MABCD.
(Code 2011)

4-103. PERMIT.

(a). City of Haysville Permit: Prior to any person, firm or corporation designing, constructing, erecting, remodeling, enlarging, altering, demolishing, locating, relocating or removing any building or structure, or changing the occupancy of a building or structure, or placing or installing service equipment within the City of Haysville, a permit to do such work shall be obtained from the City. Such permit shall be issued through the Department of Public Works.

(b). In the event a contractor does not complete work for which a valid permit has been issued and such individual no longer holds a valid contract for the work, a second permit must be obtained by a contractor to complete the balance of the work. A fee shall be charged for the second permit that is ten percent of the original permit fee, but in no case less than the minimum fee for a building permit. Building permits are nontransferable.

(c). In those areas of the city having a high ground water table, which areas are not served by an approved water course or storm sewer for surface water disposal, building permit applications require a special approval by the building official. The application, in addition to providing the information required on the standard application form, shall indicate the lowest floor elevation of the proposed building, whether groundwater may be required to be pumped as a matter of waterproofing below-grade structure and, if so, the manner of water disposal. Topographic and groundwater elevations for reference purposes are shown on the most current Hydrogeologic Map of Sedgwick County, Kansas, prepared by the State Geological Survey of Kansas.

(d). Expiration. Every permit issued by the City under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days, or one hundred eighty days have expired since an inspection was requested and such inspection was approved by the building official. Provided, that the building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected and may authorize the refunding of not more than eighty percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code. No refund shall be paid except upon written application filed by the original permittee not later than one hundred eighty days after the date of fee payment.

(e). Whenever any work for which a permit is required by this Code has commenced without first obtaining said permit, an administrative penalty equal to the amount of the permit fee, as determined by the Code Official, shall be collected in addition to the permit fee. Such administrative penalty shall be paid prior to issuance of any permit for construction upon these premises.

4-104. **SUPPLEMENTAL TO THE STANDARD PROVISIONS OF THE METROPOLITAN AREA BUILDING AND CONSTRUCTION DEPARTMENT BUILDING, ELECTRICAL, PLUMBING, MECHANICAL AND MANUFACTURED HOUSING INSTALLATION CODES.**

Section 112, Board of Appeals associated with City of Haysville Inspections.

In order to hear and decide appeals of decisions, determinations, or orders of the City's inspector(s) relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the city. The building inspector shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the Governing Body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

The owner of any permitted project, the construction of which has been rejected by the City's building inspector and who may feel aggrieved respecting such order, may by agent or personally appeal to the City's board of appeals, to have such order reviewed. The decision of the board can be appealed to the governing body for review and the decision of the governing body shall be final when the matter shall have been heard by it.
(Code 2011)

4-105. **RESERVED.**
(Code 2011)

4-106. **PERMIT FEES.** The schedule of permit fees shall be those set forth in the approved schedule of fees as incorporated into Chapter 17 of the Haysville Municipal Code.
(Code 2003)

4-107. **DEFINITIONS.** Definitions of terms used in this Article shall be as follows:
(a) Agricultural Building: A structure designed and constructed to house hay, grain, poultry, livestock, or other horticulture products and for farm storage of farming implements. Such structure or structures shall not be a place for human habitation or place of employment where agriculture products are processed, treated or packaged; nor

shall it be a building or structure for use by the public.

- (b) Contractors: A contractor, within the meaning of this chapter, is any person who undertakes with or for another to build, construct, alter, repair, add to, wreck or move any building or structure, or any portion thereof, within the city, for which a permit is required under this article, for a fixed price, fee, percentage or other compensation other than wages, or who advertises or otherwise represents to the public to have the capacity or ability to undertake to build, construct, alter, repair, add to, wreck or move any building or structure or any portion thereof; or who builds, constructs, alters, adds to, wrecks or moves any building or structure, either on his or her own or other property, for the purpose of speculation.
- (c) A One and/or Two Family Dwelling is a structure having one (1) or two (2), but not more than two (2), units providing independent living facilities, (for one or more persons constituting a family,) including permanent provisions for living, sleeping, eating, cooking and sanitation. A family is an individual of two (2) or more persons related by blood, marriage or law, or a group of not more than four (4) persons (excluding servants), who need not be related, living together in a dwelling unit.
- (d) Commercial Building. A commercial building is a building in which is conducted a business, trade or profession and is not used primarily for residential purposes.
(Ord. 379, Sec.5; Code 2003)

4-108. CONTRACTORS, CONTRACTOR'S LICENSES, FEES, INSURANCE. Every Licensed Contractor who has obtained a license as set forth in this Code shall have and maintain an established place of business at a definite address and with his/her registered company name and license number displayed as it appears on his/her license. Licensed Contractors operating out of their home must conform to the requirements set forth in the Zoning Code.

(a) Contractor's licenses and fees for the city shall be as follows:

(b) Classification: Fees.

- (1) Contractor's License Class A shall be issued for a construction project with a value more than \$30,000 and the fee shall be as set out in Chapter 17.
- (2) Contractor's License Class B shall be issued for a construction project valued at \$30,000 or below and the fee shall be as set out in Chapter 17.
- (3) Contractor's License Class C shall be issued for roofing and siding construction projects and the fee shall be as set out in Chapter 17.
- (4) Contractor's License Class D shall be issued for fencing construction projects and the fee shall be as set out in Chapter 17.

(c) All contractors are to maintain a policy of general liability insurance covering the activities of the contractor, and the contractor's employees, while engaged in contracting within the City. Such insurance policy shall be written with an insurance company licensed to do business in the State of Kansas and shall have minimum limits of coverage of three hundred thousand dollars per occurrence.

(d) In addition, every contractor shall procure and maintain worker's compensation insurance as required by Kansas law and automobile liability insurance as required by Kansas law.

- (e) All such insurance requirements shall conform to the insurance requirements of the MABCD, and all contractors who lose their license to contract as issued by the MABCD shall immediately have all City issued licenses revoked.

(Ord. 75, Code 1984; Code 2003; Code 2015)

- 4-109. FEE SCHEDULE. There is hereby established a fee schedule for contractors performing work within the city, such contractor fees are as set out in Chapter 17 of this Code. License fees will not be pro-rated. Licenses will expire January 1st of each year.
(Ord. 644; Ord. 644-A; Code 2003)

- 4-110. PAYMENTS. All fees, permits, licenses, etc., referred to in this article shall be paid and/or registered at the Office of the City Clerk.
(Code 1971, Sec. 4-107; Code 2003)

- 4-111. ADVERTISING. (a) It shall be unlawful for any person, firm, company, corporation or other entity to advertise as a contractor within the City unless, at the time such advertisement occurs, such person, firm, company, corporation or other entity has a then valid contractor's license issued hereunder.

(b) Any advertisement by such person, firm, company, corporation or other entity to advertise as a contractor which is placed or published in any publication or other print medium which is circulated, displayed or distributed within the city or which is placed upon vehicles or is broadcast by radio or television or any other means to persons within the city shall include the full name of the licensed person, firm, company, corporation or other entity and the license number assigned by any office of any municipality having inspection control over any such person, firm, company, corporation or other entity.

(c) As used herein, the words "advertise" or "advertisement" shall include, but not be limited to, a business card, contract bid proposal form, printed letterhead, or any other printed or written material designed to inform persons of the services offered by the advertising person, firm, company, corporation or other entity and meant to solicit business from such persons or any broadcast statement designed to inform persons of the services offered by the advertising person, firm, company, corporation or other entity and to solicit business from such persons. Such words are intended to include telephone directory display ads but not basic white and yellow page telephone listings.

(Ord. 713; Code 2003)

- 4-112. VIOLATIONS AND PENALTIES. (a) Any person who shall violate the provisions of this chapter or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be guilty of an unclassified misdemeanor and shall be punished by a fine of not more than five-hundred dollars (\$500.00) for each violation or thirty (30) day confinement in the county jail for each violation or by both such fine and imprisonment. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.

(b) Penalty Clause not Exclusive. The Imposition of the penalties herein prescribed

shall not preclude the city from instituting an appropriate action to restrain, correct, or abate a violation of this article, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by state law or this code, or this article.

(Code 1971, Sec. 4-324; Code 1984; Code 2003, Ord. 881)

- 4-113. ENFORCEMENT. Enforcement of this chapter within the boundaries of the city shall be by the building official(s) designated by the Director of Public Works, and jurisdiction for prosecution of any violations of this code shall be in the Haysville municipal court, and shall be in conformance with the City's general penalty clause set forth in Chapter 1, Section 1-121 of this Code.

(Ord. 881)

- 4-114. LIABILITY. Requirements of this article shall not be construed as imposing on the city, its officers, agents or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

(Ord. 881)

- 4-115. SEVERABILITY. If any part or parts of this article shall be held to be invalid such invalidity shall not affect the validity of the remaining parts of this article.

(Ord. 881)

ARTICLE 2. INSPECTIONS BY CITY OFFICIALS

- 4-201. BUILDING INSPECTOR: AUTHORITY AND APPEALS. The duties for the building inspector shall be as follows:

(a) The building inspector is hereby authorized to enter upon premises for all such purposes to perform the duty imposed upon him or her, and may apply to a court of competent jurisdiction for an order granting such entry in the event entry is denied. It shall be the duty of the building inspector to inspect all construction done in the city for which a permit is required. The building inspector shall cooperate with the board of health of the county in performance of any duty imposed upon such board by the health laws of the city.

(b) The building inspector shall keep a record of inspections made by him or her and in connection therewith a record of his or her orders of all buildings being erected, altered, or repaired with regard to construction therein to see that all construction work conforms to the building regulation of the city. He or she shall have power to reject any construction if the same is not done in accordance with such regulations. The building inspector shall be authorized to enter upon premises for all such purposes to perform a duty imposed upon him or her. The owner of any building, the construction of which has been rejected by the building inspector and who may feel aggrieved respecting such order, may by agent or personally appeal to the board of appeals, as established by the International Building Code, 2006 Edition, to have such order reviewed and the decision of the board can be appealed to the governing body for review and the decision of the

governing body shall be final when the matter shall have been heard by it.
(Code 1984; Code 2003, Ord. 881)

- 4-202. RE-INSPECTION/NON-BUSINESS HOURS FEE. All inspection work required herein to be performed by any officer or employee of the city after the initial inspection or requested for other than normal business work hours, shall be charged at the rate set out in Chapter 17. All such inspection fees and charges shall be paid to the office of the city clerk and credited to the general operating fund of the city.
(Code 1984; Code 2003)

- 4-203. CERTIFICATE: RENEWAL. All contractors' certificates shall be renewable annually on January 1. Renewal fees shall be paid to the city clerk.
(Ord. 686; Code 2003)

- 4-204. INSURANCE REQUIREMENTS. It shall be unlawful for any contractor to conduct business within the city, unless such contractor first provides documentation in the nature of proof of insurance showing that such contractor is covered with liability insurance in the minimum amount of \$500,000 with the city named as an additional insured. All such documentation shall state that the city shall be given at least thirty (30) days advance written notice of any cancellation or material change in coverage of such insurance. If any person, firm, company, corporation or other entity shall conduct business within the city, without first procuring and maintaining insurance coverage in accordance with this section, such person, firm, corporation or other entity shall be deemed guilty of a misdemeanor and punished by fine and/or suspension or revocation of the contractor's license and certificate.
(Ord. 713; Code 2003)

- 4-205. LICENSE: CONTRACTOR. Any person engaging in or desiring to engage in the business of construction in the city shall before obtaining any permit or transacting any business, procure a license from the city. The fee for such license shall be as set out in the Chapter 17. The license shall be renewable annually on January 1. No license shall be transferred from one person to another. Fees shall be paid to the city clerk.
A contractor's license may be issued to any person, firm, co-partnership or corporation. A separate license shall be issued for each place of business conducted.
(Ord. 395, Secs. 1:2, Code 1984; Code 2003)

- 4-206. LICENSE REQUIREMENT; HOMEOWNER EXEMPTION. (a) A contractor's license is not required by an individual for the city to issue a building permit for the individual to build, construct, alter, repair, or add to a residential house which is owned and occupied by the individual applying for the building permit. Only two (2) permits per year will be allowed under this exemption.
(b) New residence - No contractor's license is required to build a new residential home provided that the individual building the residential home will be the owner and occupant of the home after completion. This exception does not change the duty to procure all other applicable licenses, permits and inspections associated with

modification to, or construction of, a residential structure. Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

(c) Twelve (12) months must have elapsed from the date of completion of a new residential home as provided for in subsection (b) before an additional permit for building a new residential home, as provided for in subsection (b) will be issued to the same individual or such individual's spouse. No permit will be issued pursuant to this subsection to family affiliated entities attempting to use this subsection to avoid the contractor's license requirement to build homes for eventual resale.

(Ord. 75; Code 1984)

- 4-207. BASEMENTS. Any builder or property owner in any subdivision or recorded platted area having a minimum pad elevation within the city limits is hereby required to obtain a certificate from a licensed surveyor after basement walls or foundation are poured and prior to any further construction on said land. Such licensed surveyor shall certify that the lowest opening is at or above the minimum pad elevation designated for the particular lot or parcel of ground.

(Ord. 727, Code 2003)

- 4-208. SUSPENSION. The board of appeals is hereby authorized to cancel and recall, or suspend for a period not exceeding twelve (12) months, the certificate of any contractor and the license of any contractor for any one of the following reasons:

(a) Abandonment of any contract without legal cause;

(b) Diversion of funds or property received for the performance or completion of a specific contract, and their application or use of any other contract, obligation purpose, or the failure, neglect or refusal to use such funds or property for the performance of completion of such contract;

(c) Misrepresentation of any material fact by the applicant in obtaining his or her certificate or license;

(d) Failure without just cause to fully satisfy all claims for labor and/or materials used in the performance of any work for which he or she has been engaged and for which he or she has been paid;

(e) Fraudulent use of his or her license to obtain permits for another;

(f) Wantonness, recklessness, carelessness or negligence in providing reasonable safety measures for the protection of workers and/or the general public;

(g) Unreasonable delay in the performance or the fulfilling of any contract;

(h) Failure, neglect or refusal to comply with any lawful order of the building inspector;

(i) Failure, neglect or refusal to comply with all the state, local and city laws relating to construction work or repair;

(j) Loss of any other similar certificate within any other jurisdiction for any of the above described acts within such other jurisdiction.

(Code 1971, Sec. 4-320, Code 1984; Code 2003)

4-209. SUSPENSION; APPEAL. Should any contractor feel that his or her certificate has been wrongfully canceled and recalled, or suspended as provided in this article; or should any contractor feel that his or her license has been wrongfully canceled and recalled or suspended as provided in section 4-207, he or she may within ten (10) days from the date of such cancellation and recall or suspension appeal to the governing body by filing with the city clerk a written notice of appeal. The city clerk shall place the matter on the agenda of the governing body for the next regular meeting of the governing body. At the time of the next regular meeting of the governing body, the appellant shall be given the opportunity to state the reasons that such contractor believes that the action against his/her license was without merit. The governing body may in its discretion reverse, modify or amend, the existing cancellation and recall, or suspension. Should there be no appeal as provided herein the existing cancellation and recall, or suspension shall be final and not appealable.

(Code 1971, Sec.4-321; Code 2003)

4-210. ADVERTISING. (a) It shall be unlawful for any person, firm, company, corporation or other entity to advertise as a contractor unless, at the time such advertisement occurs, such person, firm, company, corporation or other entity has a then valid contractor's license.

(b) Any advertisement by such person, firm, company, corporation or other entity to advertise as a contractor which is placed or published in any publication or other print medium which is circulated, displayed or distributed within the city, or which is placed upon vehicles or is broadcast by radio or television or any other means to persons within the city, shall include the full name of the licensed person, firm, company, corporation or other entity and the license number assigned by any office of any municipality having inspection control over any such person, firm, company, corporation or other entity.

(c) As used herein, the words "advertise" or "advertisement" shall include, but not be limited to, a business card, contract bid proposal form, printed letterhead, or any other printed or written material designed to inform persons of the services offered by the advertising person, firm, company, corporation or other entity and meant to solicit business from such persons or any broadcast statement designed to inform persons of the services offered by the advertising person, firm, company, corporation or other entity and to solicit business from such persons. Such words are intended to include telephone directory display ads but not basic white and yellow page telephone listings.

(Ord. 713; Code 2003)

4-211. FEES: GENERAL OPERATING FUND. All fees, permits and licenses required by this article shall be paid to the city clerk and shall be credited to the general operating fund of the city.

(Code 1971, Sec. 4-323; Code 2003)

4-212. VIOLATION AND PENALTY. Any person who shall within the city engage in or work in violation of any provision of this article may be prosecuted as set forth in 4-112 of this Chapter.

(Code 1971, Sec. 4-324; Code 1984; Code 2003)

ARTICLE 3. RESIDENTIAL CONSTRUCTION

4-301. ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE, ~~2018~~2012 EDITION, AS THE ONE AND TWO FAMILY DWELLING CODE, WITH CERTAIN ADDITIONS AND DELETIONS.

There is hereby adopted by reference by the City of Haysville, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the International Residential Code, for One and Two Family Dwellings, 201~~8~~2 Edition, as published by the International Code Council, 5203 Leesburg Pike, Suite 708 Falls Church, Virginia, 22041, and such amendments as set forth in that Resolution of the Board of County Commissioners of Sedgwick County, Kansas, of ~~August 15, 2018~~May 20, 2015, (Res. No. ~~120-2018~~106-2015), to be made effective ~~August 15, 2018~~July 1, 2015, including all fee schedules unless otherwise set forth within Chapter 17 of this Code, and such Resolution is incorporated by reference herein. Any reference to the International Building Code shall be understood to be a reference to the Commercial Building Code. Any reference to the International Residential Code and all amendments, shall hereafter, including those amendments provided for within Article 12, be understood to reference the Residential Building Code of the City of Haysville, Kansas, as described herein.

(K.S.A. 12-3009; Ord. 581; Ord. 419, Sec.3; Code 1984; Code 2003, Ord. 887, Code 2011)

4-302. AVAILABILITY OF COPIES.

One copy of said code along with the amendments set forth in that Resolution of the Board of County Commissioners of Sedgwick County, Kansas, as described within section 4-301 above, have been and are now filed in the office of the City Clerk and the said code is adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq.

(Code 2011)

4-303. RESERVED.

4-304. VIOLATIONS AND PENALTIES.

Any person who shall violate the provision of this the Residential Building Code as adopted by this Article or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 113 et seq. of the International Residential Code as amended herein, and/or Section 4-112 of this Chapter, such prosecution to be within the Municipal Court of the City of Haysville, Kansas. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair, remove, or correct any violation, and pay all costs associated therewith.

(Code 2011)

4-305. PENALTY CLAUSE NOT EXCLUSIVE.

The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this Article, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this Article.

(Code 2011)

4-306. ENFORCEMENT.

Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the Director of Public Works. Prosecution of any violations of this code shall be in the Haysville Municipal Court, and shall be in conformance with the City's general penalty clause set forth in Chapter 1, Section 1-121 of this Code.

(Code 2011)

4-307. LIABILITY.

Requirements of this code and Article shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

(Code 2011)

4-308. SEVERABILITY.

If any part or parts of this Article shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this Article.

(Code 2011)

4-309 WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE.

Those provisions of the Wichita-Sedgwick County Unified Building and Trade Code, as adopted through Article 12 below, applicable to the Residential Building Code are found in Article 2, Section 4 of the Wichita-Sedgwick County Unified Building and Trade Code, except as supplemented herein.

4-310 CITY PROVISIONS ADDITIONAL TO OR SUPPLEMENTAL TO THE STANDARD PROVISIONS OF THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE. . The following provisions are supplemental to and additional to the Residential Building Code as adopted by the City of Haysville. These provisions shall supplement the associated provisions and shall be inspected.

Section R105.2 of the International Residential Code shall be amended as follows: R105.2 *Work exempt from permit*: Exemption from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures classified as Group S or U occupancies, with a floor area less than exceeding 100 square feet and the structure location is not impermissibly located in a floodplain, floodway, easement, setback, or protrude onto a neighboring property shall be inspected by City.
2. All fences constructed within the City are subject to the provisions of Chapter 4, Article 11 of the Code of the City of Haysville, Kansas, governing fences.
3. Playhouses or treehouses having single or multi-level with or without roofs.
4. Concrete or masonry fences not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall and other fences 6 feet (1828.8 mm) or less in accordance to the current fence ordinance recognized in Chapter 4 of the current City of Haysville code.
5. Signs shall be regulated by the current zoning ordinance in the City of Haysville code.
6. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
7. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
8. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
9. Decks, stoops, and porches not more than 30 inches (762 mm) above adjacent grade without overhead structures and not over any basement or story below.
10. Replacement of floor covering, painting, papering, tiling, carpeting, cabinets, counter tops, paneling and similar finish work.
11. Prefabricated swimming pools that are less than 24 inches (610 mm) deep that meet the requirements of Chapter 4, Article 9 of the current City of Haysville code.
12. Swings and other playground equipment accessory to a one or two family dwelling.
13. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
14. Emergency board-up, or securing temporary bracing of a building after a fire, storm, vehicle damage or other disaster which caused the building to be open or unsafe. The

building owner or his/her agent may cause such work to be done provided that the City of Haysville is notified the following business day.

15. Repair or replacement of roofing and/or siding materials not exceeding 400 square feet (37.16 m2) within any 12 month period.

16. Repair or replacement of interior gypsum wallboard on non-fire rated walls or ceilings when the total area does not exceed 100 square feet (9.29 m2) within any 12 month period and provided that no framing, electrical, mechanical or plumbing changes have been made.

17. Replacement of windows or doors or replacement of roof skylights or equipment with the same size or smaller unit (s) that does not involve the removal, cutting, alteration or replacement of any building structural member; including but not limited to studs, headers, girders, beams, joists, rafters, cripples, jacks or other supporting framing member (s). The framing used to infill existing openings for the purpose of installing smaller unit (s) shall be exempt from permit requirements. Placements of smaller window or doors shall not reduce the minimum size requirements of escape and rescue openings, or egress door (s) required in Sections R310 and R311 of this code. The replacement door or window shall not be of a lower fire rating than required by this code for any rated wall or assembly.

185. All swimming pools constructed or installed within the City are subject to the provisions of Chapter 4, Article 9 of the Code of the City of Haysville, Kansas governing swimming pools.

ELECTRICAL: Exemptions for electrical permits shall be governed by Chapter 4 of the City of Haysville code.

GAS:

1. Portable heating, cooking or clothes drying appliances.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

MECHANICAL:

1. Portable heating appliances.

2. Portable ventilation appliances.

3. Portable cooling units.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this Code.

5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

6. Portable evaporative coolers.

7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, water or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this Code. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section R105.2.1 of the International Residential Code, is amended as follows: R105.2.1 Emergency repairs. Where repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

Section R105.2.2 of the International Residential Code, is amended to read as follows: R105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting away of any structural beam or load-bearing support, or removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any gas, mechanical or other work affecting public health or general safety.

Permit expiration.

Section R105.5 of the International Residential Code is amended to read as follows: R105.5 Expiration. Every permit issued shall expire unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work shall be considered to have been suspended or abandoned if it has been more than 180 days since the last requested inspection. Before work can be recommenced, the permit must be re-instated. The fee for re-instatement shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and that such suspension or abandonment has not exceeded one year. In order to resume work after suspension or abandonment for a period exceeding one year, a new permit shall be required. The code official is authorized to grant, in writing, one or more extensions of time for periods not more than 180 days each. The extensions shall be requested in writing and justifiable cause demonstrated.

Placement of inspection record card and address marker.

Section R105.7 of the International Residential Code is amended to read as follows:

R105.7 Placement of inspection record card and address marker. The inspection record card shall be kept on the site of the work until the completion of the project. Work requiring a permit shall not be commenced until the inspection record card is posted or otherwise made available on the site. The inspection record card shall be maintained and available on site until final inspection approval has been granted by the building official. Work shall not be started until the address meets the requirements of 4-101A of the current city code and is posted in such a position as to be plainly visible and legible from the street or road fronting the site.

Fees

R108 Fees shall meet the requirements of Chapter 17 of the current City of Haysville city code.

Alternative provisions.

Section R301.1.1 of the International Residential Code is amended to read as follows:

R301.1.1 Alternative provisions. As an alternative to the requirements in Section R301.1 the following standards are permitted subject to the limitations of this Code and the limitations therein. Where engineered design is used in conjunction with these standards the design shall comply with the International Building Code.

1. American Forest and Paper Association (AAF&PA) Wood Frame Construction Manual (WFCM).
2. American Iron and Steel Institute (AISI) Standard for Cold-Formed Steel Framing - Prescriptive Method for One- and Two-Family Dwellings (COFS/PM) with Supplement to Standard for Cold-Formed Steel Framing - Prescriptive Method for One- and Two-Family Dwellings.
3. The Wichita Foundation, Basement and Slab-on-Grade Standards for One and Two Family Dwellings (August 30, 2011).
4. The City of Wichita Standard for Residential Wood Framed Decks – Deck Standards.

Sec. 2.4.115. - Table R301.2 (1) amended.

Table R301.2 (1) of the International Residential Code is amended to read as follows:

Table R301.2 (1) Climatic and Geographic Design Criteria. The Climatic and Geographic Design Criteria for building design shall be as provided in Table R301.2 (1).

Table R301.2 (1) of the International Residential Code is amended to read as follows:

TABLE R301.2 (1) - SECTION R301, DESIGN CRITERIA

Climatic and Geographic Design Criteria for Sedgwick County, Ks.

<u>Ground Snow Load – 15 psf</u>	<u>Design Temps</u>
<u>Wind Speed (mph) – 76w/90-3 sec. gust</u>	<u>Air Freezing Temp. – 400</u>
<u>Seis. Design Cat. - A</u>	<u>Mean Air Temp. - 55-60 deg.</u>
<u>Weathering – Severe</u>	<u>Summer - 98 2.5% dry bulb</u>
<u>Frost Line Depth - 24 inches</u>	<u>Winter - 76 2.5% wet bulb</u>

Termite - Mod./Severe	Winter Design Temp. - 97.50% - 7
Ice Barrier - None Required	Heating Degree Days - 4,620
<hr/>	
Roof	Floor
Dead Load - 10 lb. psf	10 lb. psf.
Live Load - 20 lb. spf	40 lb. psf.

For SI: 1 pound per square foot = 0.0479kPa, 1 mile per hour = 0.447 m/s.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this Code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade. For construction of one and two family dwelling habitable spaces, the Wichita Foundation, Basement and Slab-on-Grade Standards for One and Two Family Dwellings (August 30, 2011) shall apply.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been any history of local subterranean termite damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2 (4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 ½ - percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be submitted to reflect local climates or local weather experience as determined by the building official.

f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.

h. In accordance with Sections R905.2.7.a, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO". i. The jurisdiction shall fill in this part of the table with the 100-year return period freezing index (BF-days) from Figure R403.3 (2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index - USA Method (Base 32° Fahrenheit)" at

www.ncdc.noaa.gov/fpsf.html. j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index - USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

Sec. 2.4.120. - Live load.

Section R301.5 of the International Residential Code, is amended to read as follows:
R301.5 Live load. The minimum uniformly distributed live load shall be as provided in
Table R301.5.

TABLE R301.5 - MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS (in pounds
per square foot)

<u>USE</u>	<u>LIVE LOAD</u>
<u>Attics with limited storage ^{b, g, h}</u>	<u>20</u>
<u>Attics without storage ^b</u>	<u>10</u>
<u>Decks ^e</u>	<u>40</u>
<u>Exterior balconies</u>	<u>60</u>
<u>Fire escapes</u>	<u>40</u>
<u>Guardrails and handrails ^d</u>	<u>200 ⁱ</u>
<u>Guardrails in-fill components ^f</u>	<u>50 ⁱ</u>
<u>Passenger vehicle garages ^a</u>	<u>50 ^a</u>
<u>Rooms other than sleeping rooms</u>	<u>40</u>
<u>Sleeping rooms</u>	<u>40</u>
<u>Stairs</u>	<u>40 ^c</u>

For SI: 1 pound per square foot = 0.0479 kPa, 1 square inch = 645 mm², 1 pound = 4.45 N.

a. Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a
20-square-inch area.

b. Attics without storage are those where the maximum clear height between joist and rafter
is less than 42 inches, or where there are not two or more adjacent trusses with the same
web configuration capable of containing a rectangle 42 inches high by 2 feet wide, or
greater, located within the plane of the truss. For attics without storage, this live load need
not be assumed to act concurrently with any other live load requirements.

c. Individual stair treads shall be designed for the uniformly distributed live load or a 300-
pound concentrated load acting over an area of 4 square inches, whichever produces the
greater stresses.

d. A single concentrated load applied in any direction at any point along the top.

e. See Section R502.2.1 for decks attached to exterior walls.

f. Guard in-fill components (all those except the handrail), balusters and panel fillers shall
be designed to withstand a horizontally applied normal load of 50 pounds on an area equal
to 1 square foot. This load need not be assumed to act concurrently with any other live load
requirement.

g. For attics with limited storage and constructed with trusses, this live load need be applied
only to those portions of the bottom chord where there are two or more adjacent trusses

with the same web configuration capable of containing a rectangle 42 inches high or greater by 2 feet wide or greater, located within the plane of the truss. The rectangle shall fit between the top of the bottom chord and the bottom of any other truss member, provided that each of the following criteria is met:

1. The attic area is accessible by a pull-down stairway or framed opening in accordance with Section R807.1;and

2. The truss has a bottom chord pitch less than 2:12.

h. Attic spaces served by a fixed stair shall be designed to support the minimum live load specified for sleeping rooms.

i. Glazing used in handrail assemblies and guards shall be designed with a safety factor of

4. The safety factor shall be applied to each of the concentrated loads applied to the top of the rail, and to the load on the in-fill components. These loads shall be determined independent of one another, and loads are assumed not to occur with any other live load.

302.1 Exterior walls is deleted.

Opening Protection is added to read as follows: Section R302.5.1 of the International Residential Code is amended to read as follows: R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb- core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

Habitable rooms.

Section R303.1 of the International Residential Code is amended to read as follows:

R303.1 Habitable rooms. All habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall not be less than 4 percent of the floor area being ventilated.

Exceptions:

1. The glazed areas need not be openable where the opening is not required by Section R310 and an approved mechanical ventilation system capable of producing 0.35 air change per hour in the room is installed or a whole-house mechanical ventilation system is installed capable of supplying outdoor ventilation air of 15 cubic feet per minute (cfm) (78 L/s) per occupant computed on the basis of two occupants for the first bedroom and one occupant for each additional bedroom.

2. The glazed area need not be installed in rooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 foot-candles (65 lux) of the area of the room at a height of 30 inches (762 mm) above the floor level.

3. Use of sunroom additions and patio covers, as defined in Section R202, shall be permitted for natural ventilation if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening.

In new dwellings and additions to existing one and two family dwellings, where a new separate heating and/or cooling system is being added to serve, but not necessarily limited to serving the new addition, an outside air duct shall be connected to the main return air duct, prior to filter, of each heating and/or cooling system for the habitable space served. Duct size shall be based on the square footage of habitable space served as follows:

1. 1500 sq. ft. or less: 4 inch diameter or 12.6 square inches.
2. 1501 sq. ft. to 2000 sq. ft. 5 inch diameter or 19.6 square inches.
3. 2001 sq. ft. and larger 6 inch diameter or 28.3 square inches. All areas listed exclude finished basement area. The outside air duct shall be provide with a ¼ inch mesh inlet screen. The outside air duct shall not draw air from contaminated sources.

Bathrooms.

Section R303.3 of the International Residential Code, is amended to read as follows:

R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 (0.3 m²) square feet, one- half of which must be openable.

Exception:

The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be 50 cubic feet per minute (24 L/s) for intermittent ventilation or 20 cubic feet per minute (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or into a properly ventilated attic when all of the following are met:

1. The duct(s) conveying exhaust into the attic shall terminate a minimum of 36 inches above the top of the ceiling framing members, and shall not discharge upon any building element.
2. Attics into which bath and/or toilet room exhausts are discharged must be properly ventilated, in accordance with Section R806, and shall not discharge into an unvented attic assembly.
3. The exhaust duct(s) shall terminate above the top of the attic insulation with a "goose-neck" installed to prevent infiltration of insulating material into the duct.
4. Exhaust duct(s) run above the insulation inside of attics shall be insulated.

Section R309.5 Fire Sprinklers.

Section R309.5 of the International Residential Code is hereby deleted.

Minimum opening area, height and width.

Sections R310.2.1 through R310.2.3 of the International Residential Code are amended as follows:

R310.2.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 4.5 (0.418 m²) square feet with the window in an open position, with a total break-out area of 5.7 (0.530 m²) square feet. The minimum net clear opening shall be maintained to a public way, yard or court.

R310.2.2 Minimum opening height. The minimum net clear opening height shall be:

1. 19¾ inches (501.7 mm) plus or minus ¼ inch for single, double hung and awning style windows.

For all other types of windows the minimum height shall be determined by multiplying the width times the height to achieve a total net clear opening of 4.5 (114.3 mm²) square feet with a total break-out area of 5.7 (0.530 m²) square feet.

R310.2.3 Minimum opening width. The minimum net clear opening width shall be:

1. 17 inches (431.8 mm) plus or minus ¼ inch in the open position for casements and slider windows.

2. 30¼ (768.35 mm) inches plus or minus ¼ inch for single and double hung units.

Ladder and steps.

Section R310.2.3.1 of the International Residential Code is amended to read as follows:

R310.2.3.1 Ladders, steps and fall protection. Window wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with Section R311.7. Ladders or rungs shall have an inside width of at least 12 inches (305 mm), shall project at least 3 inches (76 mm) to the back of the rung from the wall and shall be spaced not more than 12 inches (305 mm) on center vertically for the full height of the window well. Window wells with a vertical depth of more than 30 inches (762 mm) shall be provided with guardrails that are designed in accordance with Section R312, or a protective cover designed to a minimum of 20 pounds per square foot (0.96 KN per m²) uniformly distributed live load. Window well covers shall be provided with an emergency egress hatch located above the ladder or steps, with the minimum egress opening maintained. The force required to open the egress hatch shall not exceed 30 pounds (133.45 N) and shall not require the use of keys, more than one operation, or any special knowledge or effort. Window well covers, grates, and guardrails shall be constructed of materials approved for exterior use.

Window well drainage of the International Residential Code is amended to read as follows: Section R310.2.3.2 Drainage of the International Residential Code is hereby added to read as follows:

R310.2.3.2 Drainage. Window wells shall be designed for proper drainage by connecting to the existing foundation drainage system required by Section R405.1 or by an approved alternative method. If no existing foundation drainage system has been installed, the entire window well area shall have a minimum depth of 12" of washed gravel or crushed rock below the floor level.

Exception: A drainage system for window wells is not required when the foundation is on well- drained soil or sand-gravel mixture soils according to the U.S. Soil Classification System, Group I Soils, as detailed in Table 405.1.

Floor elevations for other exterior doors is added to read as follows: Section R311.3.2 of the International Residential Code is amended to read as follows: R311.3.2 Floor elevations for other exterior doors. Doors other than the required egress door shall be provided with landings or floors not more than 8 inches below the top of the threshold.

Exception: A landing is not required where a stairway of four or fewer risers is located on the door, provided the door does not swing over the stairway.

Risers is amended to read as follows:

Section R311.7.5.1 of the International Residential Code is amended to read as follows:

R311.7.5.1 Risers: The maximum riser height shall be 8 (203 mm) inches. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Treads is amended to read as follows: Sections R311.7.5.2 and R3.11.7.5.2.1 of the International Residential Code are amended to read as follows: R311.7.5.2 Treads. The minimum tread depth shall be 9 inches (228.6 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

R311.7.5.2.1 Winder and circular treads. Winder and circular treads shall have a minimum tread depth of 9 inches (228.6 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower. Winder and circular treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the largest winder or circular tread depth at the 12-inch (305 mm) walk line shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Handrails.

Section R311.7.8.1 of the International Residential Code is amended to read as follows:

R311.7.8.1 Height. Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall be not less than 32 inches (864 mm) and not more than 38 inches (965 mm).

Exceptions:

1. The use of a volute, turnout or starting easing shall be allowed over the lowest tread.
2. When handrail fittings or bendings are used to provide continuous transition between flights, transitions at winder treads, the transition from handrail to guardrail, or used at the start of a flight, the handrail height at the fittings or bending's shall be permitted to exceed the maximum height.

Handrails continuity.

Section R311.7.8.4 of the International Residential Code is amended to read as follows:

R311.7.8.4 Continuity. Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrail ends shall be returned to the wall or shall terminate in newel posts or safety terminals at the top of each flight of stairs. Handrails adjacent to a wall shall have a space of not less than 1.25 (32.5mm) inches between the wall and the handrails.

Graspable portions of the handrail may not end up completely continuous from the top riser to the bottom riser. The rail shall return to the wall.

Exceptions:

- (1) Handrails shall be permitted to be interrupted by a newel post at the turn.
- (2) The use of a volute, turnout or starting easing, or starting newel shall be allowed over the lowest tread.

Handrail grip size.

Section R311.7.8.5 of the International Residential Code is amended to read as follows:
R311.7.8.5 Handrail grip size. All required handrails shall be of one of the following types or provide equivalent grasp ability.

1. Type I. Handrails with a circular cross section shall have an outside diameter of at least 1¼ inches (32 mm) and not greater than 2 inches (51 mm). If the handrail is not circular it shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6¼ inches (160 mm) with a maximum cross section of dimension of 2¼ inches (57 mm).
2. Type II. Handrails with a perimeter greater than 6¼ inches (160 mm) shall provide a graspable finger recess area on the outboard side of the profile. The finger recess shall begin within a distance of ¾ inch (19 mm) measured vertically from the tallest portion of the profile and achieve a depth of at least 5/16 inch (8 mm) within 7/8 inch (22 mm) below the widest portion of the profile. This required depth shall continue for at least 3/8 inch (9.5 mm) to a level that is not less than 1¾ inches (45 mm) below the tallest portion of the profile. The minimum width of the handrail above the recess shall be 1¼ inches (32 mm) to a maximum of 2¾ inches (70 mm). Edges shall have a minimum radius of 0.01 inch (0.25 mm).

Guard opening limitations Section R312.1.3 of the International Residential Code is amended to read as follows: R312.1.3 Opening limitations. Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere 4 inches (114.3 mm) or more in diameter. Required guards shall not be constructed with horizontal rails or other ornamental pattern that results in a ladder effect.

Exceptions:

1. The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches (152 mm) cannot pass through.
2. Openings for required guards on the sides of stair treads shall not allow sphere 4 inches (114.3 mm) to pass through.

Single-and multiple-station smoke alarms.

Section R314.3 of the 2018 International Residential Code is amended to read as follows:
R314.3 Location. Single and multiple-station smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each sleeping area at a location that serves the common space for the sleeping rooms; provided, that no such smoke alarm shall be required to be installed within six (6) feet of a smoke alarm located in a bedroom; and

3. In each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

R314.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where wireless alarms are installed & all alarms sound on activation of one alarm.

Carbon monoxide alarms is added to read as follows:

R315.1 Carbon monoxide alarms of the International Residential Code is amended to read as follows:

R315.1 Carbon monoxide alarms. For new construction, an approved carbon monoxide alarm shall be installed in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages in the following locations:

1. Outside each sleeping room in the immediate vicinity of the bedrooms.
2. On each additional story of the dwelling, including basements in the immediate vicinity of the bedrooms or mechanical room.

Section R315.3 of the International Residential Code shall read. Carbon monoxide detectors are not required in existing homes until the requirements of the 2018 IEBC require the installation of carbon monoxide detection.

Thermal barrier.

Section R316.4 of the International Residential Code is amended to read as follows:

R316.4 Thermal barrier. Unless otherwise allowed in Section R316.5, foam plastic shall be separated from the interior of a building by an approved thermal barrier of minimum 0.5 inch (12.7 mm) gypsum wallboard or an approved finish material equivalent to a thermal barrier material that will limit the average temperature rise of the unexposed surface to no more than 250°F (139°C) after 15 minutes of fire exposure complying with the ASTM E 119 standard time temperature curve. The thermal barrier shall be installed in such a manner that it will remain in place for 15 minutes based on NFPA 286 with the acceptance criteria of section R315.4, FM4880, UL 1040 or UL 1715.

Exception: Insulating concrete forms (ICFs) may be used without the thermal barrier described in Section 314.4 when the foam plastic meets the following criteria:

1. The foam plastic has a minimum self-ignition temperature of 450 degrees C when tested in accordance with ASTM D 1929;
2. The foam plastic has a flame-spread rating of less than 25 and a smoke-developed rating of less than 450 when tested in accordance with ASTM E 84

3. The foam plastic wall assembly has a minimum two (2) hour fire resistance rating when tested in accordance with ASTM E 119; and the ICF has a valid ICCES ER number.

Protection against decay.

Section R317.1 of the International Residential Code is amended to read as follows:

R317.1 Location required. Protection from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative treated in accordance with AWP A U1 for the species, product, preservative and end use.

Preservatives shall be listed in Section 4 of AWP A U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (457 mm) or wood girders when closer than 12 inches (305 mm) to the exposed ground in crawl spaces or unexcavated area located within the periphery of the building foundation.

2. All wood framing members that rest on concrete or masonry exterior foundation walls and are less than 6 inches (152 mm) from the exposed ground.

3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such slab by an impervious moisture barrier.

4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than 0.5 inch (12.7 mm) on tops, sides and ends.

5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than 6 inches (152 mm) from the ground.

6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.

Section R318.1 deleted.

Section R318.1 of the International Residential Code is hereby deleted.

Section 319 shall be amended to reflect the current requirement of 4-101A of the current City of Haysville City Code.

Section R322 deleted and Section R324 deleted.

Section R322 of International Residential Code is hereby deleted.

Section R324 of the International Residential Code is hereby deleted.

Section R403.1.1 created.

Section R403.1.1 of the International Residential Code is amended to read as follows:

R403.1.1. Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1 (1) through R403.1 (3). For construction of one and two family dwelling habitable spaces, the Wichita Foundation, Basement and Slab-on-Grade Standards for One and Two Family Dwellings (August 30, 2011) shall apply. The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 6 inches (152 mm) thick. Footing projections, P, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1 (2) and R403.1 (3).

Section R403.1.3.3 created.

Section R403.1.3.3 of the International Residential Code is amended to read as follows:

R403.1.3.3 Slabs-on-grade with turned-down footings and slabs-on-grade cast monolithically with a footing. For slabs-on-grade with turned-down footings and slabs-on-grade cast monolithically with a footing, construction of one and two family dwelling habitable spaces shall comply with the Wichita Foundation, Basement and Slab-on-Grade Standards for One and Two Family Dwellings (August 30, 2011).

Minimum depth.

Section 403.1.4 of the International Residential Code is hereby amended to read as follows: R403.1.4 Minimum depth. All exterior footings shall be placed at least 24 (610 mm) inches below the undisturbed ground surface. For construction of one and two family dwelling habitable spaces, the Wichita Foundation, Basement and Slab-on-Grade Standards for One and Two Family Dwellings (August 30, 2011) shall apply. Where applicable, the depth of the footings shall also conform to Sections R403.1.4.1.

Frost protection.

Section R403.1.4.1 of the International Residential Code is amended to read as follows:

R403.1.4.1 Frost protection. Section R403.1.4.1 of the International Residential Code is amended to read as follows:

Frost Protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extended below the frost line specified in Table R301.2.(1), per amended Table footnote "b." and the Wichita Foundation, Basement and Slab-on-Grade Standards for One and Two Family Dwellings (August 30, 2011);

2. Constructing in accordance with Section R403.3;

3. Constructing in accordance with ASCE 32; or

4. Erected on solid rock

Exceptions: 1. Protection of freestanding accessory structures with an area of 400 (36.2m²) square feet or less of light-framed construction with an eave-height of 10 feet (3048mm) or less shall not be required.

2. Protection of freestanding accessory structures with an area 400 square feet (36.2m²) or less of other than light-framed construction with an eave-height of 10 feet (3048mm) or less shall not be required.

Footings shall not bear on frozen soil. Frost depth in Haysville and Sedgwick County is 24 inches.

Section R403.1.8 created.

Section R403.1.8 of the International Residential Code is amended to read as follows:

R403.1.8 Foundations on expansive soils. Foundations and floor slabs for buildings located on expansive soils shall be designed in accordance with Section 1808.6 of the International Building Code or as specified in the Wichita Foundation, Basement and Slab-on-Grade Standards for One and Two Family Dwellings (August 30, 2011).

Concrete or masonry foundation deleted.

Section R405.1 Concrete or masonry foundation of the International Residential Code is hereby deleted.

Fire protection of floors deleted.

Section R501.3 Fire protection of floors of the International Residential Code is hereby deleted.

Floor trusses.

Section R502.11.4 of the International Residential Code is amended to read as follows:

Floor Truss design drawings. Floor truss design drawings, prepared in compliance with Section R502.11.1, shall be provided to the building official at the framing inspection.

Truss design drawings shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include, at a minimum, the information specified below:

1. Slope or depth, span, and spacing.

2. Location of all joints.

3. Required bearing widths.

4. Design loads as applicable:

4.1. Top chord live load (including snow loads);

4.2. Top chord dead load;

4.3. Bottom chord live load;

4.4. Bottom chord dead load;

4.5. Concentrated loads and their points of application; and

4.6. Controlling wind and earthquake loads.

5. Adjustments to lumber and joint connector design values for conditions of use.

6. Each reaction force and direction.

7. Joint connector type and description, e.g., size, thickness or gauge, and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.

8. Lumber size, species and grade for each member.

9. Connection requirements for:

9.1. Truss-to-truss girder;

9.2. Truss ply-to-ply; and

9.3. Field splices.

10. Calculated deflection ratio and/or maximum description for live and total load.

11. Required permanent truss member bracing location.

Section R506.2.2 of the International Residential Code is hereby deleted.

Decks.

Section R507 of the International Residential Code is amended to read as follows:

R507 Decks. The "City of Wichita Standard for Residential Wood Framed Decks" may be used to design and construct decks to comply with the requirements of this section. Decks which fall outside of the scope of the standard will require design by a Kansas licensed architect or engineer. Where supported by attachment to an exterior wall, decks shall be positively anchored to the primary structure and designed for both vertical and lateral loads as applicable. Such attachment shall not be accomplished by the use of toenails or nails subject to withdrawal. Where positive connection to the primary building structure cannot be verified during inspection, decks shall be self-supporting. For decks with cantilevered framing members, connections to exterior walls or other framing members, shall be designed and constructed to resist uplift resulting from the full live load specified in Table R301.5 acting on the cantilevered portion of the deck.

Cement, fiber cement and glass mat gypsum backers is hereby deleted.

Size and Spacing.

Section R703.8.4.1 of the International Residential Code is amended to read as follows:

R703.8.4.1 Size and spacing. Veneer ties, if strand wire, shall not be less in thickness than No. 9 U.S. gage [(0.148 in.) (4 mm)] wire and shall have a hook embedded in the mortar joint, or if sheet metal, shall be not less than No. 26 [(0.0245 in.) (0.62 mm)] U.S. gage by 7/8 inch (22 mm) corrugated. Each tie shall be spaced not more than 16 (406 mm) inches on center horizontally and vertically and shall support not more than 1.96 (0.19 m²) square feet of wall area. When stud spacing is 24 (610 mm) inches on center, ties may be spaced 24 inches (610 mm) on center to match stud spacing (maximum 1.96 (0.19 m²) square feet still required). All ties shall be attached to a stud.

Exception: In Seismic Design Category D0, D1 or D2 or townhouses in Seismic Design Category C or in wind areas of more than 30 pounds per square foot pressure (1.44 kPa), each tie shall support not more than 2 square feet (0.2 m²) of wall area.

Section R908 shall be amended to include section R908.7 and shall read:

R908.7 Reroof decking shall meet the requirements with regard to solid sheathed roof deck. 1 X boards or lumber, used as roof decking shall be covered by a minimum of 7/16" oriented strand board (osb) or other approved material conforming to roof covering manufacturers requirements.

Part IV - Energy Conservation deleted.

Part IV - Energy Conservation of the International Residential Code is hereby deleted.

Part V – Mechanical chapters deleted.

Part V – Mechanical chapters of the International Residential Code is hereby deleted.

Part VII - Plumbing deleted.

Part VII - Plumbing, of the International Residential Code is hereby deleted.

Part VIII - Electrical deleted.

Part VIII - Electrical, of the International Residential Code is hereby deleted.

Section R105.3.1.2 of the International Residential Code shall be amended as follows:
R105.3.1.2: All water and wastewater systems constructed or installed within the City are subject to the provisions of Chapter 15 of the Code of the City of Haysville, Kansas, including mandatory connection to the City of Haysville water and sewer systems, and mandatory participation in stormwater management.

Section R109.3.3 of the International Residential Code shall be amended as follows:
R109.3.3: Floodplain inspections lowest floor elevation. For all City floodplain inspections, the lowest window (not window well) shall be deemed the lowest opening of any structure.

Section AG105.2 of the International Residential Code shall be amended as follows:
AG105.2: Outdoor swimming pool. All swimming pools constructed or installed within the City are subject to the provisions of Chapter 4, Article 9 of the Code of the City of Haysville, Kansas governing swimming pools.

<https://www.sedgwickcounty.org/media/56035/wichita-sedgwick-county-unified-building-trade-code-ubtc-updating-10419.pdf#page=72>

ARTICLE 4.
COMMERCIAL BUILDINGS

- 4-401. ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2012 EDITION, AS THE COMMERCIAL BUILDING CODE, WITH CERTAIN ADDITIONS AND DELETIONS.

There is hereby adopted by reference by the City of Haysville, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the International Building Code, 2012 Edition, as the Commercial Building Code, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, and such amendments as adopted by reference in Ordinance 1048 adopted December 11, 2017, including all fee schedules unless otherwise set forth within chapter 17 of this Code, and such document is incorporated by reference herein.

- 4-402. RESERVED.

- 4-403. AVAILABILITY OF COPIES.

One copy of said code, along with the amendments set forth in that Sedgwick County Resolution as identified within 4-401 above, including a copy of the amendments described therein, have been and are now filed in the office of the City Clerk and the said code is adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq.

- 4-404. VIOLATIONS AND PENALTIES.

Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 113.4 et seq. of the International Building Code as amended. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.

(Code 2011)

- 4-405. PENALTY CLAUSE NOT EXCLUSIVE.

The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this Article, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, the Code of this City, or this Article.

(Code 2011)

- 4-406. ENFORCEMENT.

Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the Director of Public Works. Prosecution of any violations of this code shall be in the Haysville Municipal Court, and shall be in conformance with the City's general penalty clause set forth in Chapter 1, Section 1-121 of this Code.
(Code 2011)

4-407. **LIABILITY.**

Requirements of this code and Article shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.
(Code 2011)

4-408. **SEVERABILITY.**

If any part or parts of this Article shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this Article.
(Code 2011)

4-409. **WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE.**

Those provisions of the Wichita-Sedgwick County Unified Building and Trade Code, as adopted through Article 12 below, applicable to this Article are found in Article 2, Section 2 of the Wichita-Sedgwick County Unified Building and Trade Code, except as supplemented herein.

4-410. **CITY PROVISIONS ADDITIONAL TO OR SUPPLEMENTAL TO THE STANDARD PROVISIONS OF THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE.**

The following provisions are supplemental to and additional to the **Commercial Building Code** as adopted by the City of Haysville. These provisions shall supplement the associated provisions.

Section 101.4.1 of the International Building Code, is amended to read as follow: *101.4.1 Electrical*. The provisions of Article 4 of this Code shall apply to the installation of electrical systems, including alternations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 101.4.2 of the International Building Code, is amended to read as follows: *101.4.2 Gas*. The provisions of Article 3 of this Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems extending from point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

Section 101.4.3 of the International Building Code, is amended to read as follows: *101.4.3 Mechanical*. The provisions of Article 5 of this Code shall apply to the installation,

alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilation, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

Section 101.4.4 of the International Building Code, is amended to read as follows: *101.4.4 Plumbing*. The provisions of Article 3 of this Code shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures and appurtenances, and where connected to water or sewage system and all aspects of a medical gas system.

Section 105.2 of the International Building Code, is amended to read as follows: 105.2 Work exempt from permit. Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures classified as Group S or U occupancies, with a floor area exceeding 100 square feet but not exceeding 200 square feet shall be inspected by City.
2. All fences constructed within the City are subject to the provisions of Chapter 4, Article 11 of the Code of the City of Haysville, Kansas, governing fences.
3. All swimming pools constructed or installed within the City are subject to the provisions of Chapter 4, Article 9 of the Code of the City of Haysville, Kansas governing swimming pools.

Section 109.3.3 of the International Building Code, is amended to read as follows: 109.3.3 Floodplain Inspections. Floodplain inspections lowest floor elevation. For all City floodplain inspections, the lowest window (not window well) shall be deemed the lowest opening of any structure.

**ARTICLE 5.
ELECTRICAL CODE**

4-501. ADOPTION OF THE NFPA 70, NATIONAL ELECTRICAL CODE, ~~2017~~2014 EDITION, AS THE ELECTRICAL CODE, WITH CERTAIN ADDITIONS AND DELETIONS.

There is hereby adopted by reference by the City of Haysville, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the National Electrical Code, 2017⁷⁴ Edition, including Informative Annex C (Conduit and Tubing Fill Tables), as published by the National Fire Protection Association as N.F.P.A. No. 70-2014, as presently constituted and as may be hereinafter amended, shall apply with the exception of Section 110.16; Section 110.24; Section 200.6(d); Section 210.4(b); Section 210.5(c)(1); Section 210.12; Section 210.52(c)(1) Exception; Section 230.24(A) Exception No. 5; Section 230.40; Section 250.68(a) Exception No. 2; Section 300.4(H); Section 300.11(a)(2); Section 314.28; Section 334.10; Section 334.12(a)(1); Section 334.40(b); Section 334.80; 410.64; Section 430.22(G)(1); Section 430.22(G)(2); Section 514.11(A); Section 590.4(D); Section 590.6(B)(2); and Section 680.8; of such publication. Said N.F.P.A. No. 70-2014, was adopted by the National Fire Protection Association at its 2013 June Technical Session and approved as an American National Standard on August 21, 2013, all as set forth and described and amended within that Resolution of the Board of County Commissioners of Sedgwick County, Kansas, of November 8, 2017~~December, 2014~~, (Res. No. 159-2014), including all fee schedules unless otherwise set forth within Chapter 17 of this Code, and including all amendments as provided for within Resolution No. 159-2014 as subsequently incorporated into the Unified Building and Trade Code as adopted within Article 12 of this Chapter, and providing for penalties and prosecution for violations thereof; and regulation and control of the installation, construction, enlargement, alteration, repair, removal, maintenance, and use of electrical systems, conductors and equipment within or on private or public buildings or other structures and other premises, that connect to the supply of electricity; provides for the issuance of permits and fees therefore; establishes the Board of Electrical Examiners and Appeals; establishes the Electrical Contractors License requirements and penalties for violations thereof, and establishes for Master and Journeyman Electrician and Residential Wireman Certificates, the requirements and exceptions thereto, and for the process of suspension or revocation thereof; creates the office of electrical inspector; and establishes truth in advertising requirements. This Code and all amendments shall hereafter be known as the Electric Code of the City of Haysville, Kansas.

4-502. **AVAILABILITY OF COPIES.**

One copy of said standard code, along with the amendments set forth in that Resolution of the Sedgwick County Commission as described in 4-501 above, as currently incorporated into the Unified Building and Trade Code which is adopted through Article 12 of this Chapter, have been and are now filed in the office of the City Clerk, and the said code is adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq.

4-503. **AMENDMENTS.**

This Code is to be applied as set forth in Sec. 4.2.010 through, and including, Sec. 4.4.050 of the Wichita-Sedgwick County Unified Building and Trade Code, including all fee schedules unless otherwise set forth within Chapter 17 of this Code,⁷⁵ and such Resolution is incorporated by reference herein.

WIRING INSTALLATION INSTRUCTIONS-

All electrical installations made shall be in strict conformity with the provisions of this Code. If sections contained within this Code, in a given situation, do not prescribe a specific type or class of material or specific standards of construction, then the standards as set forth and contained in the National Electrical Code, 2017 Edition including Informative Annex C (Conduit and Tubing Fill Tables), as published by the National Fire Protection Association as N.F.P.A. No. 70-2017, as presently constituted and as may be hereinafter amended, shall apply with the exception of Section 200.6(d); Section 210.5(c)(1); Section 210.52(c)(1) Exception; Section 230.24(A) Exception No. 5; Section 230.40; Section 300.11(b)(2); Section 334.10; Section 334.12(a)(1); Section 334.40(b); Section 590.4(D); Section 590.6(B)(3); and Section 680.9; of such publication. Said N.F.P.A. No. 70-2017, was adopted by the National Fire Protection Association at its 2016 June Technical Session and approved as an American National Standard on August 24, 2016. By this publication, all provisions of such publication, with noted exceptions, are adopted by reference and made a part of this Code, and this Section as though fully set forth herein.

Wiring to be inspected prior to concealing.

Before any electric wiring or raceway is concealed from view during the course of construction, the person doing the work shall notify the electrical inspector that such work is ready for inspection. The electrical inspector shall inspect such work within forty-eight hours, provided such limit of time comes upon a regular working day of the inspector. If any defects exist, the electrical contractor shall be notified and he shall rectify the same and request an inspection before the work is concealed. The code official shall have the authority to require any concealment to be removed. Failure to comply with this order of the code official shall result in condemnation of the structure or any part thereof and prohibition of occupancy.

The electrical inspector shall be notified by the electrical contractor when the electrical work is completed and ready for inspection; and if such work conforms with this Code, the installation shall be released to the utility company for service connection.

When the electrical inspector observes or it is called to his attention that any electrical work is installed contrary to or in violation of any provisions of this code, it shall be his duty to immediately notify the person responsible for the installation that the violation or violations exist. All defective or substandard installations shall be corrected within forty-eight hours from time of notification by the electrical inspector.

It is unlawful for any person or utility company to connect any electrical wiring, device, appliance or equipment, for which a permit or approval is required, to any source of electrical energy without first having approval by the electrical inspector for the connection.

When requested and upon completion of the work, a certificate of inspection shall be issued showing that such work meets the requirements of this Code.

Inspection required.

Any person, firm or corporation who installs any electrical wiring shall request the inspection when the electrical work is completed and ready for inspection. It shall be the

duty of the person requesting any inspection required by this Code, to provide access to and means for inspection of such work.

Re-inspection of wiring, etc.

The electrical inspector shall make a thorough re-inspection of all electrical wiring devices, appliances and equipment whenever deemed advisable within or on any building or premises. When the installation of any electric wiring, device, appliance or equipment is found to be in dangerous and unsafe condition and in noncompliance with this Code, the person owning, using or operating the same shall be notified in writing and shall make the necessary repairs and changes required to place such wiring, device, appliance or equipment in compliance with this Code within the time specified in the notice. Upon failure to comply with the written notice and payment of re-inspection fee, the electrical inspector is hereby authorized to notify the utility company supplying electric energy to such building or premises to discontinue electric service and to continue to do so until instructed by the electrical inspector that service may be restored.

Working space about electrical service.

Section 110.26(A)(3) of the National Electrical Code shall be amended to read as follows: Exception #4: One- and two-family and multifamily dwellings, service panels located in garages, basements or accessory structures, a footing or stem wall that is located below the electric panel shall be permitted to extend not more than 12 inches beyond the front of the electric panel.

Number of service—Entrance conductor sets.

Section 230.40 of the National Electrical Code shall be amended to read as follows:

Number of Service-Entrance Conductor Sets. Each building shall be supplied by only one service drop or lateral. Each service drop or lateral shall supply only one set (or sets where connected in parallel) of service-entrance conductors. All service-entrance conductors shall terminate at the same location.

Exception #1: Where two to six service disconnecting means in separate enclosures are grouped at one location, one set of service-entrance conductors shall be permitted to supply each such service equipment enclosure.

Exception #2: A two family dwelling unit without an approved area separation wall as defined by the currently adopted Building Code, and served from one service drop or lateral, shall be permitted to have one set of service entrance conductors run to each dwelling unit without the mains from both units being located together.

Services—Maximum amps, volts, etc.

A. Service Length. Unfused service entrance conductors shall not be extended more than fifteen feet inside any building.

B. Service Disconnects. Main disconnects shall be installed on the load side of the utility company's meters where not more than six meters and service equipment are grouped together. Where there is an existing main disconnect ahead of six meters or less and all the services are completely revamped, the main disconnects shall be relocated on the load side of the meters.

Feeder or Branch circuit disconnect location.

Article 225.32 of the National Electrical Code (NEC) shall be amended to read:

The disconnecting means shall be installed either inside or outside of the building or structure served or where the conductors pass through the building or structure. The disconnecting means, if installed on the exterior of the building or structure, shall be at a readily accessible location nearest the point of entrance of the conductors. The disconnecting means, if installed inside the building or structure, shall be at a readily accessible location and located so the total length of conductor shall not be extended more than fifteen (15) feet inside of the building or structure. For the purposes of this section, the requirements of 230.6 shall be utilized.

NEC exceptions permitted.

Branch circuit panelboard requirements.

All panels installed shall be sufficiently large enough to provide four blank spaces or four overcurrent protective devices for future use.

Conductor requirements.

A. Commercial and Industrial.

(1) Type. All commercial and industrial wiring conductors rated two hundred (200) amperes or less, including all service conductors required to be installed by the licensed electrical contractor, shall be copper. Each individual conductor of a parallel conductor set shall meet the requirements of this Section. Parallel conductors are not to be considered a single conductor.

Exception. Feeder circuit and branch circuit conductors rated one hundred (100) amperes or more, may be aluminum or copper-clad aluminum, provided panelboards or disconnect switches served by such circuits are marked by the manufacturer as being suitable for aluminum or copper-clad aluminum termination.

(2) Minimum Size. The minimum branch circuit wiring conductor size shall be No. 12 AWG copper.

B. Residential.

All residential and accessory building wiring conductors less than ninety (90) amperes shall be copper.

Note: Grounding conductors installed in the same raceway or cable with the above listed aluminum conductors may be allowed to be aluminum when sized per Article 250 of the currently adopted National Electrical Code.

Concrete-encased electrode.

The grounding electrode conductor to a concrete-encased electrode shall be not less than that required in Table 250.66 of the National Electrical Code.

Color code—Branch circuits.

Where installed in raceways, as cable or as open work, all conductors connected to the same system shall conform to the following color code:

Three-phase, four-wire 120/208 volt - phase A - black, phase B - red, phase C - blue, grounded conductor - white;

Three-phase, four-wire 277/480 volt—phase A - brown, phase B - orange, phase C - yellow, grounded conductor - gray.

The grounded conductor of a three wire 240 volt delta system shall be identified by alternating white and red stripes encircling the conductor.

The grounded conductor of a three wire 480 volt delta system shall be identified by alternating gray and orange stripes encircling the conductor.

Ungrounded circuit conductors used as travelers between 3-way and 4-way switches may be of colors other than those specified.

All conductor sizes 6 AWG or smaller shall be identified by a continuous outer finish along its entire length. Sizes larger than 6AWG shall be identified, at time of installation, by distinctive color markings at its terminations. This marking shall encircle the conductor or insulation.

All circuit conductors of the same color shall be connected to the same ungrounded conductor throughout the premises wiring system(s).

Smoke detector requirements.

As adopted in the currently adopted International Residential Code found elsewhere in the current City of Haysville City Code.

Splicing of service-entrance conductors.

Service-entrance conductors shall not be spliced.

Exception No. 1: Clamped or bolted connections in metering equipment enclosures shall be permitted.

Exception No. 2: Where service-entrance conductors are tapped to supply two to six disconnecting means grouped at a common location.

Exception No. 3: At a properly enclosed junction point where an underground wiring method is changed to another type of wiring method.

Exception No. 4: A connection shall be permitted where service conductors are extended from a service drop to an outside meter location and returned to connect to the service entrance conductors of an existing installation.

Exception No. 5: Where service-entrance conductors consist of busway, connections shall be permitted as required to assemble the various sections and fittings.

Switches—Height of.

All switches located outside of a building shall be placed not less than six feet above the finish grade unless they are of the dead front pullout type, or heavy duty type.

Exception. Commercial and industrial installations which are accessible only to authorized personnel.

Type NM, NMC and NMS cable ampacity.

The ampacity of Types NM, NMC, and NMS cable shall be determined in accordance with Table 310.15(B)(16) of the National Electrical Code. The ampacity shall be in accordance with the 60°C (140°F) conductor temperature rating.

NM Cable connectors.

Two piece NM Cable connectors, commonly known as Tomic connectors, shall be permitted to have a maximum of 3 cables in each connector.

Type NM, NMC and NMS cable ran exposed in unfinished basements.

Article 334.15(c) of the National Electrical Code shall be amended to read:

(C) In Unfinished Basements. Where cable is run at angles with joists in unfinished basements, it shall be permissible to secure cables not smaller than two 6 AWG or three 8 AWG conductors directly to the lower edges of the joists. Smaller cables shall be run either through bored holes in joists or on running boards. NM cable installed on the wall of an unfinished basement shall be permitted to be installed in a listed conduit or tubing or shall be protected in accordance with Article 300.4. Conduit or tubing shall be provided with a suitable insulating bushing or adapter at the point the cable enters the raceway. The NM cable sheath shall extend through the conduit or tubing and into the outlet or device box not less than 6 mm (¼ in.). The cable shall be secured within 300 mm (12 in.) of the point where the cable enters the conduit or tubing. Metal conduit, tubing, and metal outlet boxes shall be connected to the equipment grounding conductor.

Arc-making devices—Clearance from gas meters.

All switches, motors, receptacles, meter, or other arc-making devices shall have a minimum clearance of three feet in any direction from any gas meter when such equipment is installed inside of a building and in the same room as the gas meter.

Ceiling grid support wires.

The following is added to the section 300.11(A)(2) of the National Electrical Code:

Exception No. 2: MC cable or flexible metal conduit may be attached to the ceiling grid support wires serving lighting fixtures located within the ceiling grid area where all the following conditions apply.

1. The MC cable or flexible metal conduit must not be larger than trade size ½ inch.
2. Only a single MC cable or flexible metal conduit may be attached per ceiling grid support wire.
3. Only clips or devices approved for the purpose may be used to attach the MC cable or flex to the support wires.

Fire Rated ceiling assemblies shall not be used to support electrical raceways and all raceways installed within fire rated ceiling assemblies shall be provided with independent support.

Sewage ejector pumps.

All sewage ejector pumps shall be installed on individual motor branch circuits.

Sewage ejector pumps and sump pumps.

Ground fault circuit interrupter protection shall not be required on a sewage ejector pump or sump pump that is cord and plug connected to a single receptacle installed on an individual motor branch circuit.

Residential garage door opener.

In a dwelling, ground fault circuit interrupter protection shall not be required on an overhead garage door opener that is cord and plug connected to a single receptacle installed in the ceiling directly above the overhead garage door opener motor.

Nonmetallic-sheathed cable: Type NM, NMC, and NMS.

Uses permitted: Type NM, Type NMC and Type NMS cable shall be permitted to be used only in one- and two-family dwellings and their accessory structures and multifamily dwelling units. The structure shall not exceed three floors above grade. These structures shall be served only by single-phase services.

Receptacle behind a range or sink.

Section 210.52(c)(1) exception of the National Electrical Code shall be amended to read as follows:

Exception: Receptacle outlets shall not be required on a wall directly behind a range or sink.

Lighting outlets required.

The following requirements for lighting outlets are in addition to the requirements in the latest edition of the National Electrical Code adopted by the City of Haysville.

A. Residential unfinished basements. Each storage area and all future habitable spaces, as defined by the currently adopted Building Code, that are in the framed-in stage shall have a lighting outlet with a wall-mounted switch for each area or room. Lighting outlets containing a switch shall be controlled by a wall switch.

B. Commercial storage units. Each storage unit shall have a lighting outlet inside the unit with a switch located at the usual point of entry to the storage unit. This luminaire shall be of the type that has a completely enclosed light source.

Exception: Structures that are not on a permanent foundation.

Pools shall not be located under overhead wiring.

Section 680.9 of the National Electrical Code shall be amended to read as follows: The following parts of pools shall not be placed under existing electrical, communication, CATV, Network powered Broadband conductors or any other overhead wiring; nor shall such wiring be installed above the following:

- (1) Pools and the area extending 10 ft horizontally from the inside of the walls of the pool,
- (2) Diving structure, or
- (3) Observation stands, towers or platforms.

Permitted use of multiplex cable.

Multiplex cable may be installed as an approved wiring method for outdoor aerial use only, with the following restrictions.

- (a) Permitted for outside aerial use only.
- (b) Minimum wire size shall be: #1 aluminum or #8 copper.

(c) In all cases, the phase conductors and the neutral conductor must be insulated and identified.

(d) The ampacity of the conductors must comply with the values for the respective size and conductor material as listed in the seventy-five degree column of the Ampacity Tables of the latest adopted edition of the National Electrical Code.

Permitted use of Underground Residential Distribution (URD) cable.

Underground Residential Distribution (URD) cable may be installed as an approved wiring method for outdoor use only, with the following restrictions.

(a) Permitted for outdoor use only, installed direct buried or in a raceway.

(b) Minimum size shall be #2 Aluminum.

(c) The phase conductors and the neutral conductor shall be the same size.

(d) The phase conductors and the neutral conductor insulation shall be identified as USE.

(e) The Neutral conductor shall be properly identified per the National Electrical Code.

(f) Grounding conductor, if needed, shall be a minimum of #2 aluminum or #6 copper and shall be insulated.

(g) The ampacity of the conductors must comply with the values for the respective size and conductor material as listed in the seventy-five degree (75°) column of the Ampacity Tables of the latest adopted edition of the National Electrical Code.

Temporary construction service requirements.

Temporary services used during construction, remodeling or repair of buildings or structures shall not be attached to a building. The temporary service shall have a minimum of one 125-volt 20amp GFCI protected receptacle and one 125/250-volt 30-amp GFCI protected twist lock receptacle NEMA L14-30, and meet all other requirements of the latest edition of the National Electrical Code adopted by the MABCD.

Exception: In-use covers are not required for temporary services.

Provisions for heating units.

Where a heating unit is installed for the unit or space intended for human occupancy per the requirements set forth in Article 5, the heating unit shall be directly wired into the building wiring with a disconnecting means installed in a readily accessible location within sight from the heating unit.

4-504. VIOLATIONS AND PENALTIES.

Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 80.23 et seq. of the NFPA 70, National Electrical Code, 2008 Edition, as the Electrical Code of the City, including Annexes C (Conduit and Tubing Fill Tables) and G (Administration and Enforcement) as amended, and Section 4-112 above. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.
(Code 2011)

4-505. PENALTY CLAUSE NOT EXCLUSIVE.

The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this Article, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this Article.

(Code 2011)

4-506. ENFORCEMENT.

Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the City. Prosecution of any violations of this code shall be in the Haysville Municipal Court, and shall be in conformance with the City's general penalty clause set forth in Chapter 1, Section 1-121 of this Code. The City hereby authorizes the building official to enforce such rules and regulations as are necessary to carry out the purpose(s) of this Code.

(Code 2011)

4-507. LIABILITY.

Requirements of this code and Article shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

(Code 2011)

4-508. SEVERABILITY.

If any part or parts of this Article shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this Article.

(Code 2011)

**ARTICLE 6.
PLUMBING AND GAS FITTING CODE**

4-601. ADOPTION OF THE UNIFORM PLUMBING CODE, 201~~52~~ EDITION, AS THE PLUMBING CODE, WITH CERTAIN ADDITIONS AND DELETIONS.

The Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials (IAPMO), 201~~52~~ Edition, including the Appendixes and Installation Standards thereto and including the Uniform Plumbing Code's latest edition of Table 1401-1, excluding Sections 102.1, 102.2, 102.3, 102.3.1, Table No. 103.4: Plumbing Permit Fees, 422.1, 422.1.1, 422.2, 422.3, 422.4, 422.4.1, 422.5, Part II of Chapter 7: Building Sewers, Sections 609.4, 807.4, 1014.0, 1015.0, 1210.1.5 Appendix F, Appendix H, Appendix L 6.0, Appendix L 7.0, and except for amendments set forth in this section, is by reference incorporated herein and made a part of this Code as though set forth at length herein, including all amendments as set forth in Resolution No. 159-2014, of the Board of County

Commissioners of Sedgwick County, Kansas, as subsequently set forth within the Unified Building and Trade Code as adopted within Article 12 of this Chapter. In lieu of Appendix H, Chapter 15 of the Haysville Municipal Code, entitled Utilities, shall apply. This Code and all amendments shall hereafter be known as the Plumbing and Gas Fitting Code of the City of Haysville.

4-602. AVAILABILITY OF COPIES.

One copy of said standard code, along with the amendments set forth in that Resolution of the Sedgwick County Commission as described in 4-601 above, as currently incorporated into the Unified Building and Trade Code which is adopted through Article 12 of this Chapter, have been and are now filed in the office of the City Clerk, and the said code is adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq.

4-603. ~~AMENDMENTS RESERVED.~~

Administrative Deletions, Amendments or Additions to the Uniform Plumbing Code.

The following sections of the Uniform Plumbing Code incorporated by reference in Section 4-601 shall be amended as follows:

Information Note: The numerical references below correspond to the numerical identification of the chapter(s), sections, sub-sections, paragraphs and sub-paragraphs in the 2015 Uniform Plumbing Code.

101.1 Title shall be amended to read as follows:

101.1 Title. These regulations shall be known as the Plumbing Code of the City of Haysville, hereinafter referred to as the "Plumbing Code," the "U.P.C.," or "this Code."

102.8 Appendices shall be amended to read as follows:

102.8 Appendices. Appendices A, B, C, D, E, G, I, J, K, L are adopted. Appendices F and H are excluded.

103.11 Authority Having Jurisdiction, Title, shall be added:

103.11 Authority Having Jurisdiction, Title. The Authority Having Jurisdiction shall be known as the Building Official, as designated and authorized in Chapter IV, Article 2 of the city code of the City of Haysville.

104.3.2 Plan Review Fees shall be amended to read as follows:

104.3.2 Plan Review Fees. Shall be in compliance with Chapter 17 of the code of the City of Haysville.

104.5.1 Work commencing before permit issuance shall be amended to read as follows:

104.5.1 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the Building Official. The fee shall be in addition to the required permit fees. The Building Official may establish this additional fee up to an amount equal to the required permit fees or one thousand dollars (\$1,000.00), whichever is greater.

104.5.2 Investigation Fees shall be amended to read as follows:

104.5.2 Fee Refunds. Plan review fees, permit fees or other fees charged by the Department may be partially refunded by the Building Official, upon request of the owner, agent or contractor. The amount not refunded shall be in proportion to city staff time and effort dedicated to the project.

104.5.3 Fee Refunds shall be deleted in its entirety

106.3 Penalties shall be amended to read as follows:

106.3 Violation Penalties. Persons who shall violate any 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 Building Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 (five hundred) dollars, or by imprisonment not exceeding 30 (thirty) days, or both such fine and imprisonment. Each day a violation continues after due notice has been served shall be deemed a separate offense.

106.61 Violations and Penalties: The following section shall be added:

106.61 Additional Requirements and Limitations. The Building Official shall consider the requirements and procedures of the Code of the City of Haysville entitled Dangerous Buildings. To the extent that Article 7 supersedes or limits the authority and procedures outlined in the sections above, the Building Official shall follow the requirements and procedures of said Article.

107.1 General shall be amended to read as follows:

107.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code, a board of appeals is created in the Code of the City of Haysville. The composition of the board, terms, qualification, authority, limitations on authority and other aspects of the board.

107.2 Limitations on Authority is deleted.

Table 104.5, Plumbing Permit Fees shall be amended to read as follows:

Table 104.5, Plumbing Permit Fees shall refer to fees established in Chapter 17 of the Code of the City of Haysville.

Chapter 17, Referenced Standards shall be amended to include the following additional section:

1701.2 Referenced Codes.

(1) 1701.2.1 Electrical. Whenever used in the Plumbing Code, the term “Electrical Code” shall be construed to mean the current City of Haysville Electrical Code.

(2) 1701.2.2 Gas. Whenever used in the Plumbing Code, the term “Fuel Gas Code” shall be construed to mean the current City of Haysville Plumbing or Fuel Gas Code.

(3) 1701.2.3 Mechanical. Whenever used in the Plumbing Code, the term “Mechanical Code” shall be construed to mean the current City of Haysville Mechanical Code.

(4) 1701.2.4 Residential. Whenever used in the Plumbing Code, the term “Residential Code” shall be construed to mean the current City of Haysville Residential Code.

(5) 1701.2.5 Fire Prevention. Whenever used in the Plumbing Code, the term “Fire Code” shall be construed to mean the current Sedgwick County Fire Code or Existing Fire Codes currently adopted by the City of Haysville.

(6) 1701.2.6 Property Maintenance. Whenever used in the Plumbing Code, the term “Property Maintenance Code” shall be construed to mean the current City of Haysville Property Maintenance Code or IEBC.

(7) 1701.2.7 Existing Building. Whenever used in the Plumbing Code, the term “Existing Building Code” shall be construed to mean the current City of Haysville International Existing Building Code.

(Ord. 1392, Sec. 1; Ord. 1684)

4-1403. Technical Deletions, Amendments or Additions to the Uniform Plumbing Code.

The following sections of the Uniform Plumbing Code incorporated by reference in Section 4-1401 shall be amended as follows:

Section 312.1 of the Uniform Plumbing Code is amended to read as follows:

312.1 General. Sleeves shall be provided to protect all piping through concrete and masonry walls, or concrete floors.

Exceptions:

(1) Sleeves shall not be required where openings are drilled or bored; and

(2) Sleeves shall not be required for DWV pipes going through concrete basement floors or slab on grade.

Section 312.13 Exposed ABS Piping is hereby deleted.

Section 312.14 Exposed PVC Piping is hereby deleted.

Section 318.0 of the Uniform Plumbing Code is amended to read as follows:

318.0 Test Gauges. In performing the prescribed piping tests as required elsewhere in this Code, a spring type gauge may be used provided the required maximum capacity of the gauge used for the ten (10) psi, for fifteen (15) minutes test, be thirty (30) psi and the required maximum capacity of the spring type gauge used for the sixty (60) psi, for thirty (30) minutes test, be one hundred (100) psi.

Section 414.3 of the Uniform Plumbing Code is amended to read as follows:

414.3 Drainage connection. Commercial dishwashing machines shall discharge indirectly through an air gap or direct connection in accordance with section 704.3 with floor drain protection in no case should a commercial dishwasher discharge through a grease trap or interceptor.

Section 422.0 of the Uniform Plumbing Code is amended to read as follows:

422.0 Minimum number of required fixtures. Minimum Number of Plumbing Fixtures shall be in accordance with the current adopted version of the current International Building Code and all amendments thereto.

Sections 422.1, Fixture Count, through and including 422.5, Toilet Facilities for Workers, including all subsections and subparagraphs, are hereby deleted in their entirety.

Table 422.1 Minimum Plumbing Facilities is amended as follows:

Table 422.1 Minimum Plumbing Facilities shall be renamed Minimum Number of Required Plumbing Fixtures and shall include all of the provisions, including footnotes and exceptions of Table 2902.1, Minimum Number of Required Plumbing Fixtures, as set forth in the current International Building Code. All provisions, including footnotes and exceptions to Table 422.1 in the Uniform Plumbing Code are hereby deleted.

Section 603.1 of the Uniform Plumbing Code is amended to read as follows:

603.1 General. No person shall install any water-operated equipment or mechanism, or use any water treating chemical or substance, if it is found that such equipment, mechanism, chemical or substance may cause pollution or contamination of the domestic water supply. Such equipment or mechanism may be permitted only when equipped with an approved backflow prevention device. In addition to the general requirements of Section 603.0, Cross Connection Control, Backflow prevention devices and methods shall conform to Chapter 15 of the code of the City of Haysville. Registration of backflow testers and test reporting is required by the Authority Having Jurisdiction over backflow testing. Test reports must be maintained by the testing provider and supplied to the Authority Having Jurisdiction, and the backflow device owner. Where, in any specific case, sections of this Code specify different material, methods of construction or requirements in conflict with other local laws or ordinance, the most restrictive shall govern.

Section 603.5.6 of the Uniform Plumbing Code is amended to read as follows:

603.5.6 Protection from Lawn Sprinklers and Irrigation Systems. Potable water supplies to systems having no pumps or connections for pumping equipment and no chemical injection or provisions for chemical injection, shall be protected from backflow by one of the following devices: (1) Pressure vacuum breaker, (2) Spill-resistant vacuum breaker,---Bf (3) Reduced-pressure backflow preventer, or (4) air gap.

Section 603.5.6.2 of the Uniform Plumbing Code is amended to read as follows:

603.5.6.2 Systems with Backflow Devices. Where systems have a device installed downstream of a potable water supply pump or a potable water supply pump connection, the device shall be one of the following: (1) Pressure vacuum breaker, (2) Spill resistant vacuum breaker, (3) Reduced-pressure backflow preventer, or (4) air gap.

Section 603.5.13 of the Uniform Plumbing Code is amended to read as follows:

603.5.13 Deck-mounted or Equipment-mounted Vacuum Breakers. Deck-mounted or equipment-mounted vacuum breakers shall be installed in accordance with their listing and the manufacture's installation instructions, with the critical level not less than six (6) inches (15.24 cm) above the flood-level rim.

Section 603.5.14.2 of the Uniform Plumbing Code is amended to read as follows:

603.5.14.2 Chemicals. Where contaminant chemicals (ethylene glycol, corrosion inhibitors, or other chemicals) are added to a fire protection system supplied from a potable water supply, the potable water system shall be protected by one of the following: (1) Reduced pressure backflow preventer, or (2) Reduced pressure detector assembly. Fire protection systems using low hazard materials must be protected with appropriate protection and clearly labeled per NFPA requirements with MSDS documentation permanently

maintained at the backflow device. Devices approved for low hazard potable water system protection include the following: (1) Double check backflow preventer, and (2) Double check detector assembly.

Section 604.10.1 Tracer Wire is hereby deleted.

Table 604.1 shall be amended as follows:

TABLE 604.1

MATERIALS FOR BUILDING SUPPLY AND WATER DISTRIBUTION

PIPING AND FITTINGS

<u>MATERIAL</u>	<u>BUILDING SUPPLY PIPE AND FITTINGS</u>	<u>WATER DISTRIBUTION PIPE AND FITTINGS</u>	<u>REFERENCED STANDARD(S) PIPE</u>	<u>REFERENCED STANDARD(S) FITTINGS</u>
<u>Copper and Copper</u>	-	-	<u>ASTM B42. ASTM B43.</u>	<u>ASME B16.15. ASME: B16.18.</u>
<u>Alloys</u>	-	-	<u>ASTM 875, ASTM 888.</u>	<u>ASME B16.22. ASME B16.26.</u>
-	<u>X</u>	<u>X</u>	<u>A'sTM RI< A<sTM R7 1</u> <u>ASTM B302, ASTM B447</u>	<u>ASMEB16.51</u>
<u>CPVC</u>	- <u>X</u>	- <u>X</u>	<u>ASTM 02846, ASTM F44 I. ASTM F442, CSA B137.6</u>	<u>ASTM 02846. ASTM F437.</u> <u>ASTM F438. ASTM F439. ASTM F1970. CSA B137.6</u>
<u>CPVC-AL- CPVC</u>	<u>X</u>	<u>X</u>	<u>ASTMF2855</u>	<u>ASTMD2846</u>
<u>Ductile-Iron</u>	- <u>X</u>	<u>X</u>	<u>AWWAC151</u>	<u>ASME B16.4. AWWA C110. AWWAC153</u>
<u>Galvanized Steel</u>	<u>X</u>	<u>X</u>	<u>ASTMA53</u>	=
<u>Malleable Iron</u>	<u>X</u>	<u>X</u>	=	<u>ASMEB16.3</u>

<u>MATERIAL</u>	<u>BUILDING SUPPLY PIPE AND FITTINGS</u>	<u>WATER DISTRIBUTION PIPE AND FITTINGS</u>	<u>REFERENCED STANDARD(S) PIPE</u>	<u>REFERENCED STANDARD(S) FITTINGS</u>
<u>PE**</u>	- <u>X</u>	- <u>** -</u>	ASTM 02239. ASTM 02737. ASTM 03035. A WW A C901, CSA B137.1	ASTM 02609. ASTM 02683. ASTM D3261. ASTM F1 055. CSA B137.1
<u>PE-AL-PE</u>	- <u>X</u>	- <u>X</u>	ASTM F1282. CSA B137.9	ASTM F1282. ASTM F1974. CSA B137.9
<u>PE-RT</u>	- <u>X</u>	- <u>X</u>	- <u>ASTMF2769</u>	ASTM F1807. ASTM F2098. ASTM F2 I 59. ASTM F2735. ASTMF2769
<u>PEX</u>	-	-	-	ASSE I 06 I. ASTM F877.
	-	-	ASTM F876. ASTM F877.	ASTM F1807. ASTM F1960.
	<u>X</u>	<u>X</u>	CSA B137.5. AWWA C904*	ASTM F1 961. ASTM F2080. ASTM F2 I 59. ASTM F2735.
			-	CSA B137.5

TABLE 604.1 shall be amended as follows:

Table 604.1, MATERIALS FOR BUILDING SUPPLY AND DISTRIBUTION PIPING AND FITTINGS. The following footnote has been added to Table 604.1: **Polyethylene (PE) water service piping may extend inside a structure to the building master shut off valve; provided there are no branches taken off ahead of the building master shut off valve.

Section 608.2 of the Uniform Plumbing Code is amended to read as follows:

608.2 Excessive Water Pressure. Where static water pressure in the water supply piping is in excess of one hundred (100) psi, an approved type pressure regulator preceded by an adequate strainer shall be installed and the static pressure reduced to one hundred (1 00) psi or less. Such regulator(s) shall control the pressure to all water outlets in the building unless otherwise approved by the administrative authority. Each such regulator and strainer shall be accessibly located aboveground or in a vault equipped with a properly sized and

sloped bore- sighted drain to daylight, shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. All pipe size determinations shall be based on eighty percent (80%) of the reduced pressure when using Table 610.4

Section 609.1 of the Uniform Plumbing Code is amended to read as follows:

609.1 Installation. All water piping shall be adequately supported in accordance with Section 313.0, Table 313.3 and to the satisfaction of the administrative authority. Burred ends shall be reamed to the full bore of the pipe. Changes in direction shall be made by the appropriate use of the fittings, except that changes in direction in copper tubing may be made with bends having a radius of not less than six (6) diameters of the tubing, providing that such bends are made with bending equipment that does not deform or create a loss in the cross-sectional area of the tubing. Changes in direction are allowed with flexible pipe and tubing without fittings in accordance with the manufacturer's installation instructions. Provisions shall be made for expansion in hot water piping. The depth of a water service line shall be at least thirty-six (36) inches below finished grade. Such service shall be not less than five (5) feet from any tree on public property (repair or replacement of an existing service is exempt from this requirement). The water service pipe shall be laid in a ditch separate from other underground pipes or conduits. There shall be not less than eighteen (18) inches of solid undisturbed earth between water service pipes and other underground pipes and conduits. All piping, equipment appurtenances and devices shall be installed in a workmanlike manner in conformity with the provisions and intent of this Code.

Section 609.11 Pipe Insulation, including all subsections and subparagraphs, is hereby deleted in its entirety.

Section 705.5.2 of the Uniform Plumbing Code is amended to read as follows:

705.5.2 Solvent Cement Joints. Plastic pipe and fittings designed to be joined by solvent cementing shall comply with the manufacturer's installation instructions and the following: PVC pipe and fittings must be cleaned and joined with primer(s) and solvent cement(s). Non-pressure PVC pipe and fittings may be joined without primer by using a medium body, one step cement that must be listed by the cement manufacturer for use without primer and so stated on the label.

Section 707.0 of the Uniform Plumbing Code is amended to read as follows:

707.0 Cleanouts. Cleanouts shall conform to the requirements of Chapter 15, Article 3 of the code of the City of Haysville.

Section 710.4 of the Uniform Plumbing Code is amended to read as follows:

710.4 Discharge line. The discharge line from such ejector, pump, or other mechanical device shall be of approved material and be provided with an accessible backwater or

swing check valve and gate or ball valve. Where the gravity drainage line to which such discharge line connects is horizontal, the method of connection shall be from the top through a wye branch fitting. The gate or ball valve shall be located on the discharge side of the backwater or check valve.

Gate or ball valves, where installed in drainage piping, shall be the fullway type with working parts of corrosion-resistant metal. Sizes four (4) inches (100 mm) or more in diameter shall have cast-iron bodies, and sizes less than four (4) inches (100mm), cast-iron or copper alloy bodies.

Section 712.1 of the Uniform Plumbing Code is amended to read as follows:

712.1 Media. The piping of the plumbing, drainage, and venting systems shall be tested with water or air. The Authority Having Jurisdiction, as defined in the Uniform Plumbing Code, may require the removal of any cleanouts, etc., to ascertain whether the pressure has reached all parts of the system. When the temperature wherein the drainage system is located is above twenty degrees (20°) Fahrenheit, a water test as set forth in Section 712.2 may be made. After the plumbing fixtures have been set and their traps filled with water, they shall be submitted to a final test.

Section 804.1 of the Uniform Plumbing Code is amended to read as follows:

804.1 Indirect Waste Receptors. All plumbing fixtures or other receptors receiving the discharge of indirect waste pipes shall be approved for the use proposed, shall be of such shape and capacity as to prevent splashing or flooding, and shall be located where they are readily accessible for inspection and cleaning. No indirect waste receptor shall be installed in any toilet rooms, closet, cupboard or storeroom, nor in any other portion of a building not in general use by the occupants thereof, except standpipes for clothes washers may be installed in toilet and bathroom areas when the clothes washers are installed in the same room. Clothes washers shall not be installed so as to discharge into any gravity line higher than sixty (60) inches above its base. The clothes washer standpipe shall be a minimum length of eighteen (18) inches above the trap and the inlet of the standpipe no higher than sixty (60) inches above the floor. In any structure where drains indirect waste receptors are to be installed in or flush with the floor, they these receptors may be floor sinks or floor drains, and shall be readily accessible, provided floor drains. Floor drains used as indirect waste receptors shall meet the following requirements:

- (1) Have a reservoir capacity a minimum of four (4) inches in diameter and two (2) inches deep;
- (2) Have a perforated cover equal in area to the diameter of the drain;
- (3) Have a minimum trap and waste line size of two (2) inches in diameter; and
- (4) The indirect waste line shall maintain a two (2) inch air gap.

Section 807.3 Domestic Dishwashing Machine is hereby deleted.

Section 814.5 of the Uniform Plumbing Code is amended to read as follows:

814.5 Point of discharge. Air-conditioning condensate waste pipes shall connect indirectly, except where permitted in section 814.6, to the drainage system through an air gap or air break to properly trapped and vented receptors, dry wells, leach pits, or the tailpiece of plumbing fixtures. When a fixture tail piece is used for condensate waste, the air gap or air break fitting shall be located no less than six (6) inches above the flood level rim of the fixture served by the tail piece. A condensate drain line shall be trapped in accordance with the appliance manufacturer's instructions or as approved.

Section 814.6 of the Uniform Plumbing Code is amended to read as follows:

814.6 Condensate Waste from Air-Conditioning Coils. Where the condensate waste from air-conditioning coils discharges by direct connection to a lavatory tailpiece or to an approved accessible inlet on a bathtub overflow, the connection shall be located in the area controlled by the same person controlling the air-conditioned space. The flood level rim of the condensate collection device shall be located no less than six (6) inches above the flood level rim of the fixture served by the tail piece.

Section 906.1 of the Uniform Plumbing Code is amended to read as follows:

906.1 Roof Termination. Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than six (6) inches (152mm) above the roof not less than one (1) foot (305mm) from the vertical surface.

Exception:

Extension through the wall. With prior approval of the authority having jurisdiction, vent terminals through a wall shall be allowed as an alternative method on residential plumbing remodels where other structural issues make it impractical to install a roof termination without remodeling other areas of the structure. Vent terminals extending through the wall shall terminate at a point not less than ten (10) feet (3048mm) from a lot line and not less than ten (10) feet (3048mm) above average ground level. Vent terminations shall not terminate under an overhang of a structure with soffit vents. Side wall vent terminals shall be protected to prevent birds or rodents from entering or blocking the vent opening.

Section 908.0 of the Uniform Plumbing Code is amended to read as follows:

908.0 Wet venting. Groups of fixtures on the same floor may be wet or stack vented provided that:

(1) The maximum distance from the vent intersection with the waste or soil pipe to the dip of the trap shall be in accordance with Table 1002.2.

(2) Not more than one fixture unit wastes into a one and one-half (1 1/2) inch diameter wet vent. Not more than four (4) fixture units shall waste into a two (2) inch diameter (excluding urinals) or nine (9) fixture units into three (3) inch or larger diameter wet vent.

(3) Excepting floor drains, no fixtures shall waste into such stack below the closet fixture opening without a proper vent.

(4) The limit of a horizontal wet vent shall be ten (10) feet developed length.

(5) A wet vent receiving the discharge from a clothes washer can only be used to wet vent a water closet. The vent intersection shall be no closer than four (4) feet total developed length from the top of the closet flange.

Section 908.3 of the Uniform Plumbing Code is hereby created and shall read as follows:

908.3 Circuit Venting, Top Floor Option. When a circuit vent is installed on a top floor, the circuit may loop to the stack vent. Also, the stack vent may be used as the required relief vent

Section 908.4 - Air Admittance Valves is hereby created and shall read as follows:

908.4 - Air Admittance Valves. Air admittance valves shall be allowed as an alternative method on residential plumbing renovations and repairs where structural issues make it impractical to install a conventional vent without remodeling other areas of the structure. **Air Admittance Valves shall not be used in new construction.** Vent systems using air admittance valves shall comply with this Section, including the following requirements:

(1) Individual and branch-type air admittance valves shall conform to ASSE 1051.

(2) The valves shall be installed in accordance with the requirements of this Section and the manufacturer's instructions. Air admittance valves shall be installed after the DWV testing required by Sections 105.0 and 712.0 of the Uniform Plumbing Code has been performed.

(3) Individual vents and branch type air admittance valves shall vent only fixtures that are on the same floor level and connect to a horizontal branch drain.

(4) Individual and branch air admittance valves shall be located not less than four (4) inches above the horizontal branch drain or fixture drain being vented. The air admittance valve shall be located within the maximum developed length permitted for the vent. The air admittance valve shall be installed not less than six (6) inches above insulation materials when installed in attics.

(5) Access shall be provided to air admittance valves. Such valves shall be installed in a location that allows air to enter the valve.

(6) Air admittance valves shall not be located in spaces utilized as supply or return air plenums.

(7) The air admittance valve shall be rated for the size of the vent to which the valve is connected

(8) Each plumbing system shall be vented by one or more vent pipes extending outdoors to the open air, and the aggregate cross-sectional area of which shall be not less than that of the largest required building sewer, as stated in 904.1 of the Uniform Plumbing Code.

(9) Air admittance valves shall not be used to vent sumps or tanks except where the vent system for the sump or tank has been designed by an engineer.

A permanent, visible label shall be attached to the panel, enclosure, or trap of the fixture being served stating "AIR ADMITTANCE VALVE INSTALLED".

Table 1002.2 of the Uniform Plumbing Code is amended to read as follows:

Table 1002.2 Horizontal Lengths of Trap Arms

(Except for water closets and similar fixtures)*

<u>TRAP ARM PIPE DIAMETER (inches)</u>	<u>DISTANCE TRAP TO VENT MINIMUM (inches)</u>	<u>LENGTH MAXIMUM (inches)</u>
<u>1 1/4</u>	<u>2 1/2</u>	<u>30</u>
<u>1 1/2</u>	<u>3</u>	<u>42</u>
<u>2</u>	<u>4</u>	<u>72</u>
<u>3</u>	<u>6</u>	<u>72</u>
<u>4</u>	<u>8</u>	<u>120</u>
<u>Exceeding 4</u>	<u>2 x Diameter</u>	<u>120</u>

For SI units: 1 inch= 25.4 mm

Provided that the distance for floor drains shall be within fifteen (15) feet of a ventilated line and the distance for bathtubs with one and one-half (1 ½) inch waste shall be within five (5) feet of a vent.

For trap arms three (3) inches in diameter and larger, the change of direction shall not exceed one hundred and thirty-five (135) degrees without the use of a cleanout.

*The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring (flange) to inner edge of vent) and its vent shall not exceed six (6) feet.

Section 1014.0 Grease Interceptors shall be amended to read as follows:

1014.0 Grease Interceptors. In addition to the requirements of 1014.1 General through and including 1014.3 Gravity Grease Interceptors below, and including their subparagraphs and subsections, all grease interceptors shall comply with Chapter 15, Article 4 of the Code of the City of Haysville.

Section 1015.0 FOG (Fats, Oils, and Greases) Disposal System shall be amended to read as follows:

1015.0 FOG (Fats, Oils, and Greases) Disposal System. In addition to the requirements of 1015.1 Purpose through and including 1015.4 Performance below, all FOG disposal systems shall comply with Chapter 15, Article 4 of the code of the City of Haysville.

Section 1016.0 Sand Interceptors shall be amended to read as follows:

1016.0 Sand Interceptors. In addition to the requirements of 1016.1 Discharge through and including 1016.4 Separate Use below, all sand interceptors shall comply with Article 5 – Public Sewer Use Regulations in Chapter XVI of the Code of the City of Haysville.

Section 1017.0 Oil and Flammable Liquid Interceptors shall be amended to read as follows:

1017.0 Oil and Flammable Liquid Interceptors. In addition to the requirements of 1017.1 Interceptors required through and including 1014.2 Design of Interceptors below, all oil and flammable liquid interceptors shall comply with Chapter 15, Article 4 of the code of the City of Haysville.

Section 1203.3.1 of the Uniform Plumbing Code is amended to read as follows:

1203.3.1 Rough Piping Inspection. A rough piping inspection shall be made after all gas piping authorized by the permit has been installed, and before any such piping has been covered or concealed, or any fixture or appliance has been attached thereto. This inspection shall include a determination that the gas piping size, material and installation meet the requirements of this Code.

When installing any gas opening for a future gas burning appliance in residential gas piping systems, it shall be sized and located according to the following requirements:

The future appliance shall be assigned a minimum fifty-five thousand (55,000) BTU value for sizing the gas distribution piping system;

(1) For future solid fuel burning fireplaces, the gas opening shall be run to within four (4) feet of the fire box and be controlled by an accessible approved shut-off valve outside the hearth and be properly capped or plugged;

(2) For future gas fired appliances, the gas opening shall be run to within three (3) feet of the appliance and be controlled by a readily accessible approved shut-off valve outside the hearth and be properly capped or plugged;

(3) The approved required shut-off valve shall be outside of each appliance or fireplace and ahead of the union connection and in addition to any valve on the appliance;

(4) When creating a new opening all gas piping must be tested in accordance with this Code.

(5) When extending an existing gas opening, only that branch must be tested in accordance with this Code. When making a gas opening at the meter loop, only that branch must be tested in accordance with this Code.

Exception: When approved by the administrative authority, above procedures may be waived and a soap test administered.

Section 1208.5.3.4 of the Uniform Plumbing Code is amended to read as follows:

1208.5.3.4 - Corrugated Stainless Steel. Corrugated stainless steel tubing shall be tested and listed in accordance with the construction, installation, and performance requirements of CSA LC-1. [NFPA 54:5.6.3.4]. In addition, corrugated stainless steel tubing shall be coated with an electrically conductive jacket compliant with the listing standard of ANSI LC-1/CSA 6.26 - 2014.

Section 1210.1.5 Maximum Design Operating Pressure is hereby deleted.

Section 1210.2 of the Uniform Plumbing Code is amended to read as follows:

1210.2 Installation of Gas Piping. All exposed piping installed outdoors shall be elevated not less than three and one half (3-1/2) inches above grade.

Gas piping shall enter or exit the structure above the finish grade, and threaded steel gas piping shall be installed with a swing joint located where the gas piping enters or exits the structure. A "swing joint" means a joint in a threaded pipeline which permits motion in the line in a plane normal to the direction of one part of the line.

Where installed across roof surfaces, gas piping shall be elevated not less than three and one-half (3-1/2) inches above the roof surface. Piping installed above ground, outdoors, and installed across the surface of roofs shall be securely supported and located where it will be protected from physical damage. Where passing through an outside wall, the piping shall also be protected against corrosion by coating or wrapping with an inert material approved for such applications. The piping shall be sealed around its circumference at the point of the exterior penetration to prevent the entry of water, insects, and rodents. Where piping is encased in a protective pipe sleeve the annular space between the gas piping and the sleeve

shall be sealed at the wall to prevent the entry of water, insects, or rodents. [NFPA 54: 6.2.1]

Section 1211.2 of the Uniform Plumbing Code, is amended to read as follows:

1211.2 Bonding of CSST Gas Piping. CSST gas piping systems shall be bonded to the electrical service grounding electrode system. The bonding jumper shall connect to a metallic pipe or fitting between the point of delivery and the first downstream CSST fitting. The bonding jumper shall be not smaller than 6 AWG copper wire or equivalent. Gas piping systems that contain one or more segments of CSST shall be bonded in accordance with this section. [NFPA 54- 12:7.13.2].

Exception: This bonding requirement may be eliminated if the CSST is compliant with the listing standard of ANSI LC-1/CSA6.26 - 2014, and the manufacturer's installation instructions for the specific product states that additional bonding is not required.

Section 1212.10.1 of the Uniform Plumbing Code. is hereby created and shall read as follows:

1212.10.1 Installation – LPG. In areas where natural gas is available for use as a fuel gas, it shall be used as the primary source for fuel gas for R-1, R-2, R-3, and R-4 type occupancy.

Section 1212.10.2 of the Uniform Plumbing Code is hereby created and shall read as follows:

1212.10.2 Equipment Burning LPG. Equipment burning liquefied petroleum gas (LPG) or liquid fuel shall not be located in a pit, an under-floor space, below grade or similar location where vapors or fuel might unsafely collect unless an approved method for the safe collection, removal and containment or disposal of the vapors or fuel is provided.

Exception: Equipment burning liquefied petroleum gas (LPG) that is equipped with an automatically controlled gas valve may be installed below grade of a R-1, R-2, R-3, or R- 4 type occupancy, provided that each area where said appliance(s) are located is equipped with a listed, labeled and approved liquefied petroleum gas detection alarm. Detectors shall sound an alarm audible in all areas of the structure and be installed per manufacturers installation instructions.

Section 1212.10.3 of the Uniform Plumbing Code, is hereby created and shall read as follows:

1212.10.3 Sump Pump – LPG. Only submersible type sump pumps will be acceptable for structures with LPG service.

Section 1212.10.4 of the Uniform Plumbing Code, is hereby created and shall read as follows:

1212.10.4 Log Lighter Valve – LPG. No LPG log lighter valve shall be allowed to be installed below grade, but they shall be allowed on the main floor with a maximum 50 gallon LPG tank no closer than three (3) feet to a structure. LPG tank must be secured. Valves and fittings must be listed for LPG.

4-604. ENFORCEMENT.

Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the Director of Public Works. Prosecution of any violations of this code shall be in the Haysville Municipal Court, and shall be in conformance with the City's general penalty clause set forth in Chapter 1, Section 1-121 of this Code. The City hereby authorizes the building official to enforce such rules and regulations as are necessary to carry out the purpose(s) of this Code.

4-605. VIOLATIONS AND PENALTIES.

Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth as set forth above. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.

(Code 2011)

4-606. PENALTY CLAUSE NOT EXCLUSIVE.

The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this Article, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this Article.

(Code 2011)

4-607. LIABILITY.

Requirements of this code and Article shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

(Code 2011)

4-608. SEVERABILITY.

If any part or parts of this Article shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this Article.

(Code 2011)

ARTICLE 7. DRAIN LAYERS

- 4-701. **APPLICABILITY OF UNIFORM CODE.** The Plumbing and Gas Fitting Code, incorporated in Article 6 of this chapter and all water, sewer, and wastewater regulations established in Chapter 15 of the Haysville Municipal Code shall be applicable to drain layers in the city.
 (Code 1984; Ord. 651; Code 2003)
- 4-702. **BOARD OF APPEALS; DRAIN LAYERS.** In order to hear and decide appeals of orders, the decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the city. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.
 (Code 2003)
- 4-703. **DRAIN LAYER INSPECTOR: AUTHORITY AND APPEALS.** The duties for the drain layer inspector shall be as follows:
- (a) There shall be designated a qualified officer or employee to be the drain layer inspector of the city for the purpose of this article. It shall be the duty of the drain layer inspector to inspect all drain laying done in the city for which a permit is required. He or she shall cooperate with the board of health of the county in performance of any duty imposed upon such board by the health laws of the city.
- (b) The drain layer inspector shall keep a record of inspections made by him or her and in connection therewith a record of orders of approval or disapproval of any drain laying work. He or she shall inspect all buildings being erected, altered, or repaired with regard to drain laying therein to see that all drain laying work conforms to the plumbing regulations of the city. The inspector shall have power to reject any drain laying if the same is not done in accordance with such regulations. He or she shall be authorized to enter upon premises for all such purposes to perform the duty imposed upon him or her and to make application to a court of competent jurisdiction for an order authorizing such

entry if it shall be denied. The owner of any building, the drain laying of which has been rejected by the inspector and who may feel aggrieved respecting such order, may by agent or personally appeal to the board of appeals to have such order reviewed and the decision of that board can be appealed to the governing body for review. The decision of the governing body shall be final when the matter shall have been heard by it.

(Code 1971, Sec. 4-408; Code 1984; Code 2003)

- 4-704. INSPECTIONS. All inspection work required herein to be performed by any officer or employee of the city shall be charged at the rate established by the governing body. All such inspection fees and charges shall be paid to the office of the city clerk and credited to the city general operating fund. Re-inspection fees are as set out in Chapter 17.

(Code 1984; Code 2003)

- 4-705. RE-INSPECTION/NON-BUSINESS HOURS; FEE. The drain laying inspector shall make a thorough re-inspection of all drain laying whenever deemed advisable, within or on any building or premises within the city. When drain laying is found to be in a dangerous and unsafe condition and in noncompliance with this article, the person, firm, entity or corporation owning, using or operating the same shall be notified in writing and shall make the necessary repairs and changes required to place such drain laying in compliance with this article within the time specified in the notice. Upon failure to comply with the written notice, the drain laying inspector is hereby authorized to notify the utility company supplying water to such building or premises, to cease service and to hold such service off until instructed by the drain laying inspector that service may be restored. Re-inspection fees are as set out in Chapter 17.

(Code 1971, Sec. 4-215; Code 2003)

- 4-706. APPRENTICE DRAIN LAYERS. Apprentice drain layers shall be permitted to work when accompanied by and are under the control and supervision of a master or journeyman drain layer.

(Code 1984; Code 2003)

- 4-707. CERTIFICATE; RENEWAL. All drain layer certificates shall be renewable annually on January 1. Renewal fees shall be paid to the city clerk. Applicants for certificates not renewed within sixty (60) days must show proof of block certification before certificate is renewed. The fee shall be as set out in Chapter 17.

(Ord. 686; Code 2007)

- 4-708. INSURANCE REQUIREMENT. It shall be unlawful for any drain layer contractor to conduct business within the city unless such contractor first provides documentation in the nature of proof of insurance showing that such contractor is covered with liability insurance in the minimum amount of \$500,000 with the city named as an additional insured. All such documentation shall state that the city shall be given at least thirty (30) days advanced written notice of any cancellation or material change in coverage of such insurance. If any person, firm, company, corporation or other entity shall conduct

business within the city without first procuring and maintaining insurance coverage in accordance with this section, such person, firm, company, corporation or other entity shall be deemed guilty of a misdemeanor and punished by fine and/or suspension or revocation of the contractor's license.

(Code 1984; Code 2003)

- 4-709. LICENSE: DRAIN LAYER. Any person engaging in or desiring to engage in the business of laying any private sewer or drain to be connected with the city sewer or private sewer in the city, or the repairing or relaying of any existing private sewer or drain in the city shall before obtaining any permit or transacting any business, procure a license from the city. A master drain layer certificate issued by a city of a larger class and in good standing shall be recognized by the city of Haysville. The license shall be renewable annually on January 1 by applying to the city clerk. No license shall be transferred from one person to another. Fees shall be paid to the city clerk. License or certificate fees shall be as stated in the approved schedule of fees. The fees shall be as set out in Chapter 17.

A drain layer's license may be issued to any person, firm, ~~copartnership~~copartner ship, corporation or other entity in which at least one (1) active member or officer has been qualified as and has a master drain layer's certificate. A separate license shall be issued for each place where business is conducted.

(Ord. 395, Secs. 1:2; Code 1984; Code 2003; Code 2007)

- 4-710. SUSPENSION. The board of appeals is hereby authorized to cancel and recall, or suspend for a period not exceeding twelve (12) months, the certificate of any master or journeyman drain layer and the license of any master drain layer for any one of the following reasons:

- (a) Abandonment of any contract without legal cause;
- (b) Diversion of funds or property received for the performance or completion of a specific contract, and their application or use of any other contract, obligation or purpose, or the failure, neglect or refusal to use such funds or property for the performance or completion of such contract;
- (c) Misrepresentation of any material fact by the applicant in obtaining his or her certificate;
- (d) Failure without just cause to fully satisfy all claims for labor and/or materials used in the performance of any work for which he or she has been engaged and/or materials used in the performance of any work for which he or she has been engaged and for which he or she has been paid;
- (e) Fraudulent use of his or her license to obtain permits for another;
- (f) Wantonness, recklessness, carelessness or negligence in providing reasonable safety measures for the protection of workers and/or the general public;
- (g) Unreasonable delay in the performance or the fulfilling of any contract;
- (h) Failure, neglect or refusal to comply with any lawful order of the drain layer inspector;
- (i) Failure, neglect or refusal to comply with all state, local and city laws relating to drain laying work

(j) Cancellation, recall, or suspension of a comparable certificate or license issued by another jurisdiction for any of the above described acts.
(Code 1971, Sec.4-320; Code 1984; Code 2003)

4-711. SUSPENSION; APPEAL. Should any master or journeyman drain layer feel that his or her certificate has been wrongfully canceled and recalled, or suspended as provided in section 4-710 hereof; or should any master drain layer feel that his or her license has been wrongfully canceled and recalled or suspended as provided in section 4-710, he or she may within ten (10) days from the date of such cancellation and recall or suspension appeal to the governing body by filing with the city clerk a written notice of appeal. The city clerk shall place the matter on the agenda of the governing body for the next regular meeting of the governing body. At the time of that meeting of the governing body, the appellant shall be given the opportunity for a full hearing. The governing body may in this section reverse, modify or affirm the existing cancellation and recall, or suspension.

Should there be no appeal as provided herein the existing cancellation and recall, or suspension shall be final and not appealable.

(Code 1971, Sec. 4-321; Code 1984; Code 2003)

4-712. ADVERTISING. (a) It shall be unlawful for any person, firm, company, corporation or other entity to advertise as a drain layer contractor unless, at the time such advertisement occurs, such person, firm, company, corporation or other entity has a then valid plumbing contractor's license.

(b) Any advertisement by such person, firm, company, corporation or other entity to advertise as a drain layer contractor which is placed or published in any publication or other print medium which is circulated, displayed or distributed within the city or which is placed upon vehicles or is broadcast by radio or television or any other means to persons within the city, shall include the full name of the licensed person, firm, company, corporation or other entity and the license number assigned by any office of any municipality having inspection control over any such person, firm, company, corporation or other entity.

(c) As used herein, the words "advertise" or "advertisement" shall include, but not be limited to, a business card, contract bid proposal form, printed letterhead, or any other printed or written material designed to inform persons of the services offered by the advertising person, firm, company, corporation or other entity and meant to solicit business from such persons or any broadcast statement designed to inform persons of the services offered by the advertising person, firm, company, corporation or other entity and to solicit business from such persons. Such words are intended to include telephone directory display ads but not basic white and yellow page telephone listings.

(Ord. 713; Code 2003)

4-713. FEES: GENERAL OPERATING FUND. All fees, permits, licenses, etc. required by this article shall be paid to the city clerk and shall be credited to the city general operating fund.

(Code 1971, Sec. 4-323; Code 1984; Code 2003)

- 4-714. PENALTY. Any person who shall within the city limits engage in or work at the trade of drain laying in violation of any provision of this article shall be fined in accordance with the general penalty provisions of section 1-121 of this code. Each day the violation is committed or continued shall constitute a separate offense.
(Code 1984; Code 2003)

ARTICLE 8. MECHANICAL CODE

- 4-801. ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION.

There is hereby adopted by reference by the City of Haysville, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the International Mechanical Code, 2012 Edition, as published by the International Code Council, 5203 Leesburg Pike, Suite 708 Falls Church, Virginia, 22041, excluding appendix B, and sections 301.2, 301.3, 501.3.1.1, 802.8, and 1101.10, as such Mechanical Code was adopted and amended by Resolution # 106-2015 of the Board of County Commissioners of Sedgwick County, Kansas, of May 20, 2015, and such is hereby incorporated herein and made a part of this Code as though set forth at length herein, all as subsequently set forth within the Unified Building and Trade Code as adopted within Article 12 of this Chapter, including all fee schedules unless otherwise set forth within Chapter 17 of this Code. This Standard Code and all Amendments as set forth herein and within the aforementioned Resolution of the Sedgwick County Board of Commissioners, as subsequently incorporated into the Unified Building and Trade Code shall henceforth be known as the Mechanical Code of the City of Haysville.

- 4-802. AVAILABILITY OF COPIES.

One copy of said code along with the amendments set forth in that Resolution of the Sedgwick County Commission as described in 4-801 above, have been and are now filed in the office of the City Clerk and the said codes are hereby adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq.

- 4-803. AMENDMENTS.

Section 101.2 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows: This Code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This Code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas equipment, fuel gas fired appliances and gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. Exception: Detached one- and two- family dwellings not more than three stories high with separate means of egress and their accessory structures shall comply with the 2006 International Residential Code. Official publication of amendments shall be by

publication in the official codebook of the City of Haysville, pursuant to K.S.A. 12-3009, et seq.

4-804. VIOLATIONS AND PENALTIES.

Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 108 et seq. of the International Mechanical Code as amended. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.
(Code 2011)

4-805. PENALTY CLAUSE NOT EXCLUSIVE.

The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this Article, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this Article.
(Code 2011)

4-806. ENFORCEMENT.

Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the Director of Public Works. Prosecution of any violations of this code shall be in the Haysville Municipal Court, and shall be in conformance with the City's general penalty clause set forth in Chapter 1, Section 1-121 of this Code. The City hereby authorizes the building official to enforce such rules and regulations as are necessary to carry out the purpose(s) of this Code.

4-807. LIABILITY.

Requirements of this code and Article shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.
(Code 2011)

4-808. SEVERABILITY.

If any part or parts of this Article shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this Article.
(Code 2011)

ARTICLE 9. PRIVATE SWIMMING POOLS

4-901. DEFINITIONS. For the purpose for this article, certain terms are herewith defined as follows:

(a) Private: Shall mean not open to the public, not publicly owned, or not otherwise regulated by the state of Kansas, either by statute, rule or regulation, or by the city.

(b) Swimming Pool shall mean any artificially constructed, permanent or portable pool capable of being used for swimming or bathing, having depth of two (2) feet or more at any point.

(Ord. 437, Sec.1; Code 2004)

- 4-902. PERMIT REQUIRED. It shall be unlawful to construct or establish a private swimming pool without having obtained a permit therefore in the manner hereinafter specified. The fee shall be as set out in Chapter 17.

(Ord. 437, Sec. 2; Code 2003; Code 2007)

- 4-903. APPLICATION FOR PERMIT; PLANS REQUIRED; APPROVAL. Application for construction on and maintenance of a private swimming pool shall be made to the building inspector by the owner of the property or by the contractor who is to construct the swimming pool. The application shall be accompanied by duplicate sets of plans, specifications and plot plans of the property. The plot plan shall also show the location, height and type of all existing fences or walls on the boundary line to the property, together with the type and height of such fencing or enclosure as may be required in this article. No permit for a private swimming pool shall be issued by the building inspector until the required plans, specifications and plot plans have been approved by the health office and such approval has been properly certified on the plans.

(Ord. 437, Sec. 3; Code 2003)

- 4-904. MATERIAL TO BE WATERPROOF; EASILY CLEANED. All materials used in the construction of a private swimming pool shall be waterproof and easily cleaned.

(Ord. 437, Sec.4; Code 2003)

- 4-905. CONSTRUCTION AND DESIGN GENERALLY. Construction and design of private swimming pools shall be such that they may be maintained and operated in compliance with existing health codes and regulations at all times.

(Ord. 437, Sec. 5; Code 2003)

- 4-906. RECIRCULATION, FILTRATION SYSTEMS REQUIRED. All private swimming pools shall be equipped with recirculation and filtration systems of such type and size as is deemed adequate by the health officer.

(Ord. 437, Sec. 6; Code 2003)

- 4-907. MAINTENANCE GENERALLY. The owner of every private swimming pool shall be responsible for maintaining the pool in good, sanitary condition, shall operate and maintain the pool in compliance with existing health codes and regulations, and shall prevent breaks in the pool or water from the pool overflowing onto adjacent public or private property.

(Ord. 437, Sec. 7; Code 2003)

- 4-908. SOURCE OF WATER SUPPLY. No source of water other than that secured from the city water distribution system or private well shall be used in private residential

swimming pools. Water shall not be taken directly from any fire hydrant without special permission from the Metropolitan Area Building and Construction Department Fire Chief and the public works director of the city.

(Ord. 437, Sec. 8; Code 2003)

- 4-909. BACKFLOW PROTECTION REQUIRED. All water inlet pipes shall be equipped with backflow protection.

(Ord. 437, Sec. 9; Code 2003)

- 4-910. DISCHARGE SYSTEM. All private swimming pools hereafter constructed within the city shall be provided with a nonpermanent drainage or connection or system to either a street or other drainage area, which shall be approved by the building inspector. In no way shall the term "other drainage area" be construed to mean a sanitary sewer.

(Ord. 437, Sec. 10; Code 2003)

- 4-911. COMPLIANCE WITH PLUMBING CODE. All pipings, drains and water purification equipment shall be installed in accordance with the provisions of the plumbing code of the city.

(Ord. 437, Sec. 11; Code 2003)

- 4-912. LIGHTING. No artificial lighting shall be maintained or operated in connection with a private swimming pool in such a manner as to be a nuisance or annoyance to the neighborhood property.

(Ord. 437, Sec. 12; Code 2003)

- 4-913. COMPLIANCE WITH ELECTRICAL CODE. All electrical installations provided or installed in conjunction with private swimming pools shall be installed in conformance with the electrical code of the city.

(Ord. 437, Sec. 13; Code 2003)

- 4-914. LOCATION OF CURRENT CARRYING CONDUCTORS. Open current carrying conductors and service cables shall not pass over a swimming pool or within eighteen (18) feet of the edge of the pool, diving platform, observation stands or anchored rafts. Underground service shall have a minimum clearance of five (5) feet from any part of a swimming pool.

(Ord. 437, Sec. 14; Code 2003)

- 4-915. GROUNDING OF METAL FENCES, RAILING. All metal fences, enclosures or railing near or adjacent to private residential swimming pools which might become electrically alive as a result of contact with broken overhead conductors, or from any other cause, shall be effectively grounded.

(Ord. 437 Sec. 15; Code 2003)

- 4-916. LOCATION OF POOLS. Outside or open air private swimming pools shall be located not less than ten (10) feet from the side or rear property line and not less than

fifteen (15) feet from the property line on the street side of the corner lots. No pool shall be located closer than twenty (20) feet to the principal building on an adjoining lot nor closer than sixty (60) feet to the front property line.

(Ord. 437, Sec. 16; Code 2003)

- 4-917. ENCLOSURE OF POOLS. Every private swimming pool shall be completely surrounded by a fence or wall not less than four (4) feet in height which shall be of a type not readily climbed or broached by children. Except for gate and dwelling door openings, no pool enclosure shall have any opening that will allow a four (4) inch sphere to pass through. The gates shall be of a self-closing and latching type with the latch on the inside of the gate, not readily accessible for children to open except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

Approved enclosures for private swimming pools are:

(a) Solid masonry fencing.

(b) Solid wood fencing with all cross beams or members on the inside.

(c) Chain link

(d) Ornamental iron.

(e) Any other type determined to meet the requirements of this section. This determination to be made by the board of appeals, as established by the Existing Building Code, as adopted by the city of Haysville, with the recommendation of the building inspector.

(f) In lieu of the fencing specified above, a swimming or working pool may be protected and enclosed, when not under the supervision of an adult, by means of a power safety cover meeting the most recent specifications approved by the American Society for Testing and Materials for swimming pool covers under the fixed designation standard F 1346 (ASTM F 1346). Spa pools may be protected by a locked spa pool cover.

(Ord. 437, Sec. 17; Code 2003, Ord. 877)

- 4-918. SAFETY EQUIPMENT REQUIRED. Each pool shall be furnished with safety equipment as required by the State Board of Health.

(Ord. 437, Sec. 18; Code 2003)

- 4-919. EXISTING POOLS. When it is deemed necessary by the building inspector or the health officer, the owner of any pool which existed prior to the effective date of this article shall make such alterations or changes as are necessary to remove any nuisance or hazard which might cause injury or harm to the public or to the person or persons that use it. The owner shall be allowed twenty (20) days from the date of written notification to begin required changes and shall show complete compliance on or before sixty (60) days.

(Ord. 437, Sec. 19; Code 2003)

- 4-920. PENALTY. Any person who violates, disobeys, omits, neglects or refuses to comply with the provisions of this article shall be fined not more than twenty-five dollars (\$25) for each offense. Each day that a violation is continued shall constitute a separate offense.

(Ord. 437, Sec. 20; Code 2003)

ARTICLE 10.
UNDERGROUND SPRINKLER SYSTEMS

- 4-1001. **PERMIT REQUIRED.** It is unlawful to excavate, construct, or install an underground sprinkler (irrigation) system on public right-of-way located within the city and owned by or under control of the state of Kansas or any agency thereof without first obtaining a permit from the city.
 (Ord. 687; Code 2003)
- 4-1002. **APPLICATION FOR SPRINKLER PERMIT.** (a) An application for a sprinkler permit shall be made on a form provided by the city and shall be accompanied by a drawing, plan or photograph of the proposed improvement. The application shall release the city, the Kansas Department of Transportation (KDOT), and any franchise holder of the city from and indemnify each of them against any and all damages which may be caused by reason of installation of such sprinkler system in the public right-of-way.
 (b) Construction of such sprinkler systems shall comply with all applicable city codes and standards and with any other requirements prescribed by the city.
 (c) No permit for any sprinkler system in any public right-of-way located along Broadway (U.S. Highway 81) shall be issued hereunder unless the application therefore is first reviewed and approved by the Kansas Department of Transportation. Any such application shall, when made by the owner of commercial or industrial property, be accompanied by a certificate of insurance naming the City of Haysville and the Kansas Department of Transportation as additional insured's.
 (d) Each permit issued hereunder shall specify the location by address and shall authorize excavation, installation, and operation of the system in conformity with the approved plan, subject at all times to inspection by the city to determine compliance with city codes, standards and other requirements.
 (e) Approval and disapproval of applications for permits hereunder shall be the responsibility of the public works director or his/her duly authorized designee.
 (Ord. 687; Code 2003)
- 4-1003. **PERMIT FEES.** It shall be unlawful for any person, firm, company, corporation or other entity to do, or cause, or permit to be done, any underground sprinkler installation on any premises in the city without first obtaining a permit from the building inspector and paying fees according to Chapter 17.
 (Ord. 687; Code 2003; Code 2007)
- 4-1004. **RIGHT-OF-WAY.** It is unlawful for any persons to operate or maintain an underground sprinkler (irrigation) system in any public right-of-way within the city in a

manner that creates unsafe conditions for vehicles driving on adjacent streets or highways. If any unsafe condition occurs, the city shall, in addition to other remedies available to it at law or in equity, have authority to:

(a) Order the owner or operator of the system to remove the system from the right-of-way or discontinue operating the system until it is repaired or the unsafe condition eliminated; or

(b) Cause the system to be repaired, removed or disconnected at the owner's/operator's expense when deemed necessary by the city to protect traffic safety or the public water supply.

(Ord. 687; Code 2003)

4-1005. **PENALTY.** Any person violating the provisions of this section shall be subject to prosecution in the Municipal Court of Haysville and, upon conviction, to the penalties provided under the Public Offense Code.
(Ord. 687; Code 2003)

4-1006. **LIABILITY.** The city shall not be liable to the owner/operator of any underground (irrigation) sprinkler system for any damage to that portion of such system located on public right-of-way when such damage is caused by or results in whole or in part from construction, reconstruction, repair or maintenance work, performed by city forces.
(Ord. 687; Code 2003)

ARTICLE 11.

FENCES, HEDGES, BUSHES, SHRUBBERY AND FOLIAGE

4-1101. **CONSTRUCTION, MAINTENANCE, REPLACEMENT AND REPAIR OF FENCES ON RESIDENTIAL LOTS.** No fence located upon a residential lot, as defined in this article, shall be constructed, built, maintained, repaired, or replaced except as provided for by this article.
(Code 1984; Ord. 824; Code 2003)

4-1102 **DEFINITIONS.** As used in and for purposes of this article, the following terms shall have the meanings prescribed to them by this section.

(a) Residential lot: Shall mean any lot or parcel of real property located within any area zoned as "residential" within the corporate limits of the city.

(b) Corner lot: Shall mean any lot or parcel of real property

(1) Located within any area zoned as "residential" within the corporate limits of the city;

(2) Situated on a controlled or uncontrolled intersection of two (2) streets;

(3) Featuring a yard or similar open area, designated as the "front yard" situated between the principal structure located upon said lot or parcel in the street abutting said yard or open space from which said structure is assigned its street address; and

(4) Featuring another yard or similar open area designated as the “abutting yard” situated between the principal structure and abutting street from which said principal structure does not receive its street address.

(c) Principal Structure: Means a dwelling or place of abode designed for residential purpose and located upon a residential lot.

(d) Controlled Intersection: Shall mean any intersection of two streets, the traffic right-of-way of which is assigned by a stop sign, yield sign, or other traffic sign or signal.

(e) Uncontrolled Intersections: Shall mean any intersection of two (2) streets, the traffic right-of-way of which is not assigned by a stop sign, yield sign, or other traffic sign or signal.

(f) Sight triangle: Shall mean a triangular area bounded on one side (side “a” on the figure 1) by an unmarked line measured from the midpoint of the intersection and extending ninety (90) feet, bounded further on adjacent side (side “b” on the attached figure 1) by an unmarked line measured from the midpoint of the intersection and extending ninety (90) feet, and bounded further on the final side (side “c” on the attached figure 1) by an unmarked line joining the unmarked line extending from the midpoint of the intersection. The public works director shall determine, upon request, the location of any sight triangle.

(g) Enforcement Officer: For purposes of the article, the term “enforcement officer” shall mean the Public Works Director of the City, and any employee of the city designated by the Public Works Director to enforce the provisions of this article.

(Ord. 824; Code 2003)

4-1103. **MAXIMUM HEIGHT OF FENCES.** No fence constructed, built, maintained, repaired, or replaced upon a residential lot shall exceed the maximum height established and prescribed by this section.

(a) Fences outside sight triangles. No fence located upon a residential lot and outside the boundaries of the applicable sight triangle shall exceed six (6) feet in height.

(b) Fences encroaching sight triangles. No fence any portion of which is located within the applicable sight triangle shall exceed three (3) feet in height as measured from the highest curb located within the sight triangle to finish height of said fence. The enforcing officer shall verify that any such fence complies with all provisions of this article.

(c) Fences extending into front plane of principal structure; The height of any fence located upon a residential lot which extends beyond the front plane of the principal structure, shall decrease, within a linearly measured distance of no more than eight (8) feet, from a maximum height of six (6) feet to a height of three (3) feet as applied to fence described in section 4-1106(a)(1) of this article, or four (4) feet as applied to the fence described in section 4-1106(a)(2-5) of this article.

(d) Fences extending into any abutting front yard setback may be allowed to be six (6) foot in height, to the property line, as long as there is no obstruction to any street intersection and/or sight triangle as described in this article.

(Ord. 824; Code 2003, Code 2005)

- 4-1104. ENCROACHMENTS UPON STREET RIGHTS-OF-WAY PROHIBITED. No portion of any fence shall be built upon or otherwise extend onto or encroach upon any street right-of-way.
(Ord. 824; Code 2003)
- 4-1105. ENCROACHMENTS UPON UTILITY AND OTHER PUBLIC EASEMENTS RESTRICTED; REMOVAL OF ENCROACHMENTS. No fence or portion thereof shall be located in any manner upon or within a utility or other public easement unless there is also located within the length of the fence located upon or within said easement at least one (1) gate of at least eight (8) feet in width. Any such fence or portion of a fence shall also afford working clearance of at least four (4) feet around any utility appurtenance including, but not limited to, pad mounted transformers, utility boxes or manholes, which may require access by any utility provider or persons or entities acting on their behalf. Notwithstanding any other provision of this section, any fence located upon utility or other public easements shall be dismantled or reassembled at the expense of the owner whenever the city or any duly franchised utility under the auspices of the city shall request the fence to be dismantled. In the event an emergency occurs and the owner of such fence cannot be immediately located, the city is hereby authorized to immediately dismantle such fence.
(Ord. 668; Ord. 824; Code 2003)
- 4-1106. FENCE MATERIALS; CERTAIN FEATURES AND MATERIALS PROHIBITED.
(a) Permitted fencing material. Fences located upon residential lots may be constructed of:
 (1) Wood fence boards such that all portions of the fence are completely solid or no more than fifty percent open;
 (2) Ornamental iron, except that any decorative tops are subject to the approval of the enforcing officer, and except that no fence constructed of ornamental iron may be less than five (5) feet in height;
 (3) Woven wire or chain link;
 (4) Nylon, plastic or PVC material, provided such materials are designed for use as fencing, and no open space in fence constructed of such materials exceeds three fourths (3/4) of an inch; or
 (5) Masonry materials or concrete poured or placed in such fashion as to meet fence design requirements.
(b) Prohibited features in materials. No fence or portion thereof shall be constructed of metal panels or carry any electrical charge. No fence or portion thereof located on a residential lot shall contain any barbed wire or single barbs.
(Ord. 824; Code 2003)
- 4-1107. DANGEROUS FENCES PROHIBITED. No fence shall be constructed or maintained, or be designed, in such manner as to present a danger or hazard to any person or animal.
(Ord. 824; Code 2003)

4-1108. APPLICATIONS, SITE PLANS AND PERMITS AND FEES THEREFOR.

(a) Applications and Permits. Any person or entity intending to construct a new fence on a residential lot or to replace twenty five percent (25%) of the total linear feet of any existing fence shall, before commencing said work, make application to the enforcing officer for a permit authorizing the work. Such applications shall be made on forms provided and approved by enforcing officer and shall be accompanied by an application fee as set out in the approved schedule of fees, and no permit shall be issued until said fees are tendered and paid in full. Fees are pursuant to Chapter 17 of this code.

(b) Plans Required. All applications for fence permits shall be accompanied by a detailed site plan, to be completed by the person or entity seeking the permit, upon which shall be accurately depicted the location of the principal structure, proposed fence, all utilities serving the principal structure or located upon the residential lot, all utility easements located upon the residential lot, all setbacks affecting said lot and all rights-of-way and property lines of said lot.

(c) License Required. Any person or entity the services of which an applicant for a fence permit intends to procure to construct a fence shall hold any current valid trade, professional, business or contractor's license as may be required by provision of the city code of the city or other applicable law unless such person or entity is related by blood to the applicant and will not receive any type of compensation, whether monetary, in-kind, or in the form of goods or services, for said work.

(d) Review and Issuance; Reasons For Denial. The enforcing officer shall receive and review all applications required by this section and shall ensure that all proposed fences comply with the provisions of this article and any other applicable laws. The enforcing officer shall complete said review no later than two (2) full business days following receipt of an application; the computation of said period shall not include the day the application is received. In the event the enforcing officer denies an application, officer shall state in writing and with particularity the reason for said denial..

(Ord. 824; Code 2003; Code 2007)

4-1109. COMPLAINTS; INQUIRY AND INSPECTION. The enforcing officer shall make inquiry and conduct inspections of property or premises upon receiving a written complaint or complaints signed by two or more persons stating a violation of this article exists and describing the same and its location; upon receiving information that a violation of this article may exist from any governmental entity, official, officer or employee; or when it appears to the enforcing officer that conditions constituting a violation exist. The enforcing officer shall, upon making inspection and inquiry, make immediate written report of such officer's findings to the governing body.

(Ord. 824; Code 2003)

4-1110. RIGHT OF ENTRY. The enforcing officer has the right of access and entry upon any public or private property, at any reasonable time to make inquiry and inspection to determine if a violation of this article exists, and to effect any other purpose of this article. The enforcing officer may also make application to any court of competent jurisdiction

for an order granting access and/or entry upon any public or private property in the event such access or entry is denied.

(Ord. 824; Code 2003)

- 4-1111. NOTICE OF VIOLATION. Any person or entity found by the enforcing officer to be in violation of any provision of this article shall be served written notice of such violation. The city clerk shall cause notice to be served by certified mail, return receipt requested, or by personal service or, in the event the property or premises is unoccupied and the owner thereof does not reside within the corporate limits of the city by mailing such notice by certified mail, return receipt requested, to the owner's last known address.

(Ord. 824; Code 2003)

- 4-1112. SAME; CONTENTS. The notice shall describe in writing the conditions constituting a violation of this article. The notice shall also inform the person or entity receiving such notice that: (a) Such person or entity shall have such time, to be specified in the notice and not to exceed ten (10) days from the date specified in the notice, to remove and abate the violation from the property or premises;

(b) Such person or entity may, within the time specified in the notice and not to exceed the date specified therein within which said removal and abatement is required, request a hearing before the governing body as provided by section 4-1115 of this article.

(c) Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the enforcing officer before the governing body; and

(d) Failure to remove and abate the violation, or to request a hearing as provided herein, within the time allowed may result in prosecution as provided by section 4-1113 and/or removal and abatement of the violation by the city as provided by section 4-1114 of this article.

(Ord. 824; Code 2003)

- 4-1113. FAILURE TO COMPLY; PENALTY. Should the person or entity receiving the notice provided for in sections 4-1111 and 4-1112 of this article fail to comply with such notice, or to request a hearing, the enforcing officer may file a complaint in the municipal court of the city against such person or entity alleging a violation of this article. Upon conviction of the violation of this article, such person or entity shall be fined in an amount not to exceed one-hundred dollars (\$100) or be imprisoned not to exceed thirty (30) days or be both fined and imprisoned. Each day during or upon which a violation occurs or continues after notice has been served as provided in sections 4-1111 and 4-1112 shall constitute an additional or separate offense.

(Ord. 824; Code 2003)

- 4-1114. ABATEMENT BY CITY; PROCEDURE. In the event a person or entity to whom notice has been served pursuant to sections 4-1111 and 4-1112 of this article fails to remove or abate the conditions constituting the violation, or to request a hearing before the governing body within the period specified in section 4-1112 of this article, the enforcing officer may seek to abate the alleged violation and such election may be in

addition to, or an alternative to, prosecution and shall not preclude prosecution. In the event the enforcing officer makes such election to remove and abate, such officer shall proceed in the manner prescribed by this section, as follows:

(a) The enforcing officer shall present a resolution to the governing body for its consideration and authorizing such officer to abate or cause to have abated the conditions constituting the violation at the end of ten (10) days following passage of the resolution by the governing body. The resolution shall further provide that the costs incurred by the city to remove and abate the violation shall be charged against the lot or parcel upon which the violation was located as provided in section 4-1118 of this article.

(b) In the event the governing body adopts and passes the resolution, the enforcing officer shall cause a copy of said resolution to be served upon the person or entity violating this article and the owner of said lot or parcel. Service shall be effected by personal service or certified mail, return receipt requested.

(c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the enforcing officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two (2) consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists.

(d) Should the person or entity upon which service is attempted refuse to take delivery and return is made to the city indicating such refusal, the city clerk shall send to such person or entity, by first class mail, the notice previously sent and receipt by such person or entity shall be deemed to have occurred upon such mailing. The city clerk shall make and maintain records detailing the method and time of sending and receipt of such notice.

(Ord. 824; Code 2003)

4-1115. HEARING. If a hearing is requested in a writing received by the governing body within the time period prescribed by section 4-1112 of this article, the governing body shall conduct a hearing as soon as may be practicable and the person or entity receiving notice shall be advised by the city clerk of the time and place of the hearing at least five (5) days in advance thereof. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest to findings of the enforcing officer before the governing body.

(a) On the date fixed for hearing or any adjournment or continuation thereof, the governing body shall hear all evidence submitted by the person to whom notice of the violation was issued, and all evidence submitted by the city. Upon hearing such evidence, the governing body shall make findings by resolution. The hearing provided for in this section need not be conducted according to formal rules of evidence.

(b) If, after notice and hearing as provided for in this article, and upon hearing the evidence provided for in subsection a of this section, the governing body determines that a violation exists, it shall set forth in writing in the form of a resolution its findings of facts supporting such determination. The resolution shall also fix a reasonable period of time, to be determined by the governing body, within which the abatement of the violation shall be commenced, and a statement that if the person upon whom notice of the violation was served fails to commence said removal and abatement within the time

period established by the resolution, or fails to diligently prosecute and pursue the same until the work is completed, the governing body shall cause the violation to be abated. The resolution provided for in this section shall be published once in the official city newspaper and the city clerk shall mail a copy of the resolution to the person or entity, and owner, in the same manner as provided for in section 4-1111 and 4-1112.

(Ord. 824; Code 2003)

- 4-1116. **AUTHORIZATION TO CONTRACT FOR SERVICES.** If the person, entity or owner fails to remove and abate the violation as provided for in this article, and it becomes necessary for the enforcing officer to remove and abate such violation, such officer is hereby authorized to contract for and obtain such services and equipment, public or private, the officer deems necessary and appropriate to complete the tasks enumerated herein, and the enforcing officer shall adhere to and comply with all applicable laws, regulations, ordinances and city policies concerning procurement of services and equipment.

(Ord. 824; Code 2003)

- 4-1117. **SITE TO BE MADE SAFE.** Upon removal and abatement of any violation pursuant to this article or otherwise, the person, entity or owner shall take any and all action necessary to leave the premises in a safe condition. In the event the owner fails to take such actions as are prescribed by this section, the enforcing officer may proceed to make the site safe.

(Ord. 824; Code 2003)

- 4-1118. **ASSESSMENT, FUNDING AND PAYMENT OF COSTS.** (a) The costs incurred by the city for any action undertaken by the enforcing officer pursuant to or incidental to this article shall be reported in detail and in writing by said officer to the city clerk. The city clerk shall keep an account of such costs, as well as any and all costs of notices, service and/or mailing of notices, and publication of notices, required by this article. The city clerk shall immediately cause the reportings and accountings required by this section to be entered in the appropriate city record and shall report the same to the governing body.

(b) The city clerk shall, within ten (10) days of the receipt of the enforcing officer's report of costs, give notice by restricted mail to the owner of the costs to be reported by subsection a of this section and such notice shall include a statement requiring payment of the costs to the city within thirty (30) days following receipt of the notice. Should the owner refuse to take delivery of the notice and return is made to the city indicating such refusal, the city clerk shall send to the owner, by first class mail, the notice previously sent and receipt by the owner shall be deemed to have occurred upon such mailing. The city clerk shall make and maintain records detailing the method and time of sending and receipt of such notice.

(c) Should the cost remain unpaid after thirty (30) days of the receipt of the notice by the owner, the city clerk may sell any salvage from the removal and abatement process and apply the proceeds of such sale to pay said costs. Any proceeds received which

exceed said costs shall be remitted to the owner within thirty (30) days of conclusion of the sale.

(d) Should the proceeds of any sale held pursuant to section 4-1118(c) be insufficient to cover said costs, or if there exists no salvage, the city clerk shall, at the time required by law for the certification of other city taxes, certify the unpaid portion of said costs in conformance with State law for extensions of the same on the city tax rolls against the property upon which the structure was located.

(Ord. 824; Code 2003)

- 4-1119. DISPOSITION OF MONEYS RECEIVED. When and if paid, all moneys received for special assessments levied under the provision of this article shall be credited to the general fund of the city.

(Ord. 824; Code 2003)

- 4-1120. IMMEDIATE HAZARD. When in the governing body's opinion any fence in violation of this article is in such condition as to constitute an immediate hazard requiring immediate action to protect the public or adjacent property, the governing body may direct the enforcing officer to take immediate action, without delay, to protect the safety of persons and properties including, but not limited to, the erection of barricades; causing the property upon which the fence is located to be vacated, or causing the fence to be taken down, repaired, shored or otherwise made safe. Such action by the governing body and enforcing officer may be taken without prior notice or hearing of the owners, agents, lien holders, occupants, or other parties in interest. The costs of any action under this section shall be reported and documented, notice of costs shall be afforded, and the costs shall be assessed, in the same manner as provided in section 4-1111 of this article.

(Ord. 824; Code 2003)

- 4-1121. NOTICE TO OWNER. Notwithstanding any other provision of this article or of law, any and all notices required by this article shall also be served upon the owner of the premises or property upon which there exists a nuisance.

(Ord. 824)

- 4-1122. APPLICATION OF ARTICLE TO EXISTING NONCONFORMING FENCES. The provisions of this article shall not apply to any fence existing on the effective date of this article. The provisions of this article shall apply, however, to any such fence in the event any portion of said fence consisting of twenty five percent (25%) or more of the total linear feet of said nonconforming fence is repaired or replaced in any twelve (12) month period.

(Ord. 824; Code 2003)

- 4-1123. VARIANCES AND EXCEPTIONS. Any person or entity desiring to construct a fence which does not comply with the provisions of this article shall apply in writing, on forms provided by the city, to the board of appeals as established by the city building code. All applications for variances shall clearly state the reason(s) for which the variance is requested. Further, variance requests from the height provisions and

restrictions shall further be accompanied by a stamped set of engineering plans that conclusively demonstrate that the proposed construction shall not pose a danger to persons, vehicular traffic, and the public at large and further that the proposed construction is architecturally and structurally sound and safe. In addition, a fee of one-hundred dollars (\$100.00) shall accompany applications for variance from the height provisions and restrictions. No variances from height provisions and restrictions shall be granted allowing the height of a fence to exceed eight (8) feet. The application for variance shall be delivered to the city who shall deliver the same to the board of appeals. The board of appeals shall convene a hearing to consider the application as soon as may be practicable, but in no event shall such hearing be scheduled later than ten (10) business days following the city's receipt of the application unless the applicant waives the ten (10) day period and agrees to scheduling a hearing at a later time. Upon convening the hearing, the board shall consider any evidence the applicant may offer to support the application and any evidence the city may have in support of or opposition to the application. The board may adjourn the hearing from time to time and from place to place as it may deem necessary. No later than ten (10) days following the conclusion of the hearing, the board shall make written findings concerning the application and a written determination thereof.

(Ord. 824; Ord. 824-A; Ord. 824-B; Code 2003)

- 4-1124. BUSHES, SHRUBBERY, HEDGES; OTHER FOLIAGE. Except where such provisions and restrictions are by their very nature impractical or inapplicable, the provisions and restrictions of this article shall apply with equal force to the height of bushes, shrubbery, hedges and other foliage located within the corporate limits of the city and to the abatement or removal of bushes, shrubbery, hedges and other foliage that do not comply with said provisions and restrictions.

(Ord. 824; Code 2003)

- 4-1125. SEVERABILITY. In the event any section or part of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining sections or provisions and such remaining sections or provisions shall remain valid and enforceable.

(Ord. 824; Code 2003)

- 4-1126. PENALTY. (a) It shall be unlawful for any person, firm, company, corporation or other entity to erect, construct, use, enlarge, alter, repair, move, convert, demolish, maintain, or grow any fence, bush, shrubbery, hedge or other foliage, or cause or permit the same to be done in violation of the requirements and restrictions in this chapter. Any fence, as described in this article, shall not be constructed prior to the issuance of a permit and submittal of any required documents or site plan.

(b) The fine for such violation shall be a minimum of fifty dollars (\$50) or double the permit fee, whichever is greater. The payment of such penalty shall not exempt any person, firm, or corporation from compliance with all other provisions of this code or any other code, nor from any penalty prescribed by law. It shall be the responsibility of the offender to abate the violation as expeditiously as possible.

(Code 1971, Sec. 4-112; Code 1984; Ord. 807; Code 2003)

ARTICLE 12.

ARTICLE 12

WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE AS ADOPTED BY THAT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, OF NOVEMBER, 21, 2012 ADOPTING SAME, except the following: Article 2, Section 5; Article 2, Section 6; Article 2, Section 8; Article 3, Section A; Article 4, Section A; Article 4, Section 1; Article 4, Section 5; Article 4, Section 6; Article 4, Section 7; Article 5, Section A; Article 5, Section 1, provisions 5.1.290 through 5.1.390; Article 5, Section 2; and Article 5, Section 3, and all provisions that are described within such Code as only applying within the jurisdiction of the City of Wichita..

4-1201. ADOPTION OF WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE AS ADOPTED BY THAT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, OF NOVEMBER, 21, 2012, WITH CERTAIN ADDITIONS AND DELETIONS.

All such amendments set forth in that Resolution of the Board of County Commissioners of Sedgwick County, Kansas, of November, 21, 2012, adopting The Wichita-Sedgwick County Unified Building and Trade Code, to be made effective January 1, 2013, are hereby adopted as the Wichita-Sedgwick County Unified Building and Trade Code, unless otherwise noted within Chapter 4 of this Code, and all fee schedules included within the Wichita-Sedgwick County Unified Building and Trade Code, unless otherwise set forth within Chapter 17 of this Code, are hereby adopted and by reference incorporated herein and made a part of this Code as though set forth at length herein, and shall be referred to herein as the “amendments” to the above adopted standardized codes. Subsequent amendments to the Unified Building and Trade Code adopted by Resolution of the Board of County Commission are hereby incorporated herein. For purposes of application within the City of Haysville, all references within the Wichita-Sedgwick County Unified Building and Trade Code to the Metropolitan Area Building and Construction Department, or the MABCD, as a contact agency/agent, or enforcement agency/agent shall be understood to be referring to the Code Enforcement official designated by the Public Works Director of the City of Haysville.

4-1202. AVAILABILITY OF COPIES.

One copy of said code of amendments as set forth in 4-1301 above, have been and are now filed in the office of the City Clerk and the said code is adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq. Official publication of amendments is by publication in the official codebook of the City of Haysville, pursuant to K.S.A. 12-741, et seq., and 12-3009, et seq. as applicable.

4-1203. CITATIONS TO THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING CODE.

For purposes of notice of violation set forth upon citations, the Wichita-Sedgwick County Unified Building and Trade Code shall be cited to the Ordinance Adopting the Haysville Municipal Code and the specific sections included within the Wichita-Sedgwick County Unified Building and Trade Code or to the specific sections set forth within the applicable Standardized Code as set forth within Chapter 4, whichever is applicable.

4-1204. ENFORCEMENT.

Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the Director of Public Works. Prosecution of any violations of this code shall be in the Haysville Municipal Court, and shall be in conformance with the City's general penalty clause set forth in Chapter 1, Section 1-121 of this Code. The City hereby authorizes the building official to enforce such rules and regulations as are necessary to carry out the purpose(s) of this Code.

4-1205. VIOLATIONS AND PENALTIES.

Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth as set forth above. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.

(Code 2011)

4-1206. PENALTY CLAUSE NOT EXCLUSIVE.

The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this Article, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this Article.

(Code 2011)

4-1207. LIABILITY.

Requirements of this code and Article shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

(Code 2011)

4-1208. SEVERABILITY.

In the event any section or part of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining sections or provisions and such remaining sections or provisions shall remain valid and enforceable.

ARTICLE 13. DEMOLITION AND SITE CLEARANCE

4-1301. COMPLIANCE.

Any person, business or other entity demolishing, razing or removing and building or structure within the city limits of Haysville, Kansas, shall comply with the requirements of this ordinance.

4-1302. PERMIT.

No buildings or structure shall be demolished or razed from or upon any premises without first obtaining from the City of Haysville a permit pursuant to Section 4-103 of the Haysville Building Code. Notwithstanding the foregoing, if the building or structure to be demolished is less than 100 square feet in size, no permit shall be required.

4-1303. PRIOR TO OBTAINING A PERMIT.

Prior to obtaining a permit, all public utilities shall be disconnected. The owner shall cause the sewer line to the building or structure to be capped and such capping shall be inspected and approved by the city. All such sewer lines shall be capped in an approved manner at a point between the connections to the sewer main and five (5) feet inside the property line nearest the sewer main where the building sewer connects. The owner shall cause all other utility services to be totally disconnected from the building or structure to be demolished prior to demolition. All power, gas and water lines shall be disconnected and capped by a representative of the utility provider. The city shall inspect and approve all disconnects prior to issuing the demolition permit.

4-1304. PROTECTION OF THE GENERAL PUBLIC.

When a building or structure to be demolished is adjacent to a public street or right of way, the owner or his authorized representative shall afford protection to the general public as may be required by other provisions of the Haysville Building Code or as appropriate to ensure public safety.

4-1305. PROTECTION OF ADJACENT PRIVATE PROPERTY.

Adequate protection of any adjacent property shall be provided and maintained during the demolition of any structure.

4-1306. REMOVAL AND SITE CLEARANCE REQUIREMENTS.

The following requirements will be met during and after the razing or demolition of any structure: in wrecking, demolishing, or razing of any structure, the work shall begin at the top thereof. Each story shall be completely razed or demolished, and materials therefrom completely removed before work on the next lower story is started. In those instances where demolishing of an unusual structure or building is undertaken or unusual circumstances exist, the city building inspector may by special permit in writing authorize deviation from the standard regulations for demolition in the interest of public safety and welfare. When the building has been wrecked, demolished, razed, removed from the site, or destroyed by fire, flood, or storm and no permit for new construction has been approved by the building official, the lot shall be filled, graded and maintained in conformity with the established street grades at curb level. No combustible material shall be used to fill any basement or excavation. Crawl space foundation walls shall be razed to at least (6) inches below final grade. Basement foundations shall be broken up and may be used to partially fill the basement. The top six (6) inches to finished grade on any type of foundation shall be fine dirt, free of large rocks and vegetation. All fill materials shall be compacted. The lot shall be maintained free from accumulation of rubbish and any unsafe or hazardous conditions dangerous to the life or health of the public. In event that a permit is issued for new construction, all excavation which is not completely filled shall be fenced with fencing adequate for the safety of the public.

4-1307. PENALTIES.

The building inspector, or other official authorized by the Director of Public Works may file a complaint in the municipal court of the city against any person that violates, neglects or refuses to comply with any provision of the code and upon conviction thereof be fined in a sum of \$100.00 for each offense. Each day that a violation is committed or continues to exist shall constitute a separate offense.

4-1308. ABATEMENT.

In addition to or as an alternative to any penalties as provided for in this Section, The city, upon a determination by the governing body after an opportunity for a hearing as hereinafter provided with the applicant for the demolition permit and the landowner that a violation of this ordinance has occurred, may go upon the property to abate and bring the property into compliance with the requirements of this ordinance and assess the costs thereof against the property. The governing body upon receiving a written report from the building inspector or other public officer of a violation of the terms of this ordinance shall by resolution fix a time and place at which the owner, the owner's agent and any lienholder of record may appear and show cause regarding any such violations and why the city should not correct or abate the

condition with all costs assessed to the landowner. The resolution setting forth said hearing shall be published once a week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing. A copy of the resolution shall be mailed by certified mail within three days after its first publication to each owner, agent, lienholder and occupant at the last known place of residence. If, after notice and hearing, the governing body determines that a violation of the ordinance has occurred, it shall state in writing its findings of fact on support of such determination and shall cause a resolution of its findings to be published once in the official city newspaper and a copy mailed to the owners, agents and lienholders of record in the same manner provided for the notice of hearing. The resolution shall fix a reasonable time within violation shall be corrected and a statement that if the owner of such property fails to commence the corrective work within the time stated of fails to diligently prosecute the same until the work is complete, the governing body will cause the demolition and property to be brought into compliance with the ordinance.

4-1309. APPEALS.

Any person affected by any determination of the governing body under this Section may appeal such determination in the manner provided by K.S.A. 60-2101.

4-1310. ASSESSMENT OF COSTS.

The cost to the city of any removal or demolition including making the site safe and in compliance with this ordinance shall be reported to the city clerk. The city shall give notice to the owner of the property by registered mail of the cost of removing the structure and making the premises safe and secure. The notice shall also state that payment of the cost is due and payable within 30 days following receipt of the notice. If the costs remain unpaid after 30 days following receipt of notice, the city clerk may sell any salvage from the structure and apply the proceeds or any necessary portion thereof to pay the cost of removing the structure and making the site safe. Any proceeds in excess of that required to recover the costs shall be paid to the owner of the premises upon which the structure was located. If the proceeds of the sale of salvage are insufficient to recover the cost, or if there is no salvage, the city clerk shall, at the time of certifying other city taxes, certify the unpaid portion of the costs to the county clerk who shall extend the same on the tax roll of the county.

(Code 2019)

ARTICLE 11.
FENCES, ~~HEDGES, BUSHES, SHRUBBERY AND FOLIAGE~~

4-1101. CONSTRUCTION, MAINTENANCE, REPLACEMENT AND REPAIR
OF FENCES ~~ON RESIDENTIAL LOTS; PERMIT REQUIRED.~~

~~(a) No fence located upon a residential lot, as defined in this article, shall be constructed, built, maintained, repaired, or replaced except as provided for by this article.~~

~~(b) No person shall erect, construct, reconstruct or replace any fence without first obtaining a permit from the city, provided, that no permit shall be required for maintenance of a fence, including minor replacement of components, nor for construction of fence within the City by the City upon City owned property, easements, or reserves. In the case of a fence to be erected, constructed, reconstructed or replaced within a platted or dedicated public drainage or utility easement, such permit shall include an express disclaimer of liability for damage caused by city agents in connection with maintenance or inspection of such easement or any public improvements located thereon. Additionally, applicable city building and construction code regulations must be met for all fences:~~

~~(1) Greater than 6' in height;~~

~~(2) Constructed with concrete or masonry materials; or~~

~~(3) Determined by the building inspector to create specific safety concerns.~~

~~(Code 1984; Ord. 824; Code 2003; Code 2019)~~

4-1102 ~~DEFINITIONS.~~ As used in and for purposes of this article, the following terms shall have the meanings prescribed to them by this section. All other items, not specifically defined herein, shall be defined in conformance with the Zoning Code of this City.

~~(a) Residential lot: Shall mean any lot or parcel of real property located within any area zoned as "residential" within the corporate limits of the city.~~

~~(ab) Corner lot: Shall mean any lot or parcel of real property that meets all of the following:~~

~~(1) Located within any area zoned as "residential" within the corporate limits of the city;~~

~~(2) Situated on a controlled or uncontrolled intersection of two (2) streets;~~

~~(3) Featuring a yard or similar open area, designated as the "front yard" situated between the principal structure located upon said lot or parcel in the street abutting said yard or open space from which said structure is assigned its street address; and~~

~~(4) Featuring another yard or similar open area designated as the "abutting yard" situated between the principal structure and abutting street from which said principal structure does not receive its street address.~~

~~(bg) Enforcement Officer: For purposes of the article, the term "enforcement officer" shall mean the Public Works Director of the City, and any employee of the city designated by the Public Works Director to enforce the provisions of this article.~~

~~(c) Fence: A freestanding structure composed of metal, masonry, glass, concrete or wood, natural vegetation, or any combination thereof, resting on or partially buried~~

in the ground and rising above ground level, and used for confinement, screening, landscaping, or partition purposes.

(d) Intersections:

(1) Controlled Intersection: Shall mean any intersection of two streets, the traffic right-of-way of which is assigned by a stop sign, yield sign, or other traffic sign or signal.

(2) Uncontrolled Intersections: Shall mean any intersection of two (2) streets, the traffic right-of-way of which is not assigned by a stop sign, yield sign, or other traffic sign or signal.

(ee) Principal Use or Structure: Means a dwelling or place of abode designed for residential purpose and located upon a residential lot. The main use of land or structures as distinguished from a subordinate or accessory use.

(d) Controlled Intersection: Shall mean any intersection of two streets, the traffic right of way of which is assigned by a stop sign, yield sign, or other traffic sign or signal.

(e) Uncontrolled Intersections: Shall mean any intersection of two (2) streets, the traffic right-of way of which is not assigned by a stop sign, yield sign, or other traffic sign or signal.

(ea) Residential lot: Shall mean any lot or parcel of real property located within any area zoned as “residential” within the corporate limits of the city.

(f) Sight triangle: Shall mean a triangular area bounded on one side (side “a” on the figure 1) by an unmarked line measured from the midpoint of the intersection and extending ninety (90) feet, bounded further on adjacent side (side “b” on the attached figure 1) by an unmarked line measured from the midpoint of the intersection and extending ninety (90) feet, and bounded further on the final side (side “c” on the attached figure 1) by an unmarked line joining the unmarked line extending from the midpoint of the intersection. The public works director shall determine, upon request, the location of any sight triangle.

(g) Enforcement Officer: For purposes of the article, the term “enforcement officer” shall mean the Public Works Director of the City, and any employee of the city designated by the Public Works Director to enforce the provisions of this article.

(Ord. 824; Code 2003; Code 2019)

4-1103. MAXIMUM HEIGHT OF FENCES. No fence constructed, built, maintained, repaired, or replaced upon a ~~residential~~ lot shall exceed the maximum height established and prescribed by this section.

(a) Fences outside sight triangles. No fence located upon a ~~residential~~ lot and outside the boundaries of the applicable sight triangle shall exceed:

(1) Six (6) feet in height in residentially zoned districts;

(2) Eight (8) feet in height in commercially zoned districts;

(3) Ten (10) feet in height in industrially zoned districts; or

(4) As permitted within a final PUD.

(b) Fences encroaching sight triangles. No fence, any portion of which is located within the applicable sight triangle, shall exceed three (3) feet in height as measured from the highest curb located within the sight triangle to ~~the~~ finish height of said fence. The enforcing officer shall verify that any such fence complies with all provisions of

this article. In areas without curbs, the enforcement officer may measure from the low edge of the road.

(c) Fences extending into the front plane of a principal structure; ~~The height of any fence located upon~~ on a residential lot which extends beyond the front plane of the principal structure, shall decrease, within a linearly measured distance of no more than eight (8) feet, from a maximum height of six (6) feet to a height of three (3) feet as applied to fence described in section 4-1106(a)(1) of this article, or four (4) feet as applied to the fence described in section 4-1106(a)(2-5) of this article.

~~(d)~~ (d) Fences extending into any abutting front yard setback on a residential lot may be allowed to be six (6) foot in height, to the property line, as long as there is no obstruction to any street intersection and/or sight triangle as described in this article.

(d)
(Ord. 824; Code 2003, Code 2005; Code 2019)

4-1104. ENCROACHMENTS UPON STREET RIGHTS-OF-WAY PROHIBITED. No portion of any fence shall be built upon or otherwise extend onto or encroach upon any street right-of-way.
(Ord. 824; Code 2003)

4-1105. ENCROACHMENTS UPON UTILITY AND OTHER PUBLIC EASEMENTS RESTRICTED; REMOVAL OF ENCROACHMENTS. No fence or portion thereof shall be located in any manner upon or within a utility or other public easement unless there is also located within the length of the fence located upon or within said easement at least one (1) gate of at least eight (8) feet in width. Any such fence or portion of a fence shall also afford working clearance of at least four (4) feet around any utility appurtenance including, but not limited to, pad mounted transformers, utility boxes or manholes, which may require access by any utility provider or persons or entities acting on their behalf. ~~Notwithstanding~~ Notwithstanding any other provision of this section, any fence located upon utility or other public easements shall be dismantled or reassembled at the expense of the owner whenever the city or any duly franchised utility under the auspices of the city shall request the fence to be dismantled. In the event an emergency occurs and the owner of such fence cannot be immediately located, the city is hereby authorized to immediately dismantle such fence.

(Ord. 668; Ord. 824; Code 2003)

4-1105A. ENCROACHMENTS UPON DRAINAGE EASEMENTS OR FLOODWAYS.

(a) A fence may be located within a platted or dedicated drainage easement if:

(1) The fence is constructed and maintained at an elevation which:

(A) allows normal surface drainage without blockage by the fence;

and

(B) is approved by the city engineer or his or her designee;

(2) The fence does not divert or result in diversion of normal surface drainage flow from the normal drainage course; and

(3) The fence has removable panels or sections to provide for access by emergency or maintenance personnel and equipment at all times.

(b) The city shall not be liable for damage to or destruction of any fence or groundcover, including but not limited to grass, trees, and shrubs, located within a platted or dedicated drainage, street or utility easement, which are damaged or destroyed by any maintenance or inspections performed by or on behalf of the city within such easement.

(c) Nothing in this Article shall be construed to authorize erection, construction, reconstruction or replacement of a fence in any floodway designated as such by the Federal Emergency Management Agency.

4-1106. FENCE MATERIALS; CERTAIN FEATURES AND MATERIALS PROHIBITED.

(a) Permitted fencing material. Fences ~~located upon residential lots~~ may be constructed of:

(1) Wood fence boards such that all portions of the fence are completely solid or no more than fifty percent open;

(2) Ornamental iron, except that any decorative tops are subject to the approval of the enforcing officer, and except that no fence constructed of ornamental iron may be less than five (5) feet in height;

(3) Woven wire or chain link, provided there shall be no exposed points, wires or prongs on the top of the fence;

(4) Nylon, plastic or PVC material, provided such materials are designed for use as fencing, and no open space in fence constructed of such materials exceeds three fourths (3/4) of an inch; or

(5) Masonry materials or concrete poured or placed in such fashion as to meet fence design requirements. Stacks of masonry materials or unopened containers of concrete shall not be deemed to be in compliance with this article.

(6) Barbed wire fences are permitted on an industrially zoned lot atop a fence at least eight feet in height and oriented toward the interior of the property, when necessary to preclude entry into a hazardous location or facility or to protect the exterior storage of materials or equipment from vandalism or theft provided that the property is not located adjacent to residentially zoned or residentially used property.

(b) Prohibited features in materials. No fence or portion thereof shall be constructed of metal panels or be constructed of metal panels or carry any electrical charge. No fence or portion thereof located on any residential or commercially zoned lot shall contain any barbed wire or single barbs.

(c) All fences and walls shall be constructed with a finished surface facing outward from the property (e.g. in the case of a wooden fence, a "finished surface" means a surface of the fence where the pickets or slats are fully exposed to view.) The posts and support beams shall be on the inside of the finished surface.

(d) Fence design and construction in all areas developed pursuant to the standards set forth within a PUD or overlay zoning areas will be designed and constructed as provided within the provisions of the establishments of such PUD or overlay zone.

(Ord. 824; Code 2003; Code 2019)

- 4-1107. DANGEROUS FENCES PROHIBITED. No fence shall be constructed or maintained, or be designed, in such manner as to present a danger or hazard to any person ~~or~~, animal or abutting property owner's boundaries.

(Ord. 824; Code 2003)

- 4-1108. APPLICATIONS, SITE PLANS AND PERMITS AND FEES THEREFOR.

(a) Applications and Permits. Any person or entity intending to construct a new fence ~~on a residential lot~~ or to replace twenty five percent (25%) of the total linear feet of any existing fence shall, before commencing said work, make application to the enforcing officer for a permit authorizing the work. Such applications shall be made on forms provided and approved by the enforcing officer and shall be accompanied by an application fee as set out in the approved schedule of fees, and no permit shall be issued until said fees are tendered and paid in full. Fees are pursuant to Chapter 17 of this code.

(b) Plans Required. All applications for fence permits shall be accompanied by a detailed site plan, to be completed by the person or entity seeking the permit, upon which shall be accurately depicted the location of the principal structure, proposed fence, all utilities serving the principal structure or located upon the ~~residential~~ lot, all utility easements located upon the ~~residential~~ lot, all setbacks affecting said lot and all rights-of-way and property lines of said lot. Applications for fences exceeding six (6) feet in height shall further be accompanied by a stamped set of engineering plans that conclusively demonstrate that the proposed construction shall not pose a danger to persons, vehicular traffic, and the public at large and further that the proposed construction is architecturally and structurally sound and safe.

(c) License Required. Any person or entity the services of which an applicant for a fence permit intends to procure to construct a fence shall hold any current valid trade, professional, business or contractor's license as may be required by ~~other~~ provisions of the city code of the city or other applicable law. Individuals may construct fences upon their own property without obtaining commercial, trade or business licenses, and may use non-commercial assistance unless such person or entity is related by blood to the applicant and if said individuals will not receive any type of compensation, whether monetary, in-kind, or in the form of goods or services, for said work.

(d) Review and Issuance; Reasons For Denial. The enforcing officer shall receive and review all applications required by this section and shall ensure that all proposed fences comply with the provisions of this article and any other applicable laws. The enforcing officer shall complete said review no later than two (2) full business days following receipt of an application; the computation of said period shall not include the day the application is received. In the event the enforcing officer denies an application, officer shall state in writing and with particularity the reason for said denial.-

(Ord. 824; Code 2003; Code 2007; Code 2019)

- 4-1109. ~~COMPLAINTS; INQUIRY AND INSPECTION. The enforcing officer shall make inquiry and conduct inspections of property or premises upon receiving a~~

~~written complaint or complaints signed by two or more persons stating a violation of this article exists and describing the same and its location; upon receiving information that a violation of this article may exist from any governmental entity, official, officer or employee; or when it appears to the enforcing officer that conditions constituting a violation exist. The enforcing officer shall, upon making inspection and inquiry, make immediate written report of such officer's findings to the governing body. DELETED.~~

(Ord. 824; Code 2003; Code 2019)

- 4-1110. RIGHT OF ENTRY. The enforcing officer has the right of access and entry upon any public or private property, at any reasonable time to make inquiry and inspection to determine if a violation of this article exists, and to effect any other purpose of this article. The enforcing officer may also make application to any court of competent jurisdiction for an order granting access and/or entry upon any public or private property in the event such access or entry is denied.

(Ord. 824; Code 2003)

- 4-1111. NOTICE OF VIOLATION. Any person or entity found by the enforcing officer to be in violation of any provision of this article shall be served written notice of such violation. The city clerk enforcing officer shall cause notice to be served by certified mail, return receipt requested, or by personal service or, in the event the property or premises is unoccupied and the owner thereof does not reside within the corporate limits of the city by mailing such notice by certified mail, return receipt requested, to the owner's last known address.

(Ord. 824; Code 2003; Code 2019)

- 4-1112. SAME; CONTENTS. The notice shall describe in writing the conditions constituting a violation of this article. The notice shall also inform the person or entity receiving such notice that:

(a) Such person or entity shall have such time, to be specified in the notice and not to exceed ten (10) days from the date specified in the notice, to remove and abate the violation from the property or premises;

(b) Such person or entity may, within the time specified in the notice and not to exceed the date specified therein within which said removal and abatement is required, request a hearing before the governing body as provided by section 4-1115 of this article.

(c) Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the enforcing officer before the governing body; and

(d) Failure to remove and abate the violation, or to request a hearing as provided herein, within the time allowed may result in prosecution as provided by section 4-1113 and/or removal and abatement of the violation by the city as provided by section 4-1114 of this article.

(Ord. 824; Code 2003)

- 4-1113. FAILURE TO COMPLY; PENALTY. Should the person or entity receiving the notice provided for in sections 4-1111 and 4-1112 of this article fail to

comply with such notice, or to request a hearing, the enforcing officer may file a complaint in the municipal court of the city against such person or entity alleging a violation of this article. Upon conviction of the violation of this article, such person or entity shall be fined ~~in an amount not to exceed one hundred dollars (\$100) as established in Chapter 17~~ or be imprisoned not to exceed thirty (30) days or be both fined and imprisoned. Each day during or upon which a violation occurs or continues after notice has been served as provided in sections 4-1111 and 4-1112 shall constitute an additional or separate offense.

(Ord. 824; Code 2003; Code 2019)

4-1114. ABATEMENT BY CITY; PROCEDURE. In the event a person or entity to whom notice has been served pursuant to sections 4-1111 and 4-1112 of this article fails to remove or abate the conditions constituting the violation, or to request a hearing before the governing body within the period specified in section 4-1112 of this article, the enforcing officer may seek to abate the alleged violation and such election may be in addition to, or an alternative to, prosecution and shall not preclude prosecution. In the event the enforcing officer makes such election to remove and abate, such officer shall proceed in the manner prescribed by this section, as follows:

(a) The enforcing officer shall present a resolution to the governing body for its consideration and authorizing such officer to abate or cause to have abated the conditions constituting the violation at the end of ten (10) days following passage of the resolution by the governing body. The resolution shall further provide that the costs incurred by the city to remove and abate the violation shall be charged against the lot or parcel upon which the violation was located ~~as provided in section 4-1118 of this article, in accordance with state law.~~

(b) In the event the governing body adopts and passes the resolution, the enforcing officer shall cause a copy of said resolution to be served upon the person or entity violating this article and the owner of said lot or parcel. Service shall be effected by personal service or certified mail, return receipt requested.

(c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the enforcing officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two (2) consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists.

~~_____~~ (d) Should the person or entity upon which service is attempted refuse to take delivery and return is made to the city indicating such refusal, the city clerk shall send to such person or entity, by first class mail, the notice previously sent and receipt by such person or entity shall be deemed to have occurred upon such mailing. The city clerk shall make and maintain records detailing the method and time of sending and receipt of such notice.

(Ord. 824; Code 2003; Code 2019)

4-1115. HEARING. If a hearing is requested in ~~a writing~~ and received by the ~~governing body~~ City Clerk within the time period prescribed by section 4-1112 of this article, the governing body shall conduct a hearing as soon as may be practicable and

the person or entity receiving notice shall be advised by the city clerk of the time and place of the hearing at least five (5) days in advance thereof. Failure to make a timely request for a hearing shall constitute a wavier-waiver of the person's right to contest ~~to~~ the findings of the enforcing officer before the governing body.

(a) On the date fixed for hearing or any adjournment or continuation thereof, the governing body shall hear all evidence submitted by the person to whom notice of the violation was issued, and all evidence submitted by the city. Upon hearing such evidence, the governing body shall make findings by resolution. The hearing provided for in this section need not be conducted according to formal rules of evidence.

(b) If, after notice and hearing as provided for in this article, and upon hearing the evidence provided for in subsection a of this section, the governing body determines that a violation exists, it shall set forth in writing in the form of a resolution its findings of facts supporting such determination. The resolution shall also fix a reasonable period of time, to be determined by the governing body, within which the abatement of the violation shall be commenced, and a statement that if the person upon whom notice of the violation was served fails to commence said removal and abatement within the time period established by the resolution, or fails to diligently prosecute and pursue the same until the work is completed, the governing body shall cause the violation to be abated. The resolution provided for in this section shall be published once in the official city newspaper and the city clerk shall mail a copy of the resolution to the person or entity, and owner, in the same manner as provided for in section 4-1111 and 4-1112.

(Ord. 824; Code 2003; Code 2019)

4-1116. AUTHORIZATION TO CONTRACT FOR SERVICES. If the person, entity or owner fails to remove and abate the violation as provided for in this article, and it becomes necessary for the enforcing officer to remove and abate such violation, such officer is hereby authorized to contract for and obtain such services and equipment, public or private, the officer deems necessary and appropriate to complete the tasks enumerated herein, and the enforcing officer shall adhere to and comply with all applicable laws, regulations, ordinances and city policies concerning procurement of services and equipment.

(Ord. 824; Code 2003)

4-1117. SITE TO BE MADE SAFE. Upon removal and abatement of any violation pursuant to this article or otherwise, the person, entity or owner shall take any and all action necessary to leave the premises in a safe condition. In the event the owner fails to take such actions as are prescribed by this section, the enforcing officer may proceed to make the site safe.

(Ord. 824; Code 2003)

4-1118. ASSESSMENT, FUNDING AND PAYMENT OF COSTS. (a) The costs incurred by the city for any action undertaken by the enforcing officer pursuant to or incidental to this article shall be reported in detail and in writing by said officer to the city clerk. The city clerk shall keep an account of such costs, as well as any and all costs of notices, servicess and/or mailing of notices, and publication of notices, required by this article. The city clerk shall immediately cause the reportings and accountings

required by this section to be entered in the appropriate city record and shall report the same to the governing body.

(b) The city clerk shall, within ten (10) days of the receipt of the enforcing officer's report of costs, give notice by restricted mail to the owner of the costs to be reported by subsection (a) of this section and such notice shall include a statement requiring payment of the costs to the city within thirty (30) days following receipt of the notice. Should the owner refuse to take delivery of the notice and return is made to the city indicating such refusal, the city clerk shall send to the owner, by first class mail, the notice previously sent and receipt by the owner shall be deemed to have occurred upon such mailing. The city clerk shall make and maintain records detailing the method and time of sending and receipt of such notice.

(c) Should the cost remain unpaid after thirty (30) days of the receipt of the notice by the owner, the city clerk may sell any salvage from the removal and abatement process and apply the proceeds of such sale to pay said costs. Any proceeds received which exceed said costs shall be remitted to the owner within thirty (30) days of conclusion of the sale.

(d) Should the proceeds of any sale held pursuant to section 4-1118(c) be insufficient to cover said costs, or if there exists no salvage, the city clerk shall, at the time required by law for the certification of other city taxes, certify the unpaid portion of said costs in conformance with State law for extensions of the same on the city tax rolls against the property upon which the structure was located.

(Ord. 824; Code 2003)

4-1119. **DISPOSITION OF MONEYS RECEIVED.** When and if paid, all moneys received ~~for special assessments levied~~ under the provision of this article shall be credited to the general fund of the city.

(Ord. 824; Code 2003; Code 2019)

4-1120. **IMMEDIATE HAZARD.** When in the governing body's opinion any fence in violation of this article is in such condition as to constitute an immediate hazard requiring immediate action to protect the public or adjacent property, the governing body may direct the enforcing officer to take immediate action, without delay, to protect the safety of persons and properties including, but not limited to, the erection of barricades; causing the property upon which the fence is located to be vacated, or causing the fence to be taken down, repaired, shored or otherwise made safe. Such action by the governing body and enforcing officer may be taken without prior notice or hearing of the owners, agents, lien holders, occupants, or other parties in interest. The costs of any action under this section shall be reported and documented, notice of costs shall be afforded, and the costs shall be assessed, in the same manner as provided in section 4-1111 of this article.

(Ord. 824; Code 2003)

4-1121. **NOTICE TO OWNER.** Notwithstanding any other provision of this article or of law, any and all notices required by this article shall also be served upon the owner of the premises or property upon which there exists a nuisance.

(Ord. 824)

4-1122. APPLICATION OF ARTICLE TO EXISTING NONCONFORMING FENCES. The provisions of this article shall not apply to any fence existing on the effective date of this article. The provisions of this article shall apply, however, to any such fence in the event any portion of said fence consisting of twenty five percent (25%) or more of the total linear feet of said nonconforming fence is repaired or replaced in any twelve (12) month period.

(Ord. 824; Code 2003)

4-1123. VARIANCES AND EXCEPTIONS. Any person or entity desiring to construct a fence which does not comply with the provisions of this article shall apply in writing, on forms provided by the city, to the board of appeals as established by the city building code. All applications for variances shall clearly state the reason(s) for which the variance is requested. Further, variance requests from the height provisions and restrictions shall further be accompanied by a stamped set of engineering plans that conclusively demonstrate that the proposed construction shall not pose a danger to persons, vehicular traffic, and the public at large and further that the proposed construction is architecturally and structurally sound and safe. In addition, a fee as established in Chapter 17 of one hundred dollars (\$100.00) shall accompany applications for variance from the height provisions and restrictions. No variances from height provisions and restrictions shall be granted allowing the height of a fence to exceed ten eight (810) feet. The application for variance shall be delivered to the city who shall deliver the same to the board of appeals. The board of appeals shall convene a hearing to consider the application as soon as may be practicable, but in no event shall such hearing be scheduled later than ten (10) business days following the city's receipt of the application unless the applicant waives the ten (10) day period and agrees to scheduling a hearing at a later time. Upon convening the hearing, the board shall consider any evidence the applicant may offer to support the application and any evidence the city may have in support of or opposition to the application. The board may adjourn the hearing from time to time and from place to place as it may deem necessary. No later than ten (10) days following the conclusion of the hearing, the board shall make written findings concerning the application and a written determination thereof.

(Ord. 824; Ord. 824-A; Ord. 824-B; Code 2003; Code 2019)

~~4-1124. DELETED. BUSHES, SHRUBBERY, HEDGES; OTHER FOLIAGE. Except where such provisions and restrictions are by their very nature impractical or inapplicable, the provisions and restrictions of this article shall apply with equal force to the height of bushes, shrubbery, hedges and other foliage located within the corporate limits of the city and to the abatement or removal of bushes, shrubbery, hedges and other foliage that do not comply with said provisions and restrictions.~~

~~(Ord. 824; Code 2003)~~

4-1125. SEVERABILITY. In the event any section or part of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the

validity of the remaining sections or provisions and such remaining sections or provisions shall remain valid and enforceable.

(Ord. 824; Code 2003)

4-1126. _____ PENALTY. (a) It shall be unlawful for any person, firm, company, corporation or other entity to erect, construct, use, enlarge, alter, repair, move, convert, demolish, maintain, or grow any fence, bush, shrubbery, hedge or other foliage, or cause or permit the same to be done in violation of the requirements and restrictions in this chapter. Any fence, as described in this article, shall not be constructed prior to the issuance of a permit and submittal of any required documents or site plan.

(b) The fine for such violation shall be ~~a minimum of fifty dollars (\$50) or~~ double the permit fee as established in Chapter 17, whichever is greater. The payment of such penalty shall not exempt any person, firm, or corporation from compliance with all other provisions of this code or any other code, nor from any penalty prescribed by law. It shall be the responsibility of the offender to abate the violation as expeditiously as possible.

(Code 1971, Sec. 4-112; Code 1984; Ord. 807; Code 2003; Code 2019)

5-906. PLACES WHERE SALES PROHIBITED. (a) Whenever any vehicle is used for the sale or dispensing of ice cream food products of any nature whatsoever upon a public street, alley, avenue, boulevard, sidewalk or other public right-of-way, said transaction shall occur on the side of the vehicle which is next to the curb of the street.

(b) It shall be unlawful for an ice cream vendor to sell, offer for sale or dispense ice cream products:

_____ (1) to any person who is standing in the street;

_____ (2) while operating on

_____ (i) Broadway (U.S. 81);~~5~~

_____ (ii) Grand Avenue (71st Street South); ~~or~~

_____ (iii) Main Street (Seneca); or

_____ (iv) Meridian Avenue

_____ (3) within fifty (50) feet of any street intersection; or

_____ (4) in any public park, or any public parking lot without the express consent of the governing body.

(Ord. 537, Sec. 6; Code 2003; Code 2020)

ARTICLE 12.
TEMPORARY PORTABLE BUSINESS ~~ES-PERMIT CODE~~

~~5-1201 TITLE. This Article shall be known as the Temporary Portable Business Permit Code.~~

~~5-12025-1201~~ . DEFINITIONS.

- a) Portable business shall mean and include any person authorized to sell food, flowers, or non-alcoholic beverages or offer for sale goods, wares, merchandise or services which is carried on from a cart, trailer or stand temporarily located on property as authorized by this ~~Code~~article. A portable business shall not include the sale of goods directly from tables, racks, or boxes.
- b) All other items, not specifically defined herein, shall be defined in conformance with the Zoning Code of this City.

~~5-12035-1202~~ . REGISTRATION AND FEE. Every person, firm, entity, association or corporation now or hereafter doing business in the corporate limits of the City of Haysville and maintaining a portable business, is required to hold a permit allowing such portable business to operate in the City of Haysville and shall pay a fee as set out in Chapter 17. All fees required by this article shall be credited to the general fund of the city in the same manner as business registration fees imposed upon permanent businesses.

~~5-12045-1203~~ . INFORMATION REQUIRED. An application for a temporary portable business permit shall be developed by the City Clerk, which shall require the following information, as well as other information the City deems pertinent to issuing such permit:

- (1) Contact information of the applicant;
- (2) Name and nature of the portable business;
- (3) Proof of Kansas Retail Sales Tax Number;
- (4) Location of the portable business;
- (5) Relationship of the applicant to the property location of the portable business, including lease agreement if such location is leased to Applicant;
- (6) Dates requested for temporary portable permit;
- (7) A drawing which depicts the proposed location of the temporary portable business in relation to the lot and including:
 - (a) Proposed square footage of the area used
 - (b) The number of parking spaces that will remain available for the primary business use
 - (c) The number of parking spaces to be used by the temporary portable business
 - (d) Measurements of the setback from property lines
 - (e) Size and location of any signs used for the purposes of the business

5-1204 PERMIT. The City Clerk, upon confirmation from the Public Works Director, or his or her designee, that the applicant is in compliance of existing codes and regulations, and is operating a lawful business, shall issue a temporary portable business permit. Every permit issued pursuant to this article shall expire thirty (30) days from the issuance date, unless sooner revoked. Prior to expiration the permit holder desiring to renew a permit shall make application for renewal to the city clerk's office. A renewal application shall in all respects be treated as an application for an initial permit. There shall be no more than three (3) permits issued for a portable business on the same property in any twelve (12) month period based on the calendar year.

5-1205 PERMIT IS NON-TRANSFERABLE. A permit is not transferable to any other person, firm, or corporation and cannot be used for any activity or at a location other than those listed on the application and approved for the temporary permit. Either moving the business to a new location, or transferring the business to a new owner/operator will require applying for a new permit.

5-1206 PERMIT REVOCATION.

- a) The City Clerk, or his or her designee, upon five (5) days written notice to the applicant holding any permit regulated by this article shall revoke such permit for any one of the following reasons:
- (1) If a permit has been fraudulently obtained by giving false information in the application.
 - (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
 - (3) Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the City.
 - (4) If there has been any violation of any of the provisions of this Article.
 - (5) If the applicant has failed to obtain all other necessary permits including but not limited to: electrical; plumbing.
 - (6) If any portion of the portable business is deemed an immediate safety hazard as determined by the Public Works Director, or his or her designee.
 - (7) Unauthorized use of the public right-of-way for sale or display of merchandise.
 - (8) Violation of a provision of Chapter 16A or Chapter 16B of this Code.

Notice of the revocation of a permit shall notify the permit holder of the revocation of his or her permit in writing, setting forth the grounds for revocation, which shall be hand delivered to the permit holder or mailed to the permit holder's permanent address appearing on the permit application. Such notification shall be sent as soon as practicable but in no case beyond 24 hours from the time such permit is revoked.

5-12055-1207 . RESTRICTION ON LOCATION. No portable business shall be permitted on a public right-of-way or public easement. Nor shall such business be located in any sight triangle, as determined by the Public Works Director, or his or her designee. The business shall be located on an all-weather surface.

The business or activities of a portable business must be upon property that is accessory to an existing primary use. No portable business shall be allowed to operate if such business would be in violation of the Haysville Zoning Regulations. No person shall conduct activities pursuant to this Article on unimproved surfaces, or on aisleway area. If an actual conflict arises between the language of Chapter 16A or 16B of the Haysville Code, and this Article, the more restrictive regulations shall prevail.

~~5-12065-1201. PERMIT IS NON TRANSFERABLE. A permit is not transferable to any other person, firm, or corporation and cannot be used for any activity or at a location other than those listed on the application and approved for the temporary permit. Either moving the business to a new location, or transferring the business to a new owner/operator will require applying for a new permit.~~

~~5-1207. SIGNS. No more than two (2) temporary signs shall be permitted if in compliance with the regulations of Chapter 16B Article 2 (Sign Code). Signs shall be of a nature which directs attention to the business conducted or to a commodity or service sold, provided that such sign(s) is limited to a combined square footage of six (6) feet of sign face. Temporary signs can be in the form of a banner, pennant, valance, or advertising display constructed of fabric, card board, wallboard or other light weight materials, with or without a frame, intended for temporary display for not more than 30 days, three times per calendar year. A site plan and application shall be submitted for such temporary signs. There shall be no fee for temporary signs associated with a temporarily permitted business. Vehicles, trailers, carts, or stands that contain advertising as a permanent component shall be allowable provided that the advertising is related to the items or goods being sold and is not otherwise deemed offensive or inappropriate.~~

~~5-1208~~

~~5-1209. INSPECTION. Application for temporary portable business permit will constitute permission, from applicant, for inspection by the Public Works Director, or his or her designee, for the purpose of determining that the applicant has complied with applicable electrical code, zoning laws, and all other relevant regulations of the article and the code of the city.~~

~~5-1210 FOOD VENDORS – SPECIAL REGULATIONS. Before a license shall be issued for vending food, the operation must have the appropriate Food License from the Kansas Department of Agriculture. be approved by the department of health and such approval shall not be given unless the department of health determines that the cart or trailer being used, if any, is safe, clean and sanitary; that all food has been prepared in a licensed facility, if required; that said food is properly packaged or wrapped; and that it is maintained at suitable temperatures according to recognized standards.~~

~~5-12085-1211~~

~~_____. PERMIT. The City Clerk, upon confirmation from the Public Works Director, or his or her designee, that the applicant is in compliance of existing codes and regulations, and is operating a lawful business, shall issue a temporary portable business permit. Every permit issued pursuant to this article shall expire thirty (30) days from the issuance~~

date, unless sooner revoked. Prior to expiration the permit holder desiring to renew a permit shall make application for renewal to the city clerk's office. A renewal application shall in all respects be treated as an application for an initial permit. There shall be no more than three (3) permits issued for a portable business on the same property in any twelve (12) month period based on the calendar year. PERMIT IS NON-TRANSFERABLE. A permit is not transferable to any other person, firm, or corporation and cannot be used for any activity or at a location other than those listed on the application and approved for the temporary permit. Either moving the business to a new location, or transferring the business to a new owner/operator will require applying for a new permit.

PERMIT REVOCATION:

The Public Works Director, or his or her designee, upon five (5) days written notice to the applicant holding any permit regulated by this article shall revoke such permit for any one of the following reasons:

If a permit has been fraudulently obtained by giving false information in the application.

Fraud, misrepresentation or false statement made in the course of carrying on the business.

Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the City.

If there has been any violation of any of the provisions of this Article.

If the applicant has failed to obtain all other necessary permits including but not limited to: electrical; plumbing.

If any portion of the portable business is deemed an immediate safety hazard as determined by the Public Works Director, or his or her designee.

Unauthorized use of the public right of way for sale or display of merchandise.

Violation of a provision of Chapter 16A or Chapter 16B of this Code.

5-1209 Notice of the revocation of a permit shall notify the permit holder of the revocation of his or her permit in writing, setting forth the grounds for revocation, which shall be hand delivered to the permit holder or mailed to the permit holder's permanent address appearing on the permit application. Such notification shall be sent as soon as practicable

but in no case beyond 24 hours from the time such permit is revoked. Any person aggrieved by the action of revocation of a permit as provided in this Article, shall have the right to appeal to the Governing Body. Such appeal shall be taken by filing with the City Clerk within ten (10) business days after notice of revocation of the permit has been mailed to such applicant's address as provided in the application setting for the grounds for appeal. The Governing Body shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the applicant in the same manner as provided herein for notice of hearing on denial of license.

5-12105-1212. **DISTURBANCES.** No portable business, nor any person acting on behalf of such business, shall shout, make an outcry, blow a horn, ring a bell or use any sound device, including any loud-speaking radio or sound amplifying system for the purpose of attracting attention to such business or any goods, wares or merchandise for sale/sold by such business.

5-12115-1201. **PERMIT REVOCATION:**

5-1201

a) 5-1201 The Public Works Director, or his or her designee, upon five (5) days written notice to the applicant holding any permit regulated by this article shall revoke such permit for any one of the following reasons:

(1) 5-1201 If a permit has been fraudulently obtained by giving false information in the application.

(2) 5-1201 Fraud, misrepresentation or false statement made in the course of carrying on the business.

(3) 5-1201 Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the City.

(4) 5-1201 If there has been any violation of any of the provisions of this Article.

(5) 5-1201 If the applicant has failed to obtain all other necessary permits including but not limited to: electrical; plumbing.

(6) 5-1201 If any portion of the portable business is deemed an immediate safety hazard as determined by the Public Works Director, or his or her designee.

(7) 5-1201 Unauthorized use of the public right of way for sale or display of merchandise.

(8) 5-1201 Violation of a provision of Chapter 16A or Chapter 16B of this Code.

5-1201

b) 5-1213 Notice of the revocation of a permit shall notify the permit holder of the revocation of his or her permit in writing, setting forth the grounds for revocation, which shall be hand delivered to the permit holder or mailed to the permit holder's permanent address appearing on the permit application. Such notification shall be sent as soon as practicable but in no case beyond 24 hours from the time such permit is revoked. Any person aggrieved by the action of revocation of a permit as provided in this Article, shall have the right to appeal to the Governing Body. Such appeal shall be taken by filing with the City Clerk within ten (10) business days after notice of revocation of the permit has been mailed to such applicant's address as provided in the application setting for the grounds for appeal. The Governing Body shall set a time and place for a hearing on such appeal and notice of

~~such hearing shall be given to the applicant in the same manner as provided herein for notice of hearing on denial of license.~~

5-1214. EXEMPTIONS. This article shall not apply to:

~~5-1212~~ (a) Vendors participating in designated community events, as established by the Governing Body of the City, including but not limited to the Hometown Market, Fourth of July Celebration, Fall Festival, City Wide Garage Sale, and Community Expo, shall be exempt from the requirements of this Article, but may be required to receive a permit to participate in any such event by the organizers of such community event.

(b) Ice cream street vendors, as defined and covered in Article 9 of this chapter.

(c) Persons who take orders for merchandise or food when such merchandise or food is to be delivered to the ultimate customer on a day subsequent to the date of the sale.

(d) Sales by mobile food vendors that are regulated by Article 16 of this chapter.

~~5-1213~~5-1215. PENALTY. Any person, firm or corporation, company, partnership or other entity who shall be found guilty of violation of this article shall be subject to a fine of not less than fifty dollars (\$50) or more than one-thousand dollars (\$1000); or imprisonment for not more than one hundred eighty (180) days; or both such fine and imprisonment. Each day the violation is committed shall constitute a separate offense.

~~5-1214~~5-1216. APPEALS. Any person aggrieved by the action of the chief of police, city inspector or city clerk in the denial of an application for a permit or license, or revocation of a license shall have the right to appeal to the governing body of the city within ten days after the denial of the application by filing with the city clerk a written notice of intention to appeal, setting forth fully the grounds for such appeal. The governing body shall, at its next meeting after the filing of such appeal, fix a time and place for a hearing thereon. Notice of such hearing shall be given to the applicant in the manner provided for notice of hearing on revocation of a license issued hereunder. The decision of the governing body on such appeal shall be final and conclusive.

~~a) Any applicant who is denied issuance of a permit may seek a review and hearing on the denial before the Director of Public Works. Such an appeal must be filed in writing with the City Clerk within ten calendar days of the denial stating the specific reasons why the denial is being appealed. Upon receipt of the appeal, a hearing shall be scheduled within five business days. Within five business days following the hearing, the hearing officer shall issue his or her decision in writing. It is the responsibility of the person filing the appeal to provide sufficient information to the City Clerk so that such person may be notified consistent with the schedule herein stated. Otherwise, all notices will be sent to the permanent address appearing on the application.~~

~~b) An applicant or licensee may appeal the decision of the City Inspector which either denies an application for a license, or revokes a license as provided in this Article. Such appeal shall be to the Governing Body, and must be filed in writing with the City Clerk within ten days after the notice of denial or revocation has been mailed or~~

~~hand delivered to an applicant or licensee. The Governing Body shall set a hearing on any appeal at the next regularly scheduled City Council meeting.~~

~~e) The decision and order of the Governing Body on such appeal shall be final and conclusive.~~

~~5-12155-1217.~~ ENFORCEMENT. In addition to all law enforcement officers of the City, the ~~Director of Public Works~~City Clerk, and his or her designees, shall have the power to enforce the provisions of this Article.

~~5-12165-1218.~~ COMPLIANCE WITH STATE STATUTE. Nothing in this chapter shall be interpreted to authorize any person licensed hereunder to transact business in violation of any state statute governing the conduct of transient merchants or portable businesses, nor shall compliance with the provisions of this chapter relieve any person from compliance with the state statutes requiring the licensing of transient merchants or portable businesses.

(Code 2010)

5-1503 LICENSE AND PERMIT FEES. License and permit fees for recreational vehicle camps shall be as set out in Chapter 17.

- a. Temporary permits may be issued for a recreational vehicle, to be occupied other than within a manufactured home park or recreational vehicle camp, for a period not to exceed thirty (~~30~~14) days, upon payment of any temporary permit fee established by Chapter 17. Occupancy shall be considered the use of any manufactured or mobile home by any person for living, sleeping, cooking, or eating purposes for any period of four (4) or more consecutive days. There shall not be more than two (~~2~~4) such permits issued for the placement of a recreational vehicle on the same property in any twelve (12) month period not to be consecutive EXCEPT a church may be issued up to six (6) permits for no more than a 20 day period in any twelve (12) month period not to be consecutive. Prior to occupying a recreational vehicle, located other than within a park or camp, a permit shall be obtained, with such permit being issued only after approval of the required application by the inspector and after payment of the required fee as set out in the approved schedule of fees.

ARTICLE 16 MOBILE FOOD VENDORS

5-1601 DEFINITIONS. The words and phrases listed below when used in this Article shall have the following meanings:

(a) City means the City of Haysville, Kansas.

(b) City Approved Event means any event sponsored by the City or any community event sanctioned by a permit issued by the City pursuant City Code.

(c) Food and/or Beverage means articles used for food or drink for humans or animals, chewing gum, and/or articles used for components of any such article, in accordance with the definition of food within K.S.A. 65-656 and amendments thereto.

(d) Mobile Food Vending means to conduct, hold, carry on, pursue or operate a business of vending, peddling, hawking and/or selling any food and/or beverage from a Mobile Food Unit.

(e) Mobile Food Vendor means any person, corporation, association, or other entity, however organized, that offers any food or beverage for sale from a Mobile Food Unit, subject to the exceptions set forth in Section 5-1603.

(f) Mobile Food Unit or Unit means any self-contained vehicle, trailer, cart, wagon, or other type of conveyance from which any food and/or beverage is offered for sale.

(g) Person means an individual, corporation, partnership, company, agency, institution, or any other entity.

(h) Public property means any property publicly owned, including but not limited to streets, sidewalks, alleys, parks, parking lots, easements, improved or unimproved land, or any buildings or physical structures owned or managed by the City of Haysville or other governmental agency.

(i) Public right-of-way means the entire width of the area from property line to property line including all area intended, designed or used for vehicular or pedestrian traffic and the area between the roadway and the abutting private property line.

(j) Restaurant means an establishment where the principal business is the sale of food and beverages in a ready-to-consume state, but shall not include a Tavern or Drinking Establishment, as those terms are defined in this Code.

5-1602 MOBILE FOOD VENDING—LICENSE REQUIRED. It is unlawful for any person to engage in Mobile Food Vending within the corporate limits of the City of Haysville, Kansas, without obtaining a license in accordance with this Article.

5-1603 EXCEPTIONS.

(a) The provisions of this Article shall not apply to the following activities:

(1) Persons providing catering services to a private event and not open for the sale of food and/or beverage to the general public;

(2) Ice cream trucks licensed and operating pursuant to this Chapter, however an ice cream truck selling food other than ice cream food stuffs must obtain the license set forth in this article and must comply with all provisions herein when selling food other than ice cream food stuffs;

(3) Temporary Portable Businesses licensed and operating pursuant to city code; or

(4) Door to door sales or delivery of prepared food not intended for immediate consumption.

(b) The provisions of this Article shall apply to the sale of agricultural, farm, garden or aquacultural products or fruits grown within the State of Kansas by producers or growers and their agents. Persons engaging in such sales that also fall within the definition of a Mobile Food Vendor must obtain the license required by this Article, however, no fee as set forth in Chapter 17 shall be charged for such license.

5-1604 LICENSE APPLICATION. Any person desiring to obtain the license required by this Article shall complete and submit a written license application on a form provided by the City Clerk for each individual Mobile Food Unit. The application shall require the following information:

(a) The full legal name, date of birth, permanent address, business mailing address, email address and telephone number of the applicant and the contact person for the business, if different from the applicant;

(b) The name under which the Mobile Food Unit does business ("dba" name) and, if applicable, the registered name of the legal entity owning the Mobile Food Unit (corporation, limited liability company, partnership, limited partnership association, firm or other name);

(c) The name of the owner and the type, make and vehicle identification number or other identifying number of the vehicle from which the applicant proposes to conduct business;

(d) The applicant's valid Kansas sales tax number;

(e) A brief description of the nature of the business and the food and/or beverage to be offered for sale;

(f) A statement as to whether the applicant has ever had a mobile vending license or other similar license, permit or registration revoked or suspended under the Code of the City of Haysville or any similar laws of any other city or state;

(g) A statement that the applicant understands and agrees that the license issued pursuant to this Article will not be used or represented in any way as an endorsement of the applicant by the City of Haysville or by any department, officer, or elected or appointed official of the City;

(h) Proof of a valid Kansas driver's license for operation of the class of vehicle or vehicles identified in the application to be used in the business for the applicant and any agents or employees of the applicant who will be involved in driving the identified vehicle or vehicles;

(i) Proof that the applicant has procured a policy of general liability insurance covering the mobile vending operation and vehicle or vehicles written by an insurance carrier licensed to do business in Kansas, with minimum limits of \$500,000 combined, single limit for bodily and property damage per occurrence and \$1,000,000 in the general aggregate; and evidence of compliance with these insurance requirements shall be in the form of a certificate of insurance that shall be submitted with the application;

(j) The application shall contain a statement certifying that all of the information provided in the application is true and correct and must be signed personally and

acknowledged by an individual applicant, by a partner for a partnership applicant, by an officer legally authorized to sign for a corporate application or by a member of a limited liability company legally authorized to sign company documents;

(k) The application shall also contain a statement that no person whose duties include working upon the premises of the Mobile Food Unit is a registered sex offender, and that applicant has, subject to audit, performed the necessary background check of all such persons to ensure that the statement is correct;

(l) The application shall also contain a statement by the applicant that when the Mobile Food Unit associated with the license application herein is not in use, it will be stored or parked in compliance with all ordinances and regulations of the City of Haysville and that failure by the applicant to legally store the Mobile Food Unit may result in the suspension or revocation of the applicant's license; and

(m) The application shall also contain a statement by the applicant or partner, officer or member that he or she is familiar with the provisions of this Article and is complying and will comply with all requirements set forth within.

5-1605 FEE. An application for a Mobile Food Vending license shall be accompanied by a non-refundable fee for each vehicle from which the applicant intends to conduct business according to the fees set out in Chapter 17 and shall be valid and effective only for the dates as set out therein.

5-1606 STANDARDS FOR ISSUANCE OF LICENSE.

(a) To receive a license to operate as a Mobile Food Vendor issued by the City Clerk's office, an applicant must meet the following standards:

(1) The required fees must be paid;

(2) The application must be complete and provide all information required by Section 5-1604;

(3) The applicant must not have knowingly made a false or misleading statement of a material fact in the application;

(4) The applicant must be at least eighteen years of age;

(5) The applicant has certified, subject to audit, that he/she has performed the necessary background check to ensure that no person whose duties include working upon the premises of the mobile food unit is a registered sex offender;

(6) The applicant has provided a statement that the Mobile Food Unit associated with the license application will be stored or parked in compliance with all ordinances and regulation of the City of Haysville; and

(7) The applicant must not have had a similar type of license in any jurisdiction previously suspended or revoked for good cause within two (2) years immediately preceding the date of the filing of the application.

(b) If a license is denied for providing false information or making any false statement on an application, the applicant, any partnership, corporation, limited liability company or other business entity of which the applicant is an officer or member thereof shall be ineligible to reapply for a license under this Article for one (1) calendar year from the date of the license denial.

(c) The issuance of a license shall not constitute approval of the business or activity or otherwise prohibit enforcement of this Article or any other applicable ordinances, laws, rules or regulations.

5-1607 OPERATING CONDITIONS. All Mobile Food Vendors operating within the city limits of the City of Haysville shall comply with the following conditions:

(a) Location. Mobile Food Vendors may vend on property within the City as permitted by the Zoning Code and subject to the following:

(1) Mobile Food Vendors may not be parked or operate on public or private property where the Unit, signage, a line of customers or any other aspect of the Unit's operation would:

- (i) hinder the flow of traffic on any street;
- (ii) hinder the flow of bicycles within any bike lane or route;
- (iii) hinder the flow of pedestrians along any sidewalks;
- (iv) block or reduce to less than five (5) feet in width any accessible route to persons with disabilities; or
- (v) block or obstruct access to any driveway or access point to any property. Provided, however, this provision shall not apply when a Mobile Food Unit is operating on a street that is closed in association with city approved event.

(2) For fire safety purposes, a Mobile Food Unit that is utilizing flammable liquids or gases shall maintain a minimum separation distance of ten (10) feet from any other Unit and a minimum separation distance of twenty (20) feet from any building openings such as doors and windows. The distance from building openings may be reduced to ten (10) feet if written consent is obtained from the building property owner.

(3) No Mobile Food Vendor shall vend on public property within 150 feet as measured from the front door of any restaurant which is open for business unless authorized in writing by the owner or manager of any such restaurant. Such written authority to operate within 150 feet of a restaurant or restaurants shall be maintained on the premises of the Mobile Food Unit at all times it is operating pursuant thereto and produced upon request by the Chief of Police or designee or other public officer authorized to enforce the provisions of this Article.

(4) No Mobile Food Vendor shall vend on public property within 500 feet of the location for which a community event permit has been issued during the hours of the event as specified in the event permit, unless authorized in writing by the event promoter. Distance shall be measured from the boundary of the event footprint nearest to the location proposed to be used for mobile food vending. Any written authority to operate within 500 feet of a community event shall be maintained on the premises of the Mobile Food Unit at all times it is operating pursuant thereto and produced upon request by the Chief of Police or designee or other public officer authorized to enforce the provisions of this Article.

(5) Every Unit shall be stationary while vending.

(6) Whenever any vehicle is used for mobile food vending upon a street, alley, sidewalk or other public right-of-way within the City, such vehicle must be legally parked and no mobile food vendor shall sell any food to any person

standing in the street. Provided, however, this provision shall not apply when a Mobile Food Unit is operating on a street that is closed in association with a city approved event.

(7) No Mobile Food Vendor shall vend on Park property. Provided, however, this provision shall not apply when a Mobile Food Unit is operating on a street that is closed in association with a city approved event.

(b) Written Permission of Property Owner. All Mobile Food Vendors operating on private property or on public property other than public right-of-way shall acquire the written permission of the property owner, manager, tenant or other person in charge of the property allowing the use and location of the Mobile Food Unit on said property. For public property owned by the City of Haysville, written permission shall be obtained from the City Administrator or designee. Any written permission required by this subsection shall be kept on the premises of the Mobile Food Unit and produced upon request by the Chief of Police or designee or other public officer authorized to enforce the provisions of this Article.

(c) Hours of Operation. Mobile Food Vendors are prohibited from operating during the hours of 12:00 a.m. to 5:00 a.m.

(d) Fire Safety. All Mobile Food Units are subject to annual fire safety inspections and shall comply with the following requirements:

(1) Propane shall be limited to a maximum quantity of one hundred (100) pounds. Propane cylinders must be secured from tipping over and must be protected from impact dangers.

(2) Mobile Food Units which produce grease laden vapors shall have a Type I hood system for commercial cooking operation with a fire suppression system in the hood. Mobile Food Units which use other warming apparatus or produce steam shall have a Type II hood system. No hood system is required for those Mobile Food Units which do not perform cooking or use heat producing devices. Mobile Food Units shall be in compliance with this requirement no later than twelve (12) months from the date of adoption of this ordinance.

(3) The hood system grease collection must be cleaned frequently to minimize grease build up. Type I hood systems shall be serviced every six (6) months.

(4) One minimum size 2A-10BC class fire extinguisher is required for each Mobile Food Unit and shall be serviced annually.

(e) Prohibited Sales. Mobile Food Vendors are prohibited at all times from selling or offering for sale alcoholic beverages, cereal malt beverages, or tobacco products without first being properly licensed pursuant to any applicable federal, state or local laws.

(f) Lights. No flashing lights are permitted on the Mobile Food Unit. No direct light from a Mobile Food Unit may be shined on adjacent property or cause a glare or distraction for vehicles, bicycles, or pedestrians.

(g) Signs. Signage mounted on the side of a Mobile Food Unit shall not exceed the dimensions of the Unit by more than one (1) foot in any direction.

(h) Sound devices. The production of amplified music or chimes from a Mobile Food Unit is allowed between the hours of 10:00 AM and 8:30 PM provided that the

sound from the amplified music or chimes is inaudible at any distance greater than three hundred (300) feet from the vehicle.

(i) Trash and Site Cleanup. All Mobile Food Vendors shall ensure that a trash receptacle shall be provided with each Mobile Food Unit. Such receptacle must be attached to the Unit or located within fifteen (15) feet of the Unit and cannot interfere with vehicle access, pedestrian movement or accessible routes to and around the Unit. Immediately upon the cessation of vending, the Mobile Food Vendor shall remove and properly dispose of all trash and litter accumulated at the vending site.

(j) Seating. No seating and/or tables shall be permitted that hinder the flow of traffic on any street, hinders the flow of bicycles within any bike lane or route, hinders the flow of pedestrians along any sidewalks, blocks or reduces to less than five (5) feet in width any accessible route or blocks or obstructs access to any driveway or access point to any property.

(k) Licenses and Permits. All Mobile Food Vendors and employees thereof shall acquire and maintain all required licenses, permits and inspections applicable to the use and operation of Mobile Food Units from all applicable jurisdictions. Evidence of such licenses, permits and/or inspections applicable to any vehicle, equipment, operator or employee shall be kept in the Unit and produced upon request by the Chief of Police or designee or other public officer authorized to enforce the provisions of this Article.

(l) Food Handling. No Mobile Food Vendor or any employee, agent, or representative thereof shall vend food and/or beverages without meeting the conditions set forth by the Kansas Department of Health and Environment.

(m) Wastewater Disposal. No wastewater resulting from the Mobile Food Vending operation shall be disposed of on the ground or in a stormwater drain. All wastewater must be disposed of in accordance with Chapter 15 of this Code and specifically in compliance with Section 15-803 of this Code and amendments thereto.

5-1608 **RIGHT TO CLOSE OR RELOCATE A MOBILE FOOD VENDOR.** Any law enforcement officer has the right to close down or request a Mobile Food Unit to relocate, where, in the opinion of such officer, the Mobile Food Unit is causing or contributing to an imminent public safety hazard. Such hazards shall include, but not be limited to, situations where the operation of a Mobile Food Vending Unit is causing a traffic hazard, a fire hazard, is impeding free or uninterrupted passage of vehicles and/or pedestrians upon public streets, sidewalks or alleyways, selling food or beverages that are not safe for human consumption or operating a Mobile Food Unit without the license required by this Article.

5-1609 **LICENSE DENIAL, REVOCATION, AND APPEAL.**

(a) If a license is not issued, the City Clerk or designee shall indicate in writing the reason(s) for denial and inform the applicant of the applicant's right to an appeal of the denial in accordance with the provisions of this Article.

(b) A license may be suspended for up to 30 days or revoked by the Chief of Police or designee or other city personnel authorized to enforce the provisions of this Article for any of the following reasons:

(1) The licensee fails to provide true and correct information on the application;

(2) The licensee fails to continuously maintain insurance upon the Mobile Food Unit in accordance with requirements of this Article;

(3) The licensee allows a registered sex offender to work upon the premises of the Mobile Food Unit;

(4) The licensee or any employee or agent thereof commits a violation of any provision of this Article or any federal, state, or local law, rule or regulation applicable or related to mobile food vending; or

(5) The licensee becomes otherwise ineligible to hold a Mobile Food Vending license.

Notice of such suspension or revocation shall be shall be mailed by the City Clerk or designee to the licensee's address as shown on the license application form and/or personally served upon the licensee. Such notice shall be in writing and shall set forth the reason(s) for revocation and the licensee's right to an appeal in accordance with the provisions of this Section, provided, however, any appeal of a license suspension or revocation shall not suspend or revoke the license during the pendency of the appeal.

(c) Appeal process.

(1) Upon the denial of an application for, or suspension or revocation of a mobile food vending license, the applicant or licensee shall have the right to appeal such action within ten (10) business days of the notice of denial, suspension or revocation being mailed to the applicant's address as shown on the license application form, and/or personal service upon the applicant or licensee. Such an appeal must be in writing and filed with the City Clerk, setting forth the grounds for the appeal. Upon receipt of a complete and timely filed Notice of Appeal, the City Clerk shall schedule a hearing before the City Council, no later than thirty (30) days from the date of the filing of the Notice of Appeal with the City Clerk. Any appeal shall stay a suspension or revocation of the license or permit until the matter is heard by the City Council.

(2) The City Council may approve the denial, suspension or revocation, overrule the denial, suspension, or revocation or modify the decision to deny, suspend or revoke a license made by any city personnel authorized to enforce the provisions of this Article.

(3) In any hearing before the City Council pursuant to this section, a certified copy of a conviction from any local, state, or federal court for any violation, is prima facie evidence of such violation.

(4) The City Council's decision may be appealed to the Eighteenth Judicial District Court of the State of Kansas pursuant to K.S.A. 60-2101 and any amendments thereto. Any such appeal to the District Court shall not stay the denial, suspension or revocation of the license, or any modification imposed thereupon by the City Council.

(5) If a license is revoked for any reason, the applicant, any partnership or any business entity of which the applicant is an officer or member thereof shall be ineligible to reapply for a license under this Article for two (2) calendar years from the date of the license revocation.

5-1610 TERM AND TRANSFERABILITY. Licenses issued under this Article are available for periods of one (1) month, six (6) months or one (1) year. A license must be

obtained for each individual vehicle being used in a mobile food vending operation. Licenses may not be transferred between persons or vehicles.

- 5-1611 POSTING. Any person licensed under this Article must keep their license posted in a conspicuous place inside the vehicle used for mobile food vending. Such license must be current and may be used only by the licensee.
- 15-1612 ENFORCEMENT—PERSONNEL AUTHORIZED. In addition to all law enforcement officers, the following personnel employed by the City shall have the power to enforce the provisions of this Article:
- (a) The Director of Public Works or designee;
 - (b) The Zoning Administrator or designee; and
 - (c) The City Clerk or designee.
- 15-1613 PENALTY FOR VIOLATION. Any person convicted of a violation of this Article shall be guilty of a misdemeanor and shall be punished by a fine as established in Chapter 17 of the Haysville Municipal Code. Each day that any violation of this Article occurs, shall constitute a separate offense and shall be punishable as a separate offense.
- 15-1614 SEVERABILITY. Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

RESOLUTION NO. 24-2019

Date Adopted: 10-1-2019

Date Published/Effective: - - 2019

A RESOLUTION AMENDING CHAPTER 12, ARTICLE II OF THE SEDGWICK COUNTY CODE IN ITS ENTIRETY THROUGH THE REPEAL OF THE EXISTING FIRE CODE AND THE ADOPTION OF THE SEDGWICK COUNTY FIRE CODE, 2019 EDITION, WHICH INCORPORATES THE INTERNATIONAL FIRE CODE, 2018 EDITION, INCLUDING APPENDICES B, C, D, E, F, G, AND N, WITH CERTAIN PROVISIONS DECLARED TO BE OMITTED, AMENDED OR MODIFIED; AND PROVIDING FOR PENALTIES AND PROSECUTION OF VIOLATIONS THEREOF; PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE, FROM EXPLOSION, AND FROM THE POSSESSION, STORAGE, SALE, DISPLAY, USE, AND DISCHARGE OR EXPLOSION OF FIREWORKS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; TO BE EFFECTIVE WITHIN THE UNINCORPORATED AREAS OF SEDGWICK COUNTY, KANSAS, INCLUDING THOSE CITIES LOCATED WITHIN SEDGWICK COUNTY WHICH HAVE BY ACTION OF THEIR GOVERNING BODIES ADOPTED THE SEDGWICK COUNTY FIRE CODE IN THE SAME FORM AS HEREIN INCORPORATED AND WHICH HAVE ENTERED INTO SEPARATE AGREEMENTS WITH SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE PROVIDING FOR ENFORCEMENT WITHIN SUCH CITIES' MUNICIPAL BOUNDARIES BY MEMBERS OF SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE AND CONFERRING JURISDICTION UPON SEDGWICK COUNTY FOR ALL PROSECUTORIAL FUNCTIONS RELATING THERETO.

WHEREAS, pursuant to K.S.A. 19-101d, the Kansas State Legislature granted the Board of County Commissioners of Sedgwick County the authority to enforce all resolutions passed pursuant to county home rule powers; and

WHEREAS, K.S.A. 19-4701 *et seq.* established the code for the enforcement of county codes and resolutions; and

WHEREAS, on the 4th day of September, 2013, the Board of County Commissioners adopted Resolution No. 162-2013, which resolution adopted the *Sedgwick County Code*; and

WHEREAS, Chapter 12, Article II, of the *Sedgwick County Code* incorporates by reference the International Fire Code, 2012 Edition (Resolution); and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, finds that it has been advised by the Fire Chief of Sedgwick County Fire District Number One, and therefore deems it necessary to amend Chapter 12, Article II of the *Sedgwick County Code* in its entirety through the repeal of the existing Fire Code, including its references to the International Fire Code, 2012 Edition; to adopt the Sedgwick County Fire Code, 2019 Edition, which includes the International Fire Code, 2018 Edition, including appendices B, C, D, E, F, G, and N, with certain provisions declared to be omitted, amended or modified; to provide for penalties and prosecution of violations thereof; to prescribe regulations governing conditions hazardous to life and property from fire, from explosion, and from the possession, storage, sale, display, use and

discharge or explosion of fireworks; to provide for the issuance of permits and collection of fees therefor; to be effective within all unincorporated areas of Sedgwick County, Kansas, including those cities located within Sedgwick County which have by action of their governing bodies adopted the Sedgwick County Fire Code, 2019 Edition, in the same form as herein incorporated and which have entered into separate agreements with Sedgwick County Fire District Number One providing for enforcement within such cities' municipal boundaries by members of Sedgwick County Fire District Number One and conferring jurisdiction upon Sedgwick County for all prosecutorial functions relating thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AS FOLLOWS:

SECTION 1. REPEAL AND ADOPTION. Chapter 12, Article II, of the *Sedgwick County Code* is hereby amended in its entirety by the repeal of the existing Fire Code and the adoption of the Sedgwick County Fire Code, 2019 Edition, consisting of the International Fire Code, 2018 Edition, including appendices B, C, D, E, F, G, and N, with certain provisions declared to be omitted, amended or modified, as the standard code. The Sedgwick County Fire Code, 2019 Edition, is hereby adopted and incorporated herein by the Board of County Commissioners of Sedgwick County, Kansas, as the official code for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, from explosion, and from the possession, storage, sale, display, use and discharge or explosion of fireworks, within all unincorporated areas of Sedgwick County, Kansas, including those cities located within Sedgwick County which have by action of their governing bodies adopted the Sedgwick County Fire Code, 2019 Edition in the same form as herein incorporated and which have entered into separate agreements with Sedgwick County Fire District Number One providing for enforcement within such cities' municipal boundaries by members of Sedgwick County Fire District Number One and conferring jurisdiction upon Sedgwick County for all prosecutorial functions relating thereto.

SECTION 2. PUBLICATION AND EFFECTIVE DATE. The Sedgwick County Clerk is directed to publish this Resolution once in the official county newspaper. The Sedgwick County Fire Code, 2019 Edition, shall take effect upon its publication once in the official county newspaper.

SECTION 3. SEVERABILITY. If any provision or section of the Sedgwick County Fire Code, 2019 Edition, as incorporated herein, is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality shall not affect any other provision of said code. In the event of such a ruling by a court of competent jurisdiction, the Sedgwick County Fire Code, 2019 Edition, shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

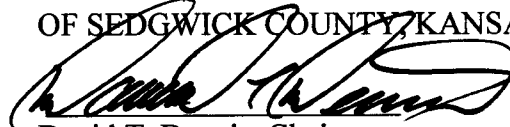
Commissioners present and voting were:

DAVID T. DENNIS
PETE MEITZNER
MICHAEL B. O'DONNELL II
LACEY CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye


DATED this 2 day of October, 2019.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS



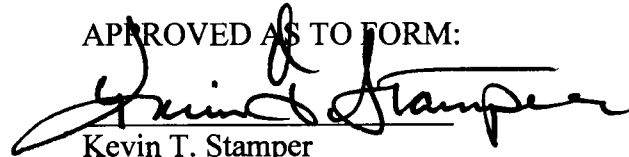
David T. Dennis, Chairman
Commissioner - Third District

ATTEST:


Kelly B. Arnold
County Clerk



APPROVED AS TO FORM:



Kevin T. Stamper
Assistant County Counselor

SEDGWICK COUNTY FIRE CODE, 2019 EDITION (Adopting 2018 IFC as Amended)

Sec. 12-51. Adopted.

The International Fire Code, 2018 edition, including appendices B, C, D, E, F, G, and N published by the International Code Council, Inc., 500 New Jersey Ave., NW, 6th Floor, Washington, DC 20001, save and except such portions as are omitted, amended or modified in this Article, hereinafter altogether referred to as the "I.F.C.", "Fire Code," or "this Code," is hereby adopted in its entirety as the fire code for Sedgwick County, 2019 Edition, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, from explosion, and from the possession, storage, sale, display, use and discharge or explosion of fireworks, to be effective within all unincorporated areas of Sedgwick County, Kansas and those cities located within Sedgwick County which have by action of their governing bodies adopted the Sedgwick County Fire Code, 2019 Edition, in the same form as contained within this Article and which have entered into separate agreements with Sedgwick County Fire District One providing for enforcement within said cities' municipal boundaries by members of Sedgwick County Fire District One, and conferring jurisdiction upon Sedgwick County for all prosecutorial functions relating thereto.

Sec. 12-52 Amendments.

Changes, additions, and deletions to sections of the I.F.C. 2018 Edition and the appendices thereto are adopted only as set forth hereinafter:

101.1 Title. These regulations shall be known as the Sedgwick County Fire Code, 2019 Edition, hereinafter referred to as the "Fire Code," the "I.F.C.," or "this Code." This Code shall be the fire code for all unincorporated areas of Sedgwick County, Kansas and those cities located within Sedgwick County which have by action of their governing bodies adopted the Fire Code in the same form as herein contained and which have entered into separate agreements with Sedgwick County Fire District One providing for enforcement within such cities' municipal boundaries by members of Sedgwick County Fire District One and conferring jurisdiction upon Sedgwick County for all prosecutorial functions relating thereto.

SECTION 101, GENERAL

Sec. 101 is hereby amended by adding a new Section 101.6, which shall read as follows:

101.6 Reference Codes.

1. Whenever used in the Fire Code, the term "*ICC Electrical Code*" shall be construed to mean the current National Electrical Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
2. Whenever used in the Fire Code, the term "*International Fuel Gas Code*" shall be construed to mean the current International Fuel Gas Code published by the International Code Council.

3. Whenever used in the Fire Code, the term "*International Mechanical Code*" shall be construed to mean the current International Mechanical Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
4. Whenever used in the Fire Code, the term "*International Plumbing Code*" shall be construed to mean the current Uniform Plumbing Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
5. Whenever used in the Fire Code, the term "*International Existing Building Code*" shall be construed to mean the current Building Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
6. Whenever used in the Fire Code, the term "NFPA Code" shall be construed to mean the current National Fire Protection Association Codes and Standards.

SECTION 103, DEPARTMENT OF FIRE PREVENTION is hereby amended as follows:

103.2 Appointment. The Code Official shall be appointed by the chief appointing authority of the jurisdiction. The Code Official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority. The Code Official and persons so appointed by the Code Official shall be "code enforcement officers" as code enforcement officer is defined in K.S.A. 19-4708(d) and shall have the power to sign, issue and execute uniform complaints and notices to appear as set out by K.S.A. 19-101d, in addition to all other powers and authority granted to them or any of them by any other applicable federal, state or county law, rule, regulation, or resolution.

SECTION 105, PERMITS

Section 105.1 is hereby amended by adding a new Section 105.1.4, which shall read as follows:

105.1.2 Permit fees. Permit fees required by this Code are established as follows:

[Table 105.1.4 begins on following page.]

Table 105.1.2
PERMITS AND OTHER FEES

Operational Permits (Sec. 105.6) - Permit to Operate/Use

Wood Products Storage Permit	\$500.00 per year
<i>(in excess of 2500 cubic feet)</i>	
Explosive Storage Permit - Outdoor storage units.....	\$150.00 per unit
Explosive Storage Permit - Building	\$200.00 per unit
Explosive Storage Permit - Fireworks sales not to exceed 30 days.....	\$75.00 per unit
Flammable and Combustible Liquid Tank at Construction Sites:	
<1000 gallons	\$75.00 per tank
1001 gallons or more	\$100.00 per tank
<i>All Burn Permits may be applied for online at www.sedgwickcounty.org/fire</i>	
Open Burning Permit.....	No Fee
Agricultural Burning Permit.....	No Fee
Pyrotechnic Special Effects Display Permit - Indoor/Outdoor	\$100.00 per event
<i>(The fee shall increase \$25 per day each day the application is submitted less than 10 days prior to the event)</i>	
Pyrotechnic Special Effects Display re-inspection fee.....	\$100.00 per inspection
Special Amusement Facility or similar operations - Indoor/Outdoor	\$75.00 per event
Special Amusement Facility or similar operations - re-inspection fee.....	\$100.00 per inspection
Storage of scrap tires and tires byproducts.....	\$500.00 per year
<i>(in excess of 1,000 cubic feet)</i>	
Mobile Food Preparation Vehicles.....	\$75.00 per year/per unit

Construction Permits (Sec. 105.7) - Permit to Install/Alter

Plan Review	Fees addressed in Section 114.5
Fire Alarm and Detection Systems.....	\$75.00
Fire Extinguishing system - Cooking Hood System (New Install).....	\$75.00 per system
Fire Extinguishing system - Spray Finishing Operation (New Install).....	\$75.00 per system
Fire Sprinkler System.....	\$75.00
Private water supply lines for fire protection	\$75.00
Temporary membrane structures, tents and canopies	\$75.00 per structure

Table 105.1.2
PERMITS AND OTHER FEES

Fire Alarm and Sprinkler System Plan Review Fees (Sec. 114)

Fire Alarm System and Fire Sprinkler System (based upon number of devices or sprinkler heads):

1-19	devices or heads.....	\$75.00
20-100	devices or heads.....	\$125.00
101-200	devices or heads.....	\$175.00
201-300	devices or heads.....	\$225.00
301-400	devices or heads.....	\$275.00
401-500	devices or heads.....	\$325.00
501-600	devices or heads.....	\$375.00
601-700	devices or heads.....	\$425.00
701-800	devices or heads.....	\$475.00
801-900	devices or heads.....	\$525.00
> 900 *	devices or heads.....	\$575.00

(*plus \$0.50 per every device or head greater than 900)

Other Fees

Fire Incident Reports, Investigative reports, and/or medical reports

0 to 2 years after date of incident.....	\$25.00 per incident
2 to 4 year after date of incident.....	\$35.00 per incident
5 or more years after date of incident	\$75.00 per incident

FOIA/KORA requests for data will be calculated at a rate of \$25.00 a hour.

Any re-inspection that is required shall be subject to a.....\$200.00 re-inspection fee

Additional Plan Review Fee resulting from an incomplete submittal or denial of plans..... One-half of original fees
(minimum charge - \$35)

Return Check Fee.....\$30.00, plus original fees

Reproduction cost of 35mm. digital. video or audiocassette.....\$35.00 per hour, plus actual cost of reproduction cost
(minimum charge - \$35)

Section 105 Permits is further amended 105.6.32 and 105.6.50 which shall read as follows:

105.6.32 Open burning. An operational permit is required for the kindling or maintaining of any open fire or a fire on any street, alley, road, or other public or private ground in accordance with Section 307. Instructions and stipulations of the permit shall be adhered to. Permits can be obtained online or at any Sedgwick County Fire District One fire station.

Exception: Recreational Fire. An outdoor fire burning material other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or pit, and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height and utilized for pleasure, religious, ceremonial cooking, warmth or similar purpose.

105.6.50 Wood Products. An operational permit is required to store chips, hogged material, lumber, plywood or wooden pallets in excess of 2500 cubic feet.

Section 106 Fees is further amended with the addition of new Section 106.1.2, which shall read as follows:

106.1.2 Payment of fees. Cash, personal check, cashier's check, or money order may be used for the payment of permits and other fees required by this Code. Also, when permitted by the administration of Sedgwick County Fire District One, credit cards may be used for the payment of permits and other fees required by this Code. In any case where a check issued for payment of permits or other fees required by this code is returned marked "insufficient funds" or "account closed" or otherwise dishonored, the remitter of the check shall be liable for a \$30.00 return check service charge, in addition to the permit or other fee. The amount of the returned check, together with the service charge shall constitute a debt due the County, which may be collected by suit or otherwise. Nothing in this subsection shall be construed so as to exclude criminal prosecutions as in other cases involving dishonored checks. A returned check shall void and nullify any approval granted by the Fire Department until such time as a new permit application is reviewed and approved by the Fire Department. Payment of those fees shall be either by certified check or by cash.

SECTION 109, BOARD OF APPEALS is hereby deleted in its entirety and a new Section 109 is hereby adopted, which shall read as follows:

109.1 Board of Appeals established. In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of the I.F.C, there shall be and hereby is created a Board of Appeals consisting of six (6) members who are qualified by experience and training to pass upon pertinent matters and who are not employees of Sedgwick County or Sedgwick County Fire District One, who shall be qualified, appointed and sworn to the office before the Sedgwick County Clerk. The Board of Appeals shall be appointed by the governing body of Sedgwick County Fire District One to serve at its pleasure and each board member so appointed shall serve for a term of three (3) years. In the event of the death, resignation or disqualification of any member of the Board of Appeals, such member's successor shall be appointed as herein provided to fill only the unexpired term caused by the vacancy. The Board of Appeals shall adopt reasonable rules, procedures, and regulations for conducting its investigations and hearing appeals and the Board of Appeals shall appoint one of its members to serve as secretary whose duty shall be to keep

accurate written minutes of each meeting, and the Board of Appeals shall render all findings and decisions in writing to the Fire Chief with a duplicate copy to the applicant or appellant. The Board of Appeals members' terms in place at the time of the enactment of this Code are unaffected by said enactment.

The Board of Appeals shall consist of at least one individual from each of the following professions:

1. Registered design professional that is a registered architect with at least ten years of experience, five of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.
3. Registered design professional with mechanical or plumbing engineering experience; or a mechanical or plumbing contractor with at least ten years of experience, five of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience; or an electrical contractor with at least ten years of experience, five of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience; or a fire protection contractor with at least ten years of experience, five of which shall have been in responsible charge of work.
6. Licensed General contractor with at least ten years of experience regularly engaged in the construction, alteration, maintenance, repair or remodeling of buildings or building services and systems regulated by the code.

109.1.1 Application for appeal. All appeals shall be made in writing to the Chief of the Fire Department within ten (10) calendar days of the pronouncement of the decision being appealed from, or be forever barred. Any applicant or appellant desiring to use alternate materials or types of construction shall guarantee payment of all expenses for any tests deemed necessary by the Board of Appeals. Any appeal shall be heard by the Board of Appeals not less than 30 calendar days from the date upon which the Fire Department received said applicant's or said appellant's written notification to appeal the matter.

109.2 Limitations on authority and jurisdiction. An application for appeal shall be based on a claim that the intent of this Code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent method of protection or safety is proposed. The Board shall have no authority to waive requirements of this Code. In making its decision, the Board of Appeals shall consider the degree of safety to be achieved and any resulting detriment to the public welfare, and if available, the Board of Appeals shall use established standards of nationally recognized laboratories and research organizations. The Board, in cooperation with the Fire Chief, shall make a review of the Fire Code as deemed necessary and appropriate and they shall make a report to the governing body of Sedgwick County Fire District One regarding recommendations for changes thereto.

109.3 Conflict of interest. Board members with a material or financial interest in a matter before the Board of Appeals shall declare such interest and refrain from participating in discussions, deliberations, and voting on such matters.

109.4 Appeal of Board of Appeals Decision. Within 30 days of the final decision of the Board, any person aggrieved thereby may maintain an action in the District Court of Sedgwick County to determine the reasonableness of such final decision.

SECTION 110, VIOLATIONS is hereby amended and additions shall read as follows;

110.1 Unlawful acts. Any person who shall violate any of the provisions of the I.F.C. hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Appeals or by the Sedgwick County Court, within the time fixed for correction of the violation by the Board of Appeals or the Sedgwick County Court, shall be, severally for each and every such violation and noncompliance, respectively, guilty of a violation of the Sedgwick County Code, punishable by a fine according to the fine schedule in Section 8-5 of the Sedgwick County Code, which is included immediately below, along with any Special Class Violations that are specific to the Fire Code. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects. The number of the offense in the table below corresponds with the number of convictions for that specific violation, which occurred within a 12-month period.

<u>Class</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>
A	\$ 5.00	\$ 10.00	\$ 15.00
B	15.00	30.00	45.00
C	20.00	40.00	60.00
D	30.00	60.00	90.00
E	40.00	80.00	120.00
F	50.00	100.00	150.00
G	75.00	150.00	225.00
H	150.00	300.00	450.00
I	500.00		
Special Class Violations	1,000.00		

110.3.1.1 Issuance of uniform complaint and notice to appear. Whenever the Code Official or a code enforcement officer authorized under this article has probable cause to believe that a person, firm, or corporation is committing or has committed a violation of any provision of the Fire Code, the Code Official or such code enforcement officer may serve upon such accused

person a uniform complaint and notice to appear, or in the alternative, may sign a complaint against the accused person and cause a notice to appear to be issued according to the provisions of Section 8-2 of the Sedgwick County Code. Pursuant to K.S.A. 19-101d, prosecution for any such violation shall be conducted in the manner provided by law in Chapter 8 of the Sedgwick County Code. Writs or processes necessary for the prosecution of such violations shall be substantially in the form of writs and process as described in K.S.A. 19-4738 and as set forth by the Kansas Judicial Council. The County shall provide all necessary supplies, forms and records at its own expense.

110.3.3.1 Procedures. Procedures for prosecution of violations of the Fire Code and this article shall be pursuant to Chapter 8 of the Sedgwick County Code.

110.4.2 Classification of violations and schedule of fines. An accused person who has been convicted for violation of any provision of the Fire Code shall be deemed guilty of a violation thereof and in accordance with K.S.A. 19-4716, shall be subject to payment of a fine which shall be fixed by the Court; provided further, the maximum fine for any violation of this article shall be assessed according to the classification of violations and schedules of fines in Section 8-5 of the Sedgwick County Code and Section 109.1 of the Fire Code (which includes special class violations specific to the Fire Code and that are meant to supplement the table within Section 8-5 of the Sedgwick County Code) and subject to the enhancements contained therein. Every violation of this article shall be a class I violation, except that those violations separately listed in Schedules A & B of the Fire Code shall be classified as set forth in said Schedules. Violations listed in Schedule B are special class violations, which shall carry a maximum fine of \$1,000.00 each.

110.4.3 Separate Offense. With respect to violations of the Code that are continuous with respect to time, each day the violation continues is a separate offense and shall be punishable as a separate violation. Provided, however, that if any person, firm or corporation is found guilty of a violation hereunder and it shall appear to the Court that the violation complained of as prescribed in the Fire Code is continuing, then in addition to the penalty as set forth, the Court may enter such order as it deems appropriate to cause the violation to be abated.

SECTION 114, PLAN REVIEW is hereby added, establishing a system of plan review and fees for same.

114.1 Plan review mandatory. All building plans required by law to be submitted to the Metropolitan Area Building and Construction Department ("MABCD") for plan review shall also be submitted to Sedgwick County Fire District One, whenever the location of the project described in the building plans is within the taxing district boundaries of Sedgwick County Fire District Number One, or in a jurisdiction that has entered into a separate agreement with Sedgwick County Fire District One for the purpose of the Fire Department's service or review and determination whether the building plans are in compliance with the provisions of this Code. When building plans are not required to be submitted to the MABCD for plan review, but are required to be submitted to the Sedgwick County Fire District One by another building code enforcement agency, the building plans shall be submitted in such form and detail as approved by Sedgwick County Fire District One.

Exception: Building plans for projects other than roofed and walled structures built for permanent use are not required to be submitted to Sedgwick County Fire District One pursuant to this Section.

114.2 Applicant to state value of construction. The person, firm or corporation submitting the building plans shall state thereon, or on an attachment thereto, the value of the construction reflected on the plans, and by that person's, individual's or authorized corporate representative's signature thereon, shall certify that the value of construction so stated truly, accurately and within a reasonable degree of certainty describes the value of construction.

114.3 Plans and Specifications. Whenever plans are submitted in accordance with Section 114.1, An electronic set of all plans, engineering calculations, diagrams and other data shall be submitted. All plan designs and calculations concerning an automatic sprinkler system shall be submitted by individuals who comply with the licensing requirements of Section 901.3.1. Engineers and architects submitting plans shall be licensed by the State of Kansas to practice in their respective professions.

114.4 Information Required. All plans and specifications shall be drawn to scale when possible and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed. All plans and specifications shall show in detail that the proposed work conforms to the provisions of the Fire Code and all relevant laws, resolutions or ordinances, rules and regulations of the jurisdiction for which the work is conducted

114.5 Fee assessed. Sedgwick County Fire District One shall assess a plan review fee for the service, and the fee shall be based on the value of construction as certified pursuant to Section 114.2 and shall be twenty-five percent (25%) of the plan review fee assessed by the MABCD as established in the current Wichita/Sedgwick County Unified Building and Trade Codes. The MABCD shall remit twenty-five percent (25%) of the plan review fee it collects to the Sedgwick County Fire District One to satisfy this fee amount. Whenever another building code enforcement agency does not use the plan review fee schedule as established in the current Wichita/Sedgwick County Unified Building and Trade Codes, Sedgwick County Fire District One shall assess a plan review fee in accordance with Schedule C of the Fire Code, which shall be the result of multiplying the value of the construction by the applicable multiplier.

114.6 Payment of fee. The plan review fee shall be paid by the person, individual or corporation submitting the building plans by cash, personal check, cashier's check, debit/credit card or money order made payable to Sedgwick County Fire District One and shall be paid at the time the building plans are delivered to Sedgwick County Fire District One. The plan review fee due to the Sedgwick County Fire District One may be included in the payment of fees due to the MABCD for the purpose of presenting only one check for payment thereof. MABCD shall deposit the appropriate amount of the plan review fee into the account of Sedgwick County Fire District Number One, as payment is received.

114.7 Payment of fee required prior to plan review. The plan review required in Section 112.1 shall not be completed until the required plan review fee has been paid.

114.8 Plan review required. It shall be unlawful for a person to proceed with construction until building plans have been approved by the Sedgwick County Fire District One, whenever such plan review is required by the Fire Code.

114.9 Dishonored checks. In any case where a check issued for payment of plan review fees is returned marked "insufficient funds" or "account closed" or otherwise dishonored, the remitter of the check shall be liable for a \$30.00 return check charge, in addition to the plan review fee. The amount of the returned check, together with the service charge shall constitute a debt due the county, which may be collected by suit or otherwise. Nothing in this subsection shall be construed so as to exclude criminal prosecutions as in other cases involving dishonored checks.

SECTION 302.1, DEFINITIONS is hereby amended as follows:

AERIAL LUMINARY. Commonly known as a sky lantern or a floating lantern, an aerial luminary refers to an airborne paper object containing a device for fuel that heats air from the inside causing it to rise into the air and remain airborne until extinguished, or any other unmanned free floating device which includes a flame or other heating device to heat air as a lifting mechanism.

BONFIRE. An outdoor fire utilized for ceremonial purposes, which does not meet the criteria for a recreational fire. A burn permit is required for a bonfire.

SECTION 304, COMBUSTIBLE WASTE MATERIAL is hereby amended as follows:

304.3.2 Capacity exceeding 7.33 cubic feet. Containers with a capacity exceeding 7.33 cubic feet (55 gallons) shall be provided with screen/spark arrester with maximum one quarter inch openings. Containers and screens shall be constructed of noncombustible materials.

SECTION 307, OPEN BURNING AND RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES is hereby amended as follows:

307.2 Permit required. A permit shall be obtained from Sedgwick County Fire District One in accordance with Section 105.6.32 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, a bonfire, or any open burning. Application for such approval shall only be presented by and permits shall only be issued to the owner of the land upon which the fire is to be kindled, or said owner's designee. The individual that applies for a permit must be at least 18 years old. Any fire for which a permit is required by this Section must be tended to by an individual not less than 18 years old and of suitable intelligence. Instructions and stipulations indicated on the permit shall be adhered to. Permits can be obtained online or at any Sedgwick County Fire District One fire station. Any burning operation that does not fit the standard burn permit requirements must be approved by the Sedgwick County Fire Marshal's office prior to burning.

307.4 Location. Open burning shall not be conducted within 100 feet of any structure or other combustible material. Conditions which could cause the fire to spread to within 100 feet of a structure shall be eliminated prior to ignition.

307.4.1 Bonfires. A bonfire shall not be conducted within 100 feet of a structure or combustible material unless the bonfire is contained in a barbecue pit. Conditions that could cause a fire to spread within 100 feet of a structure shall be eliminated prior to ignition.

307.6 Illegal Materials. Burning of any heavy smoke-producing material is strictly prohibited. Pursuant to Kansas Administrative Regulation 28-19-647(e)(2) and this Section, burning of tires, pallets, railroad or bridge lumber, any treated lumber, plastics or rubber is considered to be the burning of heavy smoke-producing material. When burning wood products, only wood which has not been painted, cleaned, stained, and is not or has not been furniture, may be burned.

SECTION 308, OPEN FLAMES is hereby amended by adding new Section 308.3.3

308.3.3 Aerial luminaries. It shall be unlawful to sell, ignite, possess or otherwise use an aerial luminary, also known by the name sky lantern.

SECTION 311, VACANT PREMISES is hereby amended as follows:

311.1.1 Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the current Sedgwick County Code.

SECTION 503, FIRE APPARATUS ACCESS ROADS is hereby amended as follows:

503.1 Where required. Fire apparatus access to single family, agriculture or accessory structures shall be provided and maintained in accordance with the current Sedgwick County Service Drive Code, located within Chapter 12, Article III of the Sedgwick County Code. In all other cases, fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

SECTION 507, FIRE PROTECTION WATER SUPPLIES Section 507.5.1.1 is amended and shall read as follows:

507.5.1.1 Hydrant for standpipe systems. Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 150 feet of the Fire Department connection.

Exception: The distance shall be permitted to exceed the 150 feet where approved by the Fire Code Official.

SECTION 603, FUEL-FIRED APPLIANCES is hereby amended as follows:

603.8.3 Restrictions. Use of free-standing incinerators is prohibited, except that the occupant of a single family dwelling may burn only the combustible residential trash of the occupant of such single family dwelling in a free-standing incinerator of a design that is in accordance with specifications provided by Sedgwick County Fire District One and provided further that such free-standing incinerator is located and operated at least one hundred feet (100') from any dwelling, structure, or building, whether occupied or not, and ten feet (10') from any property line. Free-standing incinerator operations shall not be conducted on a parcel of land less than 5 acres unless owner has obtained prior approval from the Fire Code Official.

603.8.4 Time of burning. Burning of residential trash shall only be conducted one hour after sunrise to one hour before sunset.

SECTION 607, COMMERCIAL KITCHEN HOODS is hereby amended as follows:

607.2 Where required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors.

607.2.1 Domestic cooking appliances used for noncommercial purposes may be permitted. These noncommercial domestic cooking appliances shall be equipped with an exhaust hood with a fire suppression system.

SECTION 901, FIRE PROTECTION AND LIFE SAFETY SYSTEMS

901.3.1 Authorized Installers. No person or business entity shall install any system regulated by this section unless said person or business entity is a licensed fire protection contractor who has passed an appropriate examination. The International Code Council test for general contractors in the state of Kansas located at 5360 S Workman Mill Road, Whittier, California 90601, and the "Block Test" administered by Experior, 2100 NW 53rd Avenue, Gainesville, Florida 32653-2149, are designated as the standard examinations for determining the qualifications of persons seeking licensure.

901.6.1.1 Authorized Inspectors, test and maintenance personnel. No person or business entity shall inspect, test or maintain any system regulated by this section unless said person or business entity is a licensed fire protection contractor who has passed an appropriate examination. The International Code Council test for general contractors in the state of Kansas located at 5360 S Workman Mill Road, Whittier, California 90601 and the "Block Test" administered by Experior, 2100 NW 53rd Avenue, Gainesville, Florida 32653-2149, are designated as the standard examinations for determining the qualifications of persons seeking licensure.

SECTION 903, AUTOMATIC SPRINKLER SYSTEMS is hereby amended as follows:

Section 903, Automatic Sprinkler Systems is further amended with the editing of Sections 903.2.1.2, 903.2.8, 903.2.11.1.1, 903.2.11.3 and 903.3.7, which shall read as follows:

903.2.1.2 Group A-2. *An automatic sprinkler system shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-02 occupancy to and including the level of exit discharge serving that occupancy where one of the following conditions exists:*

1. *The fire area exceeds 5,000 square feet (464 m²).*
2. The fire area has an occupant load of 100 or more.

Exception: the fire area occupant load may go to 299 people if a 3rd exit or fire alarm is added that is approved by the Fire Code Official or the Building Official or duly authorized representative.

3. The fire area is located on a floor other than a level of discharge serving such occupancies.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: Automatic sprinkler systems are not required when K.S.A. 12-16,219 applies. ("Residential structure" referring to a single-family dwelling or multi-family dwelling of two attached living units or less or any manufactured home.)

903.2.11.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm) in width and 48 inches (1219 mm) in height. Such openings shall be accessible to the Fire Department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

903.2.11.3 Buildings of 30 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 30 feet or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking structure.
3. Occupancies in Group F-2.

SECTION 904, ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS
Section 904 is amended by adding new Section 904.12.5.4, which shall read as follows:

904.12.5.4 Inspection and cleaning. The entire exhaust system, including hoods, grease-removal devices, fans, ducts and other appurtenances, shall be inspected in accordance with the schedule set forth in Table 904.12.5.4. Inspections shall be recorded on an inspection card permanently attached to the system, and the record shall state the time and date of inspection. Upon inspection, if found to be contaminated with deposits from grease-laden vapors, the entire exhaust system shall be cleaned in accordance with this section and N.F.P.A. 96 by a qualified kitchen exhaust system cleaner. The cleaning shall meet the following requirements:

1. Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned to bare metal prior to surfaces becoming heavily contaminated with grease or oily sludge.
2. At the start of the cleaning process, electrical switches that could be activated accidentally shall be locked out.
3. Components of the fire suppression system shall not be rendered inoperable during the cleaning process.
4. Fire-extinguishing systems shall be permitted to be rendered inoperable during the cleaning process
5. Flammable solvents or other flammable cleaning aids shall not be used.
6. Cleaning chemicals shall not be applied on fusible links or other detection devices or the automatic extinguishing system.
7. After the exhaust system is cleaned to bare metal, it shall not be coated with powder or other substance.
8. All access panels (doors) and cover plates shall be replaced.
9. Dampers and diffusers shall be positioned for proper airflow.
10. When cleaning procedures are completed, all electrical switches and system components shall be returned to an operable state.
11. Cleanings shall be recorded on a card permanently attached to the system, and the record shall state the extent, time and date of cleaning, and name of the individual and company that cleaned the system.
12. Cleaners shall inspect the entire exhaust system following a cleaning.

13. Certificates of inspection and cleaning shall be maintained on the premises and are subject to inspection during regular business hours by the Sedgwick County Fire Department.

Table 904.12.5.4
EXHAUST SYSTEM CLEANING SCHEDULE

TYPE OR VOLUME OF COOKING FREQUENCY	FREQUENCY
Systems serving solid fuel cooking operations.	Monthly
Systems serving high-volume cooking operations such as 24-hour cooking, charbroiling, or wok cooking.	Quarterly
Systems serving moderate-volume cooking operations.	Semi-annually
Systems serving low-volume cooking operations, such as churches, day camps, seasonal businesses, or senior centers.	Annually

SECTION 905, STANDPIPE SYSTEMS, Section 905 is amended and shall read as follows:

Section 905.3.1 Height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 20 feet above the lowest level of the Fire Department vehicle access, or where the floor level of the lowest story is located more than 20 feet below the highest level of Fire Department access.

Exceptions 1-7 will remain unaltered.

SECTION 912, FIRE DEPARTMENT CONNECTION

Section 912.2.1.1 is hereby created and shall read as follows:

912.2.1.1 Horn/Strobe Device. A horn/strobe device shall be installed directly above the Fire Department connection and shall activate in conjunction with the fire alarm system.

912.2.3 Fire department connections. The maximum distance shall be 150 feet (45 720 mm) from a fire hydrant. The required hydrant shall be no closer than 40 feet (12 192 mm) to the structure. A horn and strobe will be located above the FDC. Any variances to this requirement shall be approved by the Code Official.

SECTION 1010, DOORS, GATES, AND TURNSTILES 1010.1.9.4.1 is hereby created, and shall read as follows:

1010.1.9.4.1 Unapproved hardware. Any hardware added to a door, gate or turnstile that prevents or alters the intended operation of the door, gate or turnstile shall not be permitted.

SECTION 3108, USE AND OCCUPANCY-RELATED REQUIREMENTS

Section 3108 is created by adding new Section 3108.12, which shall read as follows:

3108.12 Special amusement operations. Special Amusement operations shall comply with the requirements of Sections 3101 through 3108, and the following additional requirements:

Exception: Amusement buildings or portions thereof that are without walls or a roof and constructed to prevent the accumulation of smoke.

3108.12.1 Special amusement building. A special amusement building is any temporary or permanent building, or portion thereof, that is occupied for amusement, entertainment or educational purposes, and that contains a device or system that conveys passengers or provides a walkway along, around or over a course in any direction so arranged that the means of egress path is not readily apparent due to visual or audio distractions or is intentionally confounded or is not readily available because of the nature of the attraction or mode of conveyance through the building or structure. This term shall include any structure, facility or area or any part thereof operated as a special amusement operation, haunted house, fun house, spook house, haunted cave or mansion, spook walk, haunted forest, whether or not such operation or use is for profit.

3108.12.2 Automatic fire detection. Special amusement buildings shall be equipped with an automatic fire detection system in accordance with Section 907.

3108.12.3 Automatic sprinklers. Special amusement buildings shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.

Exception: Automatic fire sprinklers are not required where the total floor area of a temporary special amusement building is less than 1,000 square feet (93 m²) and the travel distance from any point to an exit is less than 50 feet (15 240 mm).

3108.12.4 Alarm. Actuation of a single smoke detector, the automatic sprinkler system or other automatic fire detection device shall immediately sound an alarm at the building at a

constantly attended location from which emergency action can be initiated including the capability of manual initiation of requirements in Section 907.

3108.12.5 Emergency voice/alarm communications system. An emergency voice/alarm communications system shall be provided in accordance with Section 907, which is also permitted to serve as a public address system and shall be audible throughout the entire special amusement building.

3108.12.6 Exit marking. Exit signs shall be installed at amusement building required exit or exit access doorways. Approved directional exit markings shall also be provided. Where mirrors, mazes or other designs are utilized that disguise the path of egress travel such that they are not apparent, approved low-level exit signs and directional path markings shall be provided and located not more than 8 inches (203 mm) above the walking surface and on or near the path of egress travel. Such markings shall become visible in an emergency. The directional exit marking shall be activated by the automatic fire detection system and the automatic sprinkler system in accordance with Section 907.2.11.2.

3108.12.7 Interior finish. The interior finish shall be Class A in accordance with Section 803.1.

3108.12.8 General requirements. When the maze concept is used, there shall be no dead-end corridors and there shall be an obvious exit out of the maze every twenty feet (20') of linear travel. All stairways shall be illuminated at a level of at least one foot-candle.

3108.12.8.1 Groups of children age 12 and under must be accompanied or supervised by a staff person who is 18 years of age or older. Such groups shall consist of not more than 20 persons. The staff person must have in his/her possession an operable flashlight and shall be completely familiar with the special amusement operation or other similar installation.

3108.12.8.2 There shall be no smoking allowed at any time by anyone inside the special amusement operation or other similar installation. No smoking signs shall be posted.

3108.12.8.3 All electrical installations shall meet the requirements of the ICC Electrical Code.

3108.12.8.4 Sedgwick County Fire District One shall be contacted prior to the operation of the special amusement operation or other similar installation for an inspection and planning of evacuation procedures. A plan shall be provided to the Sedgwick County Fire District One to accommodate these procedures, which shall show all entries and exits

3108.12.8.5 The total number of occupants at any time shall be limited to the number allowed by the Sedgwick County Fire District One after the inspection has been performed.

3108.12.8.6 There shall be no open flame devices or temporary heaters used.

3108.12.8.7 Emergency lighting shall be provided.

3108.12.8.8 Tunnels shall not be lower than three feet (3'), or longer than four feet (4') with a removable lid.

3108.12.8.9 Parking shall not limit access to emergency apparatus.

3108.12.8.10 A telephone shall be installed for emergency use, unless an exception is granted by Sedgwick County Fire District One for the use of a mobile phone.

3108.12.8.11 The use of Visquene plastic sheeting or other black plastic sheeting shall be strictly prohibited.

SECTION 5006, HAZARDOUS MATERIALS-UNATTENDED PARKING OF VEHICLES, is hereby created, and shall read as follows:

5006.1 Unattended Parking. No operator of a commercial delivery vehicle such as a box van, bob tail, truck trailer or tank truck containing products classified by federal, state or local regulatory agencies as hazardous materials, including but not limited to explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, oxidizers, organic peroxides, pyrophoric material, unstable reactive materials, water reactive materials, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, health and biomedical hazards and irritating materials, shall park or leave such vehicle unattended on any street, highway, avenue or alley within five hundred feet (500') of any residential area, apartment or hotel complex or educational, hospital or health care facility at any time, or at any other place that would, in the opinion of the Chief of the Fire Department, present a life or property hazard

EXCEPTIONS: This shall not prohibit parking or absence of the operator, (1) in connection with loading or unloading, (2) for meals during the day or night if the street is well lit at the place of parking, and (3) for the purpose of securing assistance in case of emergency.

SECTION 5601, EXPLOSIVES & FIREWORKS- GENERAL is hereby amended as follows:

Section 5601.1.3 Fireworks, is hereby deleted in its entirety and a new Section 5601.1.3 is hereby adopted, which shall read as follows:

Section 5601.1.3 Fireworks. No person shall possess, manufacture, store, offer or expose for retail sale, use, discharge, explode, or handle fireworks.

Exceptions:

1. Storage and handling of fireworks as permitted by Sections 5604 and 5609.

2. Manufacture, assembly and testing of fireworks as allowed by 5605.
3. The use of fireworks for display as permitted by the 2018 International Fire Code, Section 5608.
4. The possession, storage, sale, handling and usage of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, for consumer fireworks.
5. The "Section 5610, Specific Exceptions" included within this Article.

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000.00 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property, which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The Code Official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement. Said bond or certificate of insurance shall name as additional insureds the Board of County Commissioners of Sedgwick County, Kansas, Sedgwick County Fire District One, their agents, officers, and employees. Any display on property not owned by Sedgwick County shall also include that facility, location, and/or property owner as an additional insured.

5601.4 Qualifications. Persons in charge of magazines, blasting, fireworks display, or pyrotechnic special effect operations shall provide proof of licensure by the State of Kansas and comply with NFPA 495 (Kansas edition), shall not be under the influence of alcohol or drugs which impair sensory or motor skills, shall be at least 21 years of age, and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.

SECTION 5608, FIREWORKS DISPLAY is hereby amended as follows:

5608.2.1 Outdoor Displays. A permit for an outdoor pyrotechnic display shall be granted only to a licensed pyrotechnic operator. Permit applications shall be submitted only by a licensed pyrotechnic operator, and shall be made no less than 10 days prior to the scheduled date of the display. Applications submitted less than 10 days prior to the scheduled date of display may be accepted at the discretion of the Code Official. No permit shall be submitted more than 60 days prior to the scheduled date of the display unless a signed contract for such display is in the applicant's possession and presented at the time of application. In addition to the requirements of Section 403, the permit application shall include a diagram of the grounds on

which the display is to be held showing the point which the fireworks are to be discharged; the locations of buildings, highways and other lines of communication; the lines behind which the audience is to be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. No permit shall be transferable. Permits shall be issued by Sedgwick County Fire District One. The permit fee to engage in a public display of fireworks shall be \$100.00 per event, except that the permit fee shall increase by \$25.00 for each day the application is submitted less than the 10 days as set forth above.

Section 5608.2 is further amended by adding new Sections 5608.2.3 and 5608.2.4, which shall read as follows:

5608.2.3 Indoor Displays. A permit for an indoor pyrotechnic display shall be granted only to a licensed pyrotechnic operator. Permit applications shall be made not less than 10 days prior to the scheduled use or date of the display. Applications submitted less than 10 days prior to the scheduled date of display may be accepted at the discretion of the Code Official. No permit shall be submitted more than 60 days prior to the scheduled date of a use or display unless a signed contract for such display is in the applicant's possession and presented at the time of application. The permit application shall include a diagram of the location and a plan for the use of the pyrotechnic material. At the time of the permit application, the Code Official shall be consulted regarding requirements for standby fire personnel. After the permit has been issued, possession, storage and use of pyrotechnic material for the purpose indicated in the plan at the location shown shall be lawful for that purpose only. No permit shall be transferable. Permits shall be issued by the Sedgwick County Fire District One. The permit fee to engage in an indoor pyrotechnic display shall be \$100.00 per event, except that the permit fee shall increase by \$25.00 for each day the application is submitted less than the 10 days as set forth above.

5608.2.4 Fireworks display permits. All fireworks display permits are required to be in the possession of the licensed pyrotechnic operator of the display at the time of the display, and are not transferable to any other person or location.

Section 5610, CONSUMER FIREWORKS, is hereby created and shall read as follows:

Section 5610 is hereby adopted, which shall read as follows:

5610.1 Sale of Fireworks Prohibited. Retail sale of fireworks, Consumer Fireworks (1.4G) within the confines of the unincorporated area of Sedgwick County, Kansas is prohibited. This shall not apply to municipalities within the confines of Sedgwick County that have authorized such sales by ordinance.

5610.2 Retail display and sale. Fireworks displayed for retail sale, where allowed by applicable municipal ordinances, shall be provided with a minimum of one (1) pressurized-water portable fire extinguisher complying with Section 906 shall be located not more than fifteen (15) feet (4572 mm) and not less than ten (10) feet (3048 mm) from

the hazard. "No Smoking" signs complying with Section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for retail sale.

5610.3 Distributors. A distributor of fireworks shall not sell, or otherwise exchange by any means, fireworks within the county, except to a person who exhibits a current fireworks display permit granted by Sedgwick County Fire District One for a supervised public display of fireworks or to a person who exhibits a current fireworks display permit granted by a municipality located within the county for a fireworks display within that municipality if such fireworks display permit is required by that municipality.

5610.4 Business Operations. Persons, corporations, partnerships or other entities engaged in the business of manufacture, storage and sale at wholesale of fireworks shall be permitted to manufacture, to possess, to store and to offer for bona fide sale at wholesale to a bona fide purchaser at wholesale who is regularly engaged in the business of selling fireworks, any fireworks, provided that it shall be the duty of such person, corporation, partnership or other entity engaged in the business of manufacture, storage or sale at wholesale of fireworks to ascertain with reasonable certainty that the purchaser of such fireworks is a bona fide purchaser at wholesale and is regularly engaged in the business of selling fireworks. Such determination shall be ascertained after requiring and recording the name and address of the purchaser, proof of the purchaser's state sales tax number and a list of outlets at which the purchaser will sell such fireworks at retail.

5610.5 Unlawful Acts. It shall be unlawful for any person to use, utilize or occupy any structure, building, part thereof or appurtenance thereto, to manufacture, store, offer for sale at wholesale, expose for sale at wholesale or sell at wholesale any fireworks without a permit for such use, utilization or occupancy issued by Sedgwick County Fire District One. No such permit shall be issued unless and until each structure, building, part thereof or appurtenance thereto shall have been inspected by Sedgwick County Fire District One and each are determined to be suitable for such occupancy pursuant to the I.F.C. Each structure, building, part thereof or appurtenance thereto shall be required to have a permit. Permits issued in accordance with this provision or its predecessor provision shall be valid for one (1) year from the date of issuance, at which time said permit(s) shall expire and such structure, building, part thereof or appurtenance thereto shall again be subject to passing such inspection before a new permit may be issued and such use, utilization or occupancy continued. No such permit shall be issued prior to payment by the owner or occupant of such premises of a permit fee in accordance with Table 105.1.4. Application for a permit shall be made at least fourteen (14) days prior to time it is required hereunder.

5610.6 Illegal discharge. A person shall not, at any time, ignite or discharge fireworks within 1,000 feet of any hospital, sanitarium, infirmary, retirement or nursing home, wildlife reserves, parks or zoo; into, under or on a car, vehicle, motorcycle, or other means of transportation, whether moving or standing still; or on a public road or the

right-of-way adjoining a public roadway. Fireworks shall not be discharged within 100 feet of any facility where fireworks are stored.

5610.7 *Illegal possession of fireworks.* No person shall possess Consumer Fireworks (1.4G) except as provided for during the time period established in Section 5610, Exceptions.

5610.8 *Seizure of fireworks.* Fireworks which are illegally offered, used, discharged, possessed or transported in violation of the provisions of this code shall be subject to seizure by the Fire Marshal or designee, and/or any Sedgwick County Sheriff Officer. Seizure of said fireworks is at the discretion of the Fire Marshal, the Fire Marshal's designee, and/or any Sedgwick County Sheriff Officer.

5610.9 *Disposition of seized fireworks.* Fireworks seized under this section may be disposed of by summary destruction at any time subsequent to 15 days from the seizure of the fireworks, unless a petition is filed by the owner thereof under Section 5610.9.1.

5610.9.1 *Petition by owner for possession.*

1. Any person whose fireworks are seized under the provisions of this code may, within 10 days after the seizure, submit a written petition to the Sedgwick County Court by filing the petition with the County Court Clerk, upon the grounds that the fireworks were illegally or erroneously seized. Upon the filing of the petition, the County Court Clerk shall set a hearing date on the regular court calendar and notify any involved local fire or law enforcement agency. The proper filing of the petition shall stay the disposal of the fireworks until the County Court enters a final order, unless a timely appeal is taken thereafter, then disposal shall not occur until a final judgment is rendered.
2. If any petition filed requests a hearing, the County Court Judge shall hear the person on the scheduled court date. The County Court Clerk shall give written notice of the hearing to the petitioner by regular US mail. The hearing shall be held in accordance with the Sedgwick County Code and K.S.A. 19-4723. The Court shall rule upon the petition after completion of the hearing.
3. If the petitioner fails to appear at the date and time set for the hearing, the fireworks seized shall be forthwith disposed of in the manner determined by the Fire Marshal or designee.

4. The County Court may order the fireworks seized under these regulations disposed of, or, if illegally or erroneously seized, returned to the petitioner.
5. The judgment of the County Court may be appealed to the District Court in the same manner as allowed by K.S.A. 19-4737.

Section 5610, Specific Exceptions: Possession and proper discharge allowed.

1. Beginning 8:00 a.m. (0800) on June 27th and ending 12:00 a.m. (0000), midnight, July 5th, the possession of Consumer Fireworks (1.4G) shall be allowed, unless otherwise restricted by this code.
2. Beginning at 8:00 a.m. (0800) and ending at 12:00 a.m. (0000), midnight, on July 1, 2, 3 and 4th, the discharge of Consumer Fireworks (1.4G) shall be allowed, unless otherwise restricted by the code. In the event the Fourth of July Federal Holiday falls on July 5th of any particular year, the discharge of Consumer Fireworks (1.4G) shall be allowed one additional day, beginning at 8:00 a.m. (0800) and ending 12:00 a.m. (0000), midnight on July 5th.
3. Discharge of Consumer Fireworks (1.4G) is allowed on private or residential property located within the unincorporated area of Sedgwick County during the dates and time established herein. and only with permission of any person or entity having an ownership interest therein. An adult residing on the property or having an ownership interest therein shall supervise the use, explosion and/or discharge of fireworks on such property.
4. Discharge, explosion or use of fireworks of any kind shall not be allowed upon any public road, street, highway, avenue or alley or in any public

park or public place within unincorporated Sedgwick County, unless expressly approved in writing by the Sedgwick County Board of County Commissioners. Discharge, explosion or use of fireworks on any property owned by Sedgwick County shall not be allowed, unless expressly approved in writing by the Sedgwick County Board of County Commissioners.

SECTION B105, FIRE-FLOW REQUIREMENTS FOR BUILDINGS (APPENDIX B) is hereby amended as follows:

Section B.105.1 is hereby deleted in its entirety.

B.105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.2 and B105.1 (2).

SECTION C102, LOCATION (APPENDIX C) is hereby amended as follows:

C102.1 Number of Fire hydrant. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1

Exception: In those areas not served by a municipal or rural water supply system, alternate means of fire protection may be considered by the Code Official.

SECTION D101, GENERAL (APPENDIX D) is hereby amended as follows:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code. Access to single-family residences, agriculture or accessory structures shall be in compliance with the current Sedgwick County Service Drive Code, located within Chapter 12, Article III of the Sedgwick County Code.

SECTION D107, ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS (APPENDIX D)

Section D.107.1 is hereby amended by deleting Exception 1.

Schedule A
(to Sedgwick County Fire Code, 2019 Edition – Adopting the 2018 IFC as Amended)

Adopted by Resolution No. _____ -18

CLASSIFICATION OF VIOLATIONS

Section	Description of Violation	Class
105.3.1	Use permit after expiration	H
105.3.5	Fail to post required permit	H
107.2	Fail to have required equipment tested	H
304.1	Allow combustible waste to accumulate which creates a fire hazard	H
304.1.3	Allow combustible waste storage underneath seats	H
307.2	Permit required. Fail to obtain burn permit	H
307.4	Burn at an unapproved location. 100' from structures or 10' from property lines	H
307.5	Attendance. Leave fire unattended	H
310.4	Remove or tamper with no smoking sign	H
310.5	Fail to comply with no smoking sign	H
311.2.1	Fail to secure and protect vacant premises	H
505.1	Fail to properly identify building address (4' x ½" numbers)	H
603.8.1	Residential incinerators. (approved type only)	H
603.8.2	Spark arrestor. (approved type only)	H
603.8.3	Restrictions. Distance from structures 100', property lines 10' and minimum of five acres to conduct the operation.	H
603.8.4	Time of burning. (one hour after sunrise until one hour before sunset)	H
605.3	Working space and clearance around electrical panels.	H
605.5	Extension cords and flexible cords shall not be a substitute for permanent wiring	H
605.6	Unapproved conditions. Open junction boxes and open wire-splices shall be prohibited	H
906.2	Annual servicing. Maintain portable fire extinguishers	H
906.7	Portable fire extinguishers shall be installed on the hangers or brackets supplied	H

Schedule B
(to Sedgwick County Fire Code, 2019 Edition– Adopting the 2018 IFC as Amended)

Adopted by Resolution No. _____ -18

CLASSIFICATION OF VIOLATIONS

***The violations listed below are special class violations. Violations of these code sections shall carry a fine of \$1,000.00 each.**

Section	Description of Violation	Class
102.3	Change use of building	*
104.3	Deny right of entry	*
104.11	Fail to comply with fire department authority	*
104.11.2	Obstruct firefighting operations	*
104.11.3	Render system or device inoperable during an emergency	*
105.3.3	Occupancy prohibited before approval	*
107.4	Render portable or fixed fire extinguishing system, device or fire warning system inoperable or inaccessible	*
107.5	Allow a building or portion thereof to be overcrowded beyond the approved capacity	*
110.1	Fail to comply with notice on unsafe building	*
110.1.1	Allow unsafe condition to remain	*
110.2	Fail to evacuate building or structure as directed	*
110.4	Fail to abate unsafe condition	*
111.4	Fail to comply with work stop order	*
305.4	Cause the burning of combustible material in a manner to endanger the safety of persons or property	*
307.1.1	Burning during a burn ban	*
308.3.9	Aerial luminaries	*
401.3.1	Fail to report unwanted fire emergency to the fire department	*
401.3.2	Fail to notify fire department of a fire alarm activation	*
401.3.3	Delay notification by written or verbal directive	*
401.5	Making a false report	*
403.1	Fail to provide fire watch personnel	*
407.3	Fail to properly identify hazardous materials	*
408.12.2	Fail to provide required fire detection in an amusement building	*
408.12.3	Fail to provide required automatic sprinklers in an amusement building	*
408.12.4	Fail to provided required fire alarm in an amusement building	*
408.12.8.3	Fail to contact the fire department prior to the operation of an amusement building	*
408.12.8.6	Allow an open flame device or temporary heater in an amusement building	*
408.12.8.11	Use visquene plastic or other black plastic sheeting in an amusement building	*
604.3	Fail to maintain emergency and standby power systems	*

901.6	Fail to maintain fire detection, alarm, or extinguishing system in an operative condition at all times	*
901.6.7	Fail to notify fire department of a fire systems being out of service	*
901.8	Removal of or tampering. Hydrants, detection, alarms, suppression systems.	*
901.8.1	Remove, tamper or otherwise disturb any lock, gate, barricade, sign, tag or seal installed by or at the direction of the fire department	*
903.4	Fail to electronically supervise sprinkler system, pump, tank, or water flow device in an approved manner	*
Chapter 10	MEANS OF EGRESS—Chapter 10. All violations occurring within Chapter 10, shall be considered <i>Special Class Violations</i> .	*
Part IV	Special Occupancies and Operations—Chapters 20 through 36. All violations occurring within chapters 20 – 36, shall be considered <i>Special Class Violations</i> .	*
Part V	HAZARDOUS MATERIALS-- Chapters 50 through 67. All violations occurring within chapters 50 – 67, shall be considered <i>Special Class Violations</i> .	*

Schedule C
(to Sedgwick County Fire Code, 2019 Edition– Adopting the 2018 IFC as Amended)

Adopted by Resolution No. _____-18

The plan review fee required by Section 114.5 of this resolution shall be determined by multiplying the value of the construction by the applicable multiplier as set forth in the below schedule.

SCFD PLAN REVIEW FEE SCHEDULE

Valuation			Multiplier
\$0.00	to	\$50,000.00	0.0015*
\$50,001.00	to	\$100,000.00	0.0012
\$100,001.00	to	\$150,000.00	0.00098
\$150,001.00	to	\$200,000.00	0.000975
\$200,001.00	to	\$300,000.00	0.00082
\$300,001.00	to	\$400,000.00	0.000785
\$400,001.00	to	\$500,000.00	0.00075
\$500,001.00	to	\$600,000.00	0.00072
\$600,001.00	to	\$700,000.00	0.0007
\$700,001.00	to	\$800,000.00	0.00068
\$800,001.00	to	\$900,000.00	0.00067
\$900,001.00	to	\$1,000,000.00	0.00065
\$1,000,001.00	to	\$2,000,000.00	0.00063
\$2,000,000.00 +			0.0006

*minimum charge \$50.00

- 7-611. UNIFORM COMPLAINT AND NOTICE TO APPEAR; NON-IMPAIRMENT; FINES AND COSTS. (a) In addition to the notice provided for in section 7-605, the enforcing officer shall issue to the owner, occupant or agent in charge of the property a uniform complaint and notice to appear charging a violation of section 7-601 of this article. Should such owner, occupant or agent in charge of such property contest the charge, the city shall not be precluded from cutting the weeds or otherwise abating the nuisance created thereby during the pendency of the case.
- (b) Any person found guilty, or entering a plea of guilty or nolo contendere to violating section 7-601 or section 7-610 shall be fined as follows:
- (1) Upon conviction for a first offense, by a fine of \$~~3525~~.00, but the fine shall be waived if the violation was corrected within ten (10) days, and proof of such correction is verified by the enforcing officer.
 - (2) Upon conviction of a second offense, by a fine of \$~~7550~~.00;
 - (3) Upon conviction of a third offense, by a fine of \$1~~2500~~.00;
 - (4) Upon conviction of a fourth offense, by a fine of \$2~~500~~.00.
- (c) Any person convicted and fined pursuant to this article shall also be assessed court costs as provided by city ordinance chapter 17, fee schedule, of the Haysville city code. (Ord. 812; Ord. 855)

(c) LITTERING. ~~Littering is intentionally or recklessly depositing or causing to be deposited any object or substance into, upon or about:~~

~~———— (a) Any public street, highway, alley, road, right of way, park or other public place, or any lake, stream, watercourse, or other body of water except by direction of some public officer or employee authorized by law to direct or permit such acts; or~~

~~———— (b) Any private property without the consent of the owner or occupant of such property.~~

~~———— (Code 2005, Code 2006; Code 2007; Code 2008; Code 2009)~~

(c) ~~INTERFERENCE WITH POLICE.~~ It shall be unlawful for any person to intentionally hinder, obstruct or otherwise interfere with any law enforcement officer acting under color of his or her official authority in the discharge or apparent discharge of his or her official duties.

~~Violation of this section is a Class A violation.~~

(a) ~~PLACING OF SIGNS PROHIBITED.~~ It shall be unlawful for a person, firm, corporation or other entity to place or cause to be placed on city property within the city limits, any political sign, billboard or advertising, whether it is political or otherwise upon property owned by or controlled by the city.

11-1002 ~~Section 10.1.1 of the Uniform Public Offense Code as adopted above, CRIMINAL CARRYING OF A WEAPON, is hereby amended as follows:~~

- ~~(a) Criminal carrying of a weapon is knowingly carrying:~~
 - ~~(1) any bludgeon, sandclub, metal knuckles or throwing star;~~
 - ~~(2) concealed on one's person, a billy, blackjack, slungshot or any other dangerous or deadly weapon or instrument of like character;~~
 - ~~(3) on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb, or molotov cocktail, or projector or any object containing a noxious liquid, gas or substance;~~
 - ~~(i) Molotov Cocktails. A container of incendiary or explosive material liquid, solvent or mixture, equipped with a fuse, wick or other detonating device of a kind usually referred to as a "molotov cocktail."~~
 - ~~(4) any pistol, revolver or other firearm concealed on one's person except when on the person's land or in the person's abode or fixed place of business; or~~
 - ~~(5) on one's person any unconcealed, loaded firearm, while on property open to the public, except when on one's land or in one's abode or fixed place of business, unless the firearm is carried in a holster with its safety in place (if equipped with a safety mechanism) and such weapon remains within the immediate control of the person at all times.~~
 - ~~(i) As used in this section, 'under one's immediate control' shall mean within instant reaching distance of the person.~~
- ~~(b) Criminal carrying of a weapon as defined in Subsections (a)(1), (a)(2), (a)(3), (a)(4), or (a)(5) is a class A violation.~~
- ~~(c) Subsection (a) shall not apply to:~~
 - ~~(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;~~
 - ~~(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;~~
 - ~~(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or~~
 - ~~(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.~~
- ~~(d) Subsection (a)(4) shall not apply to:~~
 - ~~(1) Watchmen, while actually engaged in the performance of the duties of their employment.~~
 - ~~(2) licensed hunters or fishermen, while engaged in hunting or fishing;~~
 - ~~(3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment.~~

~~(4) detectives or special agents regularly employed by railroad companies or other corporations to perform full time security or investigative service, while actually engaged in the duties of their employment.~~

~~(5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto.~~

~~(6) special deputy sheriffs described in K.S.A. 19-827, and amendments thereto, who have satisfactorily completed the basic course of instruction required for permanent appointment as a part time law enforcement officer under K.S.A. 74-5607a, and amendments thereto.~~

~~(7) the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 75-7c19, and amendments thereto; or~~

~~(8) law enforcement officers from another state or a retired law enforcement officer meeting the requirements of the federal law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C; or~~

~~(9) any person carrying a concealed handgun as authorized by K.S.A. 2012 Supp. 75-7c01 through 75-7c17, and amendments thereto. (Code 2015)~~

~~(c) DRUG PARAPHERNALIA; DEFINITIONS. As used in this article:~~

~~————— (1) Controlled Substance means any drug or substance included in schedules I through V of the Uniform Controlled Substance Act as set forth within chapter 65, article 41, of the Kansas Statutes Annotated.~~

~~(2) Drug means:~~

- ~~————— (i) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;~~
- ~~(ii) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans and animals;~~
- ~~(iii) Substances (other than food) intended to affect the structure or any function of the human body or animal body; and,~~
- ~~————— (iv) Substances intended for use as a component of any article specified in clause (i), (ii) or (iii) of this subsection. It does not include devices or their components, parts or accessories.~~

~~————— (3) Marijuana means all parts of all varieties of the plant cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant which is incapable of germination;~~

~~————— (4) Person means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust partnership or association or any other legal entity;~~

~~————— (d) POSSESSION OR USE OF CERTAIN SUBSTANCES OR PARAPHERNALIA. It shall be unlawful for any person in the city to have in their possession the following:~~

~~(1) cannabis sativa L, otherwise known as marijuana, or any derivative thereof; or~~

~~(2) any paraphernalia used to store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body any Controlled Substance.~~

~~————— A violation of this section is a Class A misdemeanor. ———~~

~~————— (e) SALE, INHALATION OF TOXIC VAPORS, GLUE, RELATED PRODUCTS.~~

~~————— (1) As used in this section, the phrase “glue containing a solvent having the property of releasing toxic vapors or fumes” shall mean and include any glue, cement or other~~

adhesive, the contents of which may include, but are not limited to, one or more of the following chemical compounds; acetone, acetate, benzene, butyl alcohol, ethyl alcohol, ethylene dichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether or toluene (toluol).

~~(2) No person shall, for the purpose of causing a condition of intoxication, inebriation, excitement, stupefaction or other dulling of his or her brain or nervous system, intentionally smell or inhale the fumes from any glue containing a solvent having the property of releasing toxic vapors or fumes. Nothing in this section shall be interpreted as applying to the inhalation of any anesthesia for medical or dental purposes.~~

~~(3) No person shall, for the purpose of violating paragraph (2) of this section use or possess for the purpose of so using any glue containing a solvent having the property of releasing toxic vapors or fumes.~~

~~(4) No person shall sell, give or offer to sell or give to any person any tube or other container of glue containing a solvent having the property of releasing toxic vapors or fumes, if he or she has knowledge that the product sold, given or offered to be sold or given will be used for the purpose set forth in paragraph (3) of this section.~~

~~A violation of this section is a Class B violation.~~

~~(Code 2007; Code 2009; Code 2019)~~

15-106. WATER SERVICE INSTALLATION. The rules and regulations regarding the water service installation shall be as follows:

(a) Only authorized city personnel shall be responsible for tapping the main, installing the service line to the meter and setting the meter inside the property line of the premises to be served. The location of the required water meter and underground service barrel shall be on the house side of the approach located in the public right-of-way. All locations of said meter and underground barrel requirements are subject to the approval of the public director or his/her designee. If, in the determination of the public works director, the service line request is more than fifty (50) feet from the main, the owner of the premises shall be charged the expense of extending the main.

(Code 1971, Sec. 12-107; Code 1984; Ord. 551; Code 2003)

- 15-315. CONNECTION INTO PUBLIC SEWER. The connection of the building sewer into the public sewer shall be made in the “Y” branch, if such branch is available at a suitable location. Where the public sewer is twelve (12) inches in diameter or less, and no properly located “Y” branch is available as verified by the public works director, the owner shall at his or her expense have installed a “Y” branch or a tap through the use of a polyvinylchloride (PVC) pre-formed saddle with stainless steel straps and adhered to the public sewer with required, listed PVC adhesive saddle, approved by the public works director in the public sewer at the location specified by the public works director. Where the public sewer is greater than twelve (12) inches in diameter, and no properly located “Y” branch is verified as being available by the public works director, a neat hole may be made in the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about 45 degrees. A 45-degree ell may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the public works director or his/her designee.

(Code 1971, Sec. 9-124; Code 2003)

15-803. Specific prohibitions and requirements.

A. The specific prohibitions and requirements in this section are not necessarily inclusive of all the discharges prohibited by the general prohibition in Section ~~15-802~~13.24.020 of this chapter.

ARTICLE II. SIGN REGULATIONS

- 16B-201 TITLE. This article shall be referred to as the “Sign Code” for the City of Haysville, Kansas. It may be referenced herein as “this Sign Code,” “this Code,” or “these Regulations.”
- 16B-202 PURPOSE. These regulations are intended to balance the need to protect the public health, safety, welfare and aesthetics of the community with the need for adequate identification, communication, economic development and advertising. These sign regulations have the following specific objectives:
- (a) To ensure that signs are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare;
 - (b) To allow for and promote positive conditions for sign communication;
 - (c) To reflect and support the desired ambiance and development patterns of the various zoning districts, overlay zones and adopted plans of the City;
 - (d) To promote an attractive, urban environment; and
 - (e) To allow for adequate and effective signs whose dimensions further the interest of public safety and the needs of the motorist in locations where signs are viewed from the street or roadway.
- 16B-203 APPLICABILITY. The requirements of this Code apply to all signs, sign structures, awnings and other types of sign devices located within the jurisdiction of the City of Haysville that are visible from a roadway or other public location and which are clearly intended to attract the attention of the public.
- 16B-204 DEFINITIONS. All terms used within this Code not otherwise defined in accordance with the Zoning Code of the City of Haysville, Kansas. If not defined herein or within the Zoning Code of the City, such terms shall be defined as appropriate within the context such term is used.
- (a) A-frame sign. A temporary, freestanding sign constructed in such a manner that the faces of the sign form an “A” shape when viewed from the side.
 - (b) Abandoned sign. A sign that no longer identifies or advertises an ongoing business, product, location, service, idea or activity conducted on the premises where the sign is located. Abandonment includes signs which are non-commercial in nature when the content of the sign pertains to a time, event or purpose in which the event has concluded. Finally, abandonment includes conduct associated with failure to maintain a valid permit.
 - (c) Administrative Committee. A review committee comprised of the Mayor, Chief Administrative Officer ~~and~~, Public Works Director ~~and Economic Development Director~~. The Administrative Committee also serves as the Appeals Committee for any appeal of an action by an enforcement officer pursuant to this Code.
 - (d) Air-filled moving sign. A temporary sign comprised of canvas-like, plastic or similar material that is moved by forced air.
 - (e) Alteration, structural. A change in the size or shape of an existing sign. Replacing a sign cabinet, altering or replacing sign supports and altering the cabinet frame

are alterations. Refacing, changing copy or changing color of an existing sign is not an alteration. Changing or replacing a sign face or sign panel is not an alteration.

(f) Architectural projection. A projection from a building that is decorative and/or functional and not an occupiable part of the building, and that extends beyond the face of an exterior wall of a building. See also: Awning, Canopy and Marquee.

(g) Awning. An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering made of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

(h) Awning sign. A sign displayed on or attached flat against the surface(s) of an awning.

(i) Banner sign. A temporary sign using a flexible substrate as its display surface. Banner signs mounted in a permanent frame are permanent signs.

(j) Bench sign. A sign applied or affixed to the seat or back of a bench and intended to be read by occupants of a bench and pedestrians in the immediate vicinity of a bench.

(k) Billboard. An off-premises sign displaying messages pertaining to the use of products sold or leased, services provided, or events which do not occur on the property where the sign is located, and which contains copy that is intended to change on a regular basis.

(l) Building face. The portion of any exterior elevation of a building extending vertically from the ground grade to the top of a parapet wall or eaves and horizontally across the entire width of the building elevation.

(m) Canopy, attached. A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points.

(n) Canopy, freestanding. A multi-sided overhead structure supported by columns but not enclosed or supported by walls.

(o) Canopy sign. A sign affixed to the visible surface(s) of an attached or freestanding canopy.

(p) Center identification sign. A sign that contains advertising for three or more tenants located on the same lot or on adjacent lots. Two-tenant signs or signs advertising multiple functions of the same or related companies are not center identification signs for the purposes of this article.

(q) Channel letter sign. A sign comprised of individual letters or numbers, lit or unlit, which make up the name of an establishment, services offered or other information of interest to the public.

(r) Cladding. A non-structural covering designed to conceal the actual structural supports of a sign.

(s) Conforming sign. A sign that is legally installed in conformance with this article.

(t) Dilapidated sign. A sign that is unmaintained; has missing pieces, inserts or cabinets; has broken pieces or parts; poses a hazard or is otherwise in poor condition.

(u) Directional sign. A sign that is designed and erected solely to provide direction and/or orientation for pedestrians and/or vehicles.

(v) Double-faced sign. A sign with two faces that are placed back to back.

(w) Electric sign. A sign activated or illuminated by means of electrical energy.

(x) Electronic message center (EMC) or sign. A sign that utilizes computer-generated messages or some other electronic means of changing sign copy. EMC signs include displays using incandescent lamps, LEDs or LCDs, and may also enable changes to sign copy, message or content to be made remotely.

(y) Exterior sign. A sign placed outside of a building.

(z) Fence sign. A sign mounted upon a fence.

(aa) Flag. A piece of cloth or similar flexible material which is typically oblong or square and which is attached by one edge to a pole or rope.

(ab) Flashing sign. An electrically activated sign that uses intermittent light to attract attention. Signs containing lights that spin, flicker or turn alternately off and on are flashing signs.

(ac) Freestanding sign. A sign principally supported by one or more columns, poles, braces or pedestals placed in or upon the ground.

(ad) Frontage, lot. The full length of that part of a property which abuts a public street.

(ae) Home occupation sign. A sign on a residential lot advertising the approved home occupation conducted on the premises.

(af) Illegal sign. A sign that does not meet the requirements of these regulations and which does not have nonconforming status.

(ag) Illuminated sign. A sign characterized by use of artificial light, either projecting through its surface or reflecting on its surface.

(ah) Interior sign. Any sign located within the interior of a building.

(ai) Marquee sign. A roof-like projection typically located at the entrance to a theatre or hotel which contains sign copy.

(aj) Moving sign. Any sign that employs motion and which is activated either electrically, mechanically or environmentally.

(ak) Multiple-faced sign. A sign containing more than two faces.

(al) Mural. A painting or other work of art generally applied to the entire face of a building that does not contain an advertising message. Murals with advertising messages are wall signs.

(am) Nonconforming sign. A sign that was legally installed in conformance with the regulations in effect at the time of installation, but which does not comply with current sign regulations.

(an) Off-premises sign. A sign displaying messages pertaining to the use of products sold or leased, services provided, or events which occur on a property different from that where the sign is located. A sign displaying both on-premises and off-premises messages shall be considered off-premises.

(ao) On-premises sign. A sign displaying messages pertaining to the use of products sold or leased, services provided, or events which occur on the property where the sign is located.

(ap) Parapet. The extension of a building face above the line of the structural roof.

(aq) Portable sign. A temporary sign not permanently attached to the ground which can be readily removed and relocated.

(ar) Projecting sign. A sign that is attached to a building face and which projects from the face at a perpendicular angle.

- (as) Revolving sign. A sign that has the capability to revolve or spin about an axis.
- (at) Roof integral sign. A sign incorporated into, but not projecting above, the roof of a building. A roof integral sign is a wall sign.
- (au) Roof sign. A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building.
- (av) Searchlight. An apparatus used to attract attention to a property using a powerful beam of light or lights aimed skyward, usually constructed to be swiveled about.
- (aw) Sight triangle. A triangular area on a lot that is located adjacent to the area where two streets intersect. The sight triangle area on a lot has two sides measured from the point of the lot line intersection, at the intersection of two streets, and a third side across the lot which connects the ends of the two sides that are measured from the lot corner at the street intersection. For lots that have rounded corners at the intersection of streets, the lot lines shall be extended in a straight line to the point where the lot lines would then intersect. In all residential districts, the two lot lines establishing the vision triangle shall be a minimum distance of 30 feet. In all other zoning districts the distance shall be 20 feet. At street intersections, which are provided automatic traffic signalization, the Administrative Committee may modify or waive the sight triangle restrictions. The Zoning Administrator shall determine, upon request, the location of any sight triangle.
- (ax) Sign. A device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations.
- (ay) Sign area. The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. See Sec. 16B-207 for examples of how to calculate the sign area.
- (az) Sign copy. The physical sign message including any words, letters, numbers, pictures and symbols, exclusive of a street address.
- (ba) Sign embellishment. A decorative detail or feature of a sign that is not part of the sign copy and is not a necessary part of the sign structure.
- (bb) Sign face. The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, embellishments, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.
- (bc) Sign height. The distance from the lowest point of the adjacent ground to the highest point of the sign or sign structure.
- (bd) Sign structure. A support feature, including a pole, pedestal or cabinet that is designed to hold a sign.
- (be) Site. The location where the sign is to be placed.
- (bf) Streamers. A sign display made of rope, string or wire affixed with flexible materials, often in triangular shape or reflective strips of material, that comprise a fluttering linear display.
- (bg) Temporary sign. A sign intended to display messages of a transitory or temporary nature (either commercial or noncommercial). Portable signs and signs not permanently embedded in the ground, or affixed to a building or sign structure that is

permanently embedded in the ground, are temporary signs. Pennants and streamers are temporary signs.

(bh) V sign. A wall sign containing two faces of equal size, positioned at an interior angle subtending less than 145 degrees at the point of juncture of the individual faces.

(bi) Wall sign. A sign that is in any manner affixed to any exterior wall of a building or structure, which is oriented on a parallel plane to the building face, and that projects not more than eighteen inches from the building or structure wall at the farthest point. This also includes signs affixed to architectural projections of a building provided the sign area of such signs remains on a parallel plane to the face of the building face or to the face(s) of the architectural projection to which it is affixed.

(bj) Wayfinding sign. A sign located in the public right-of-way and owned by the City, County, State or other public entity, specifically designed to provide directional or destination information pertaining to community attractions.

(bk) Window sign. A sign affixed to the interior surface of a window with its message intended to be visible to the exterior environment.

(bl) Zoning Administrator. The person appointed by the City to carry out the provisions of this Code. Any reference within this Code to the Zoning Administrator shall be deemed to include reference to such individual's designee.

16B-205 EXEMPTIONS.

(a) The following types of signs shall not require permits and shall be exempt from the requirements of this article. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility for its erection, maintenance and appearance.

(1) Flags or emblems of a governmental body or of a political, civic, philanthropic, educational or religious organization not to exceed thirty-five (35) feet in height. These flags or emblems shall not be displayed as part of a commercial promotion or advertising.

(2) Signs required by law containing address numerals or related information needed for the convenience of the public.

(3) Signs erected by government agencies or utilities, including traffic, utility, safety, railroad signs and wayfinding signs.

(4) Signs required by federal, state or local law.

(5) Holiday ~~signs or~~ decorations.

(6) Signs painted on or otherwise permanently attached to currently licensed motor vehicles, which vehicles are not primarily used as signs.

(7) Signs not visible from a roadway

(8) Window signs not exceeding seventy-five (75) percent of window coverage, that do not prevent visibility by safety services into that portion of the commercial enterprise open to the public.

(9) Public art approved by the Administrative Committee.

(10) Bench signs and bus shelter signs with sign copy lettering height smaller than 6 inches.

(11) Official notices authorized by a court, public body, or public officer.

(12) Temporary double-sided and A-Frame (also known as Menu Board) type freestanding signs advertising for an adjacent business or public institution. The size of the sign shall not exceed 32 inches wide and 48 inches tall above the adjacent sidewalk. The sign shall be located on private property where the advertised business exists. The sign shall not be located in a public right-of-way. No sign shall be placed on any public sidewalk or Bicycle/Pedestrian Path. One sign shall be permitted per business or public institution. Signs shall not be illuminated, contain any digital display, and shall not be displayed during non-business hours. Signs shall be constructed of durable, sturdy material (no banners, flags, streamers, balloons, or other moving parts) and shall be maintained in good repair.

(13) Structures resembling a sign which are clearly displayed as art, and not for informational purposes, within a residential zone may be exempted from this Code, within the discretion of the Zoning Administrator. Signage within commercial districts may only be designated as serving a primary artistic purpose, rather than informational purpose, at the discretion of the Administrative Committee.

(b) The following signs are exempt from the sign permit requirements, but shall in all other respects conform to the requirements of this article.

(1) Directional/informational signs not exceeding six square feet in gross surface area for non-residential uses.

(2) All signs associated with the sale of fireworks pursuant to a valid fireworks sale permit issued by the City shall be in conformance with this Code, unless a standard is waived by the Zoning Administrator or Administrative Committee due to the limited sales period associated with fireworks.

(3) One project, or "for sale" or "for rent", sign is permitted per street frontage; it must be located on the premises; and it must be removed upon completion of the project or within ten days after sale or letting of the property. In addition, one "open house" sign per street frontage, located on the premises, is allowed four (4) days prior to the event.

(4) "Construction project" signs, with a maximum sign area of 32 square feet with a maximum height of nine feet.

(5) "Coming soon" signs for businesses with a 32 square feet with a maximum height of nine feet. These types of signs shall be allowed in conjunction with any existing signs on the property six months prior to a building permit being issued.

(6) Subdivision, commercial and industrial acreage or structure "for sale" or "for rent" signs. Maximum height shall be nine feet. Maximum sign area shall be 32 square feet.

(7) Signs inside buildings, inside windows, or painted on windows or on glass portions of doors of buildings.

(8) Temporary signs for special events for public, charitable, religious or fraternal organizations, subject to the following limitations:

(A) May be located on premises or off premises, subject to approval of the Zoning Administrator.

(B) These signs are prohibited on public property and public right-of-way.

(C) May be placed prior to the event, and shall be removed within 48 hours after the event's completion.

~~(9) Political signs for city, county, state and federal elections. Any sign covered by KSA 25-2711, subject to the following limitations:~~

~~(A) Prohibited on public property and public right-of-way and if any such sign is located on public property or the public right-of-way the City may remove and dispose of the sign, except as provided in Section 16B-205(b)(9)(E);~~

~~(B) Signs placed in residential zoning districts shall not exceed 6 sq. ft. in area;~~

~~(C) Signs placed in commercial zoning districts shall not exceed 16 sq. ft. in area;~~

~~(D) Signs placed in industrial zoning districts shall not exceed 32 sq. ft. in area;~~

~~(E) Political signs may be placed on the unpaved right-of-way of streets during the 45-day period prior to any election and the two-day period following any such election;~~

~~(F) Signs shall not be erected in a sight triangle;~~

~~(G) Signs exceeding 6 sq. ft. in area shall be constructed of wood or rigid noncombustible materials;~~

~~(H) Signs exceeding 6 sq. ft. in area shall be affixed to the ground in a substantial manner to prevent breaking or blowing; and~~

~~(I) Signs erected or maintained that may be injurious to the public may be removed and disposed of by the City.~~

(10) Signs customarily associated with residential uses and having a gross surface area not exceeding three (3) square feet, including but not limited to signs:

(A) Giving property identification names or numbers;

(B) Names of occupants;

(C) On mailboxes or newspaper tubes;

(D) On private property and relating to private parking; and

~~(E) Giving notice of non-commercial special events, or providing a public service message of a non-commercial nature; provided that no such signs may be located in street right-of-way; and~~

(G) Warning the public against trespassing or danger from animals including those identifying a security system.

16B-206 PROHIBITED SIGNS. The following signs are prohibited:

(a) Signs containing strobe lights, flashing parts, beacons, spotlights, reflective surfaces, mirrors and other such features that could be hazardous to the vision of passing motorists.

(b) Dilapidated signs, as defined by this article.

(c) Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signage not otherwise allowed by these regulations. This section does

not prohibit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.

(d) Signs that imitate or resemble official traffic or governmental signs. Signs which, in the opinion of the City Engineer, will impair intended operation of traffic control signals or constitute a safety and traffic hazard. Signs using red, yellow and green lights, or the words “stop,” “look,” “danger,” etc. and which give the appearance of traffic control.

(e) Moving signs, including but not limited to spinners, propellers, searchlights, revolving signs and air-filled moving signs.

(f) Inflatable signs, including balloons. Balloons smaller than 3 feet in diameter shall be exempt.

(g) Posters, signs and handbills affixed to any tree, vegetation, rock or utility pole.

(j) Signs that emit smoke, visible vapors, sounds or odors. Open flames used to attract public attention are not permitted.

(k) Signs placed in the public right-of-way, other than governmental signs or wayfinding signs.

(l) Signs that infringe upon the sight triangle, as defined in this Code.

(m) Street spanning banner signs, except as permitted by the Haysville City Council.

(o) Portable or temporary electronic message center signs.

(p) Off-premises signs except those permitted in the “D”, “E”, “F” and “G” Zoning Districts. Existing off-premises signs shall be nonconforming.

(q) Abandoned signs.

(r) Signs that display any obscene, indecent or immoral matter.

16B-207 SIGN AREA. Sign area shall be calculated based upon the following. The Zoning Administrator is authorized to make interpretations of these regulations in cases where a specific sign does not fit into the categories described.

(a) Sign cabinets. The area of sign faces enclosed in frames or cabinets shall be based upon the outer dimensions of the frame or cabinet and shall be calculated by multiplying the width by the length of the cabinet or frame.

(b) Double-sided signs/V-signs. Only one side of a double-sided sign or v-sign shall be counted when calculating sign area. The larger sign face shall be used in cases where the sign faces are not of an equal size.

(c) Multiple-faced signs. The sign area of multiple-faced signs shall be calculated by adding the area of all sign faces together and multiplying by 50%.

(d) Round, oval or irregularly shaped signs. The sign area of said signs shall be calculated using the appropriate mathematical formula or by dividing the sign into smaller geometric shapes that are then added together to calculate the sign area.

(e) Channel letter signs. The sign area for channel letter signs shall be calculated using the area of a rectangle enclosing the letters for each word or logo in the sign.

(f) Awnings, canopies and marquees. Sign area for awnings, canopies and marquees is calculated by computing the area of a standard geometric shape or combination of shapes drawn around the sign copy area or graphics. The side parallel to the plane of the building shall be counted as one sign face. Perpendicular sides shall count as a second sign face and shall be included in the total area as a double-faced sign.

16B-208 **MAXIMUM SIGN AREA AND HEIGHT – FREESTANDING SIGNS.** Except as otherwise noted in this article, the maximum sign area and height for freestanding signs shall be based upon the adjacent roadway type as follows:

Adjacent Roadway Classification	Maximum Sign Area (square feet)	Maximum Height (feet)
Residential/Other	100	20
Collector	150	25
Arterial	150	25
State Highway	250	35

16B-209 **SIGN HEIGHT EXCEPTION.** Freestanding signs abutting a roadway with a higher-grade level in comparison to the sign or sign structure shall have sign height measured from the roadway level adjacent to the sign to the highest point of the sign or sign structure.

16B-210 **SIGNS PERMITTED FOR RESIDENTIAL USES.**

(a) Signs permitted for single family dwellings and duplexes in any zoning district are as follows:

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Wall	1 per unit for home occupations	6 square feet	N/A	No
Temporary	No limit	16 square feet, total square footage of all temporary signs	3 feet	Yes

(b) Signs permitted for multi-family dwellings (3+ units) in any zoning district are as follows:

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Freestanding	1 per lot frontage or building	64 square feet	6 feet	Yes
Wall	1 per lot frontage or building	10% of the area of the building face	N/A	Yes
Temporary	No limit	16 square feet, total square footage of all temporary signs	3 feet	Yes
Directional	2 per drive entrance	6 square feet	3 feet	No

(c) Signs permitted for residential subdivisions in any zoning district are as follows:

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Freestanding	2 per subdivision entrance	64 square feet	8 feet	Yes
Temporary	1 per development while under construction	64 square feet	6 feet	No

(d) Signs permitted for vacant lots in residential zoning districts:

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Temporary	1 per lot frontage for lots that are for sale or lease	64 square feet	6 feet	No

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SIGNS PERMITTED FOR COMMERCIAL ZONING DISTRICTS

(a) Signs permitted for all commercial and industrial uses located in the DD, OC, D and E zoning districts are as follows. For residential uses, please refer to Sec. 16B-210. For public and institutional uses, please refer to Sec. 16B-214.

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Freestanding	<ul style="list-style-type: none"> 1 per each 150 feet of lot frontage Minimum of 1 sign permitted regardless of frontage Separated by a minimum distance of 75 feet from other freestanding signage located on the same zoning lot 	See Sec. 16B-208	See Sec. 16B-208	Yes
Wall	N/A	20% of the building face where signs are mounted	N/A	Yes
Temporary a. Freestanding b. Wall	a. 1 per lot frontage b. N/A	a. 64 square feet b. 20% of building frontage where mounted	a. 6 feet b. N/A	Yes
Directional	2 per drive entrance	6 square feet	4 feet	No
Projecting/V-Sign	1 per façade	32 square feet	8 feet minimum clearance over pedestrian walkways	Yes
Awning/Canopy/Marquee	1 per face	50% of awning, canopy or marquee face	N/A	Yes
Off-premises sign (billboard)	<ul style="list-style-type: none"> 1 per lot Billboards count toward the total sign allotment for the property Minimum separation of 1500 feet between billboards along the same side of the road 	300 square feet	40 feet	Yes
Off-premises sign (non-billboard)	Permitted in cases where a legally platted lot does not have public road frontage, provided: <ul style="list-style-type: none"> The sign shall be placed in a permanent sign easement The sign is placed along the nearest public street to the establishment it serves The establishment the sign serves is visible from the sign location 	See Sec. 16B-208	See Sec. 16B-208	Yes

(b) Electronic Message Center signs shall be permitted in all zoning districts pertaining to this section and shall be classified in accordance with the sign type (wall, freestanding, etc.), except that portable or temporary electronic message center signs are not permitted.

(c) Center Identification Signs To encourage efficiency in signage and reduce the aesthetic impact of multiple freestanding signs advertising businesses on the same or adjoining properties, Center Identification Signs are encouraged. Center identification signs shall comply with the following:

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Center Identification	<ul style="list-style-type: none">• 1 per each 200 feet of lot frontage• Separated by a minimum distance of 200 feet from other freestanding signage located on the same zoning lot	300 square feet	40 feet	Yes

16B-212 SIGNS PERMITTED IN INDUSTRIAL ZONING DISTRICTS.

(a) Signs permitted for all commercial and industrial uses located in the F and G zoning districts are as follows:

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Freestanding	<ul style="list-style-type: none"> 1 per each 150 feet of lot frontage Minimum of 1 sign permitted regardless of frontage Separated by a minimum distance of 75 feet from other freestanding signage located on the same zoning lot 	See Sec. 16B-208	See Sec. 16B-208	Yes
Wall	N/A	20% of the building face where signs are mounted	N/A	Yes
Temporary c. Freestanding d. Wall	a. 1 per lot frontage b. N/A	a. 64 square feet b. 20% of building frontage where mounted	a. 6 feet b. N/A	Yes
Directional	2 per drive entrance	25 square feet	5 feet	No
Awning/Canopy/Marquee	1 per face	50% of awning, canopy or marquee face	N/A	Yes
Center Identification Sign	See Sec. 16B-211.c	See Sec. 16B-211.c	See Sec. 16B-211.c	Yes
Off-premises sign (billboard)	<ul style="list-style-type: none"> 1 per lot Billboards count toward the total sign allotment for the property Minimum separation of 1500 feet between billboards along the same side of the road 	300 square feet	40 feet	Yes

(c) Electronic Message Center signs shall be permitted in all zones pertaining to this section and shall be classified in accordance with the sign type (wall, freestanding, etc.), except that portable or temporary electronic message center signs are not permitted.

16B-213 SIGNS PERMITTED FOR PUBLIC AND INSTITUTIONAL USES. Signs permitted for all public and institutional uses regardless of zoning district are permitted as follows:

Sign Type	Maximum Number of Signs Per Lot	Maximum Sign Area	Maximum Sign Height	Permit Required
Freestanding	<ul style="list-style-type: none"> 1 per each 150 feet of lot frontage Minimum of 1 sign permitted regardless of frontage Separated by a minimum distance of 75 feet from other freestanding signage located on the same zoning lot 	<ul style="list-style-type: none"> See Sec. 16B-208 Lots larger than 5 acres shall be allowed a 50% increase 	<ul style="list-style-type: none"> See Sec. 16B-208 Lots larger than 5 acres shall be allowed a 50% increase 	Yes
Wall	N/A	20% of the building face where signs are mounted	N/A	Yes
Temporary/Portable e. Freestanding f. Wall	a. 1 per lot frontage b. N/A	a. 64 square feet b. 20% of building frontage where mounted	a. 6 feet b. N/A	Yes
Directional	No maximum number	24 square feet	8 feet	No
Projecting/V Sign	1 per face	20 square feet	Minimum of 8 feet clearance over pedestrian walkway	Yes
Awning/Canopy/Marquee	1 per face	90% of awning, canopy or marquee face	N/A	Yes
Roof	1	20% of building face	6 feet, plus 1 foot per story above the first story	Yes

(b) Electronic Message Center signs shall be permitted for public and institutional uses in any zoning district. Electronic message boards shall be classified in accordance with the sign type (wall, freestanding, etc.). Temporary or portable electronic message signs shall not be permitted.

16B-214 SIGN REGULATIONS PERTAINING TO ALL ZONING DISTRICTS AND USES

(a) Sign Placement.

(1) Unless specifically authorized by these regulations, all signs shall be erected totally upon the property to which they pertain and shall not overhang into

or be located upon the public right-of-way, sidewalk, street, public easement or any other public travel way.

(2) Sign placement exceptions: Projecting signs, awning, canopy and marquee signs shall be permitted to extend over a public sidewalk when located in the D or E Zoning District, when approved by the City Engineer.

(3) Wall signs shall not extend above the top of the building wall upon which they are mounted and shall not protrude more than 18 inches on average from the wall or structure to which they are attached.

(4) No part of any freestanding sign or center identification sign shall be placed closer than 50 feet to an existing sign on an adjacent lot.

(b) Permanent construction. All signage, other than temporary signage, shall be constructed of permanent weatherproof materials typically associated with sign construction, including solid plastic, wood, masonry, metal or other rigid materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure. Signs printed on pliable plastic, fabric, cardboard, streamers or other non-rigid materials are temporary signage for the purpose of these regulations unless mounted upon a wall in a permanently affixed frame.

(c) Illumination.

(1) Illuminated signs located in, or adjacent to, any residential district shall be shaded as necessary to avoid casting bright light upon adjacent property.

(2) Brightness limits shall be set at a maximum of 5,000 nits between sunrise and sunset, and at a maximum of 500 nits between sunset and sunrise. Each electronic message sign shall be equipped with a light sensing device to automatically adjust the brightness in accordance with these standards.

(3) Electronic message center signs shall be equipped with a default mechanism that shall freeze the sign in one position or static message if a malfunction occurs.

(d) Structural and engineering standards. All signs, sign structures, sign foundations and sign anchors shall meet the applicable provisions of the adopted building codes of the City of Haysville.

(e) Obstruction prohibited. No sign shall obstruct any fire escape, required exit, window, opening, door or vent. Signage shall not interfere with property storm water drainage.

(f) Proximity to electrical lines. Signs shall not be placed any closer than 8 feet vertically or horizontally from electrical lines, conductors or electrical guy wires.

(g) Sight triangle. Signs shall not impede the sight triangle.

16B-215 TEMPORARY SIGNS

(a) A permit is required for all signs, except in conformance with exemptions as set forth in Sec. 16B-205.

(b) Sign permit fees shall be as established in Chapter 17 of the Municipal Code of Haysville, Kansas and shall be paid at the time of permit application

(c) Each business or person is entitled to display seven (7) temporary signs per calendar year.

(d) Temporary sign permits are valid for thirty-five (35) days. At the end of the thirty-five (35) days temporary signs must be removed and are required to wait a seven (7) day period before applying for another temporary permit.

(e) Except in accordance with exemptions as set forth with 16B-205 of these Regulations, a temporary sign may not be erected or displayed in the public right-of-way, easement ~~or~~, attached to utility poles ~~or within the sight triangle at intersections~~.

(~~f~~) These signs shall not be displayed for a duration longer than the permit allows, or the City may remove the sign.

16B-215 NONCONFORMING SIGNS. Existing signs which were lawful at the time, but made nonconforming by adoption or amendment to this Code, shall be legal provided they are maintained in good condition. Nothing in this Code shall prohibit the ordinary maintenance, repair or refurbishment of a nonconforming sign or replacement of a broken part of a nonconforming sign, including replacement and upgrade of Electronic Message Center/electronic technology. Replacement of copy, content or message may be considered ordinary maintenance.

(a) A legal nonconforming sign shall not be:

(1) Changed to another type of nonconforming sign, except that conversion of changeable copy signs to electronic message center signage shall not be considered a change in sign type;

(2) Physically changed or structurally altered to increase the square footage or height, however, the shape can be changed;

(3) Continued after more than 12 months of abandonment or vacancy of the property;

(4) Re-established in a different location on the lot;

(b) In the event that any existing nonconforming sign, as provided for in this section, is damaged by acts outside of the control of the property owner to an extent of 50 percent or more of the replacement, restoration or reconstruction value of the sign, or 50 percent of the square footage of the sign copy area, said sign shall not be replaced, restored or reconstructed unless it is brought into full compliance with the provisions of these regulations. Any nonconforming sign which remains damaged or in disrepair, regardless of the percentage of construction (or damage) value or area of square footage which is damaged, for a period of three months following the date of damage without the issuance of a valid sign permit, shall not be replaced, restored or reconstructed unless it is brought into full compliance with all applicable codes and ordinances.

16B-216 ABANDONED SIGNS. If a building, structure or premise is vacated for a three-month period of time, the owner of said property shall be responsible for removing any commercial sign or signs, along with the structure supporting the sign(s), located thereon with the exception of advertisements dealing with the sale or leasing of the facility. In addition, the owner shall be responsible for restoring the facade of the building, structure or premise to its normal appearance.

16B-217 ADMINISTRATION.

(a) The Zoning Administrator shall administer these sign regulations and is authorized to enforce and carry out all provisions thereof.

(b) Administrative authority shall include development of application forms, permit fees and procedures consistent with this section.

(c) The Zoning Administrator is permitted to enter onto any property in the City to inspect a sign, its structural supports and electrical connections, and to ensure compliance with all adopted codes. Such inspections shall be conducted during regular business hours of the City unless an emergency exists.

(d) Sign installation. The work necessary to construct, install, erect, illuminate or modify signage within the City shall be performed by a licensed contractor in conformance with the provisions of the Municipal Code of Haysville, Kansas.

(1) Work required to be performed by a licensed contractor:

(A) Construction, installation, erection or electrical connection of any sign which is internally illuminated.

(B) Construction, installation or erection of any permanent freestanding sign requiring wind load calculations.

(C) Construction, installation or erection of any sign which is located above a pedestrian walkway or on a canopy over a pedestrian walkway.

(D) Construction, installation or erection of any sign not described in subsection 16B-217(d)(2).

(2) Work which may be performed by a property owner or lessee:

(A) Installation or attachment of any individual letters which do not require electrical service or structural modification of the surface to which such letters are being attached.

(B) Construction and erection of any temporary sign.

(f) Sign Permit required.

(1) A sign permit shall be required, as established in this code, except for replacement of existing faces or panels, provided no structural alterations are made and the sign does not change in shape, size or area. Normal maintenance on a sign shall not require a sign permit.

(2) A sign permit application shall be completed on forms provided by the Zoning Administrator and shall be completed by the owner, tenant, authorized agent or licensed sign installer.

(e) Issuance of permits.

(1) Within 14 days of receipt of a complete sign permit application, the Zoning Administrator shall:

(A) Issue the permit;

(B) Deny the permit, including a written statement of the reasons for denial; or

(C) Request additional information pertaining to the permit.

(2) Sign permits may be revoked if:

(A) There is any false statement or misrepresentation made in the application;

(B) Work authorized by the permit has not commenced within 180 days from the date of permit issuance; or

(C) The work authorized by the permit has not been completed within 365 days from the date of permit issuance.

(3) The Zoning Administrator may levy a charge of triple the permit fee for signs erected, placed, relocated, altered or substantially repaired without obtaining permits, as required in this article.

(4) The City may require removal of a sign even if a permit was issued, if the permit was issued in error and in violation of these regulations.

(h) Sign permit fees.

(1) Sign permit fees shall be as established in Chapter 17 of the Municipal Code of Haysville, Kansas and shall be paid at the time of permit application.

(2) Substantial changes to an issued permit may result in additional permit fees being assessed.

(i) Enforcement.

(1) All signs shall be maintained in a safe and attractive manner and shall be free from structural, material and electrical defect or hazard. The property owner is responsible for assuring that signs on their property comply with the provisions of these regulations.

(2) The Administrator is authorized to exercise the following enforcement authority:

(A) Arranging for immediate removal of any dangerous sign that poses an immediate threat to the public safety. Such removal may be conducted without notice.

(B) Ordering, via written notification, removal or repair of any sign which endangers the public safety, health or welfare and/or which has become a public nuisance. The order shall specify the defect or hazard and require correction within 30 days of the date of the letter.

(C) Ordering, via written notification, removal of an abandoned sign within 30 days of the date of the letter.

(D) Ordering, via written notification, removal of any illegal temporary signs within 7 days of the date of the letter.

(E) Confiscating any signs located in the public right-of-way or on public property, other than those specifically required to be permitted under state statute. Confiscated signs may be recovered by the sign owner within 14 days of the date of confiscation, pursuant to payment of a service charge as established in Chapter 17.

(F) Deny issuance of a sign permit for property that has outstanding sign violations or assessments, as established in this article.

(j) Administrative correction, removal and forfeiture.

(1) The Zoning Administrator may correct a violation of this code or remove any defective, dilapidated, abandoned or illegal sign if an order has been correctly issued and mailed or delivered and if:

(A) The sign has not been removed or repaired within the specified time limit; and

(B) The property owner or authorized representative has failed to file an appeal with the Administrative Committee by the specified time limit.

(2) The City shall have the right to recover from the owner or tenant placing such a sign the full costs of removal and disposal of said sign. If the cost is not recovered, the expenses may be assessed as a special assessment against the parcel on which the sign was located.

(3) For the purposes of this section, the term “sign” shall include all sign embellishments and supporting structures.

(k) Appeals.

(1) Any applicant, property owner or authorized representative may appeal the following decisions/determinations of the Zoning Administrator:

(A) Denial of a sign permit.

(B) A written order issued pertaining to a sign.

(2) Appeals shall be filed within 14 days of the date of determination and shall be made on forms as provided by the City. Appeals shall be accompanied by payment of the required application fee.

(3) If the enforcement officer who issued the decision from which the appeal is being taken usually sits upon the Administrative Committee, such official shall recuse themselves upon the record from participating in the decision of the Administrative Committee and shall take no further part in such action except such individual may be called to provide evidence as a witness.

(4) If the nuisance condition is deemed by the Zoning Administrator to represent an immediate menace or danger to the health of the inhabitants of the community, such nuisance condition shall be made safe by either the party responsible for the property, or the City, regardless of the timing of the hearing. Costs of such temporary action shall be additional costs of this nuisance abatement action.

(5) At the hearing, the Administrative Committee shall hear all evidence submitted by the appealing party and other parties in interest in the property upon which the nuisance is situated and all evidence submitted by the City. The hearing provided for in this section need not be conducted according to formal rules of evidence.

(6) The Administrative Committee shall prepare a written description of findings and an appropriate order. The order shall be sent by certified mail, or delivered via in person delivery, to all parties with a legal interest in the property within five (5) days of the conclusion of the hearing, unless otherwise stated at the hearing. The Administrative Committee’s order shall describe the relevant facts relied upon, state the specific Code provisions being relied upon, and state any such other stipulations, methods of abatement, or orders as deemed necessary by the Administrative Committee. If abatement is ordered, the order shall also fix a reasonable period of time, not less than ten (10) days from the date the Order was rendered, to complete the abatement of any nuisances found by the Administrative Committee, and a statement that if the appellant or Responsible Party fails to complete the abatement, the Zoning Administrator shall cause the nuisance to be removed and abated in compliance with the Municipal Code of Haysville, Kansas.

(7) The determination by the Administrative Committee shall be a final order of the City, and appeals of this action may be taken as allowed by law. Such appeal shall be filed within 30 days of the final decision of the Administrative Committee. A decision of the Administrative Committee shall be deemed final the day such decision is rendered.

(m) Penalties. Any person violating any of the provisions of these regulations or causing, permitting or suffering the same to be done is guilty of a misdemeanor and shall be punished by a fine of not more than five-hundred dollars. The issuance or granting of a permit shall not be deemed or construed to be a permit for an approval of any violation of any of the provisions of this code.

(n) Violations. Any of the following shall be a violation of these regulations and shall be subject to the enforcement remedies and penalties

(1) To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zoning lot on which the sign is located.

(2) To install, create, erect or maintain any sign requiring a permit without such permit.

(3) To fail to remove any sign that is installed, created, erected or maintained in violation of these regulations, or for which the sign permit has lapsed.

(4) To continue any such violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of these regulations.

(5) Each sign installed, created, erected, or maintained in violation of these regulations shall be considered a separate violation when applying the penalty portions of these regulations.

CHAPTER XVII. FEE SCHEDULE

- Article 1. Charges, Taxes, Fees and Certain Salaries
- Article 2. Expiration and Renewal
- Article 3. Specific Charges, Taxes, Fees and Certain Salaries

ARTICLE 1.

CHARGES, TAXES AND, FEES ~~AND CERTAIN SALARIES~~

- 17-101. CHARGES, TAXES AND FEES ESTABLISHED. Unless established elsewhere in this code, there are hereby established by chapter section the amounts of various charges and fees required by this code to be paid to the city.

ARTICLE 2.

EXPIRATION AND RENEWAL

- 17-201. EXPIRATION AND RENEWAL. Unless expressly provided otherwise by this code, all annual licenses shall expire on December 31 of each year, irrespective of the date of original issuance. All license renewal fees shall become due on December 1st of each year, and shall be overdue if paid after January 1st of the year for which the renewal license is issued.

ARTICLE 3.

SPECIFIC CHARGES, TAXES, FEES AND CERTAIN SALARIES

- 17-301. ADULT ENTERTAINMENT ESTABLISHMENTS. The annual license fee required by section 5-704 of this code for adult entertainment establishments shall be two hundred fifty dollars (\$250.00).
- 17-302. ADULT HOTELS. The annual license fee required by section 5-704 of this code for adult hotels shall be two hundred fifty dollars (\$250.00).
- 17-303. ALCOHOLIC LIQUOR; TEMPORARY PERMITS TO SELL OR SERVE. The fee required by section 3-420 of this code to be paid to the city by each applicant for a temporary permit to sell or serve alcoholic liquor by the drink (including beer

containing more than three and two-tenths percent [3.2 percent] of alcohol by weight) shall be one hundred dollars (\$100.00) (K.S.A. 41-310 et seq.).

- 17-304. AMUSEMENT CENTERS, BILLIARD HALLS, AND POOL HALLS. (a) The annual license fee required by section 5-204 of this code for amusement centers, billiard halls, and pool halls shall be fifty dollars (\$50.00), shall become due on December 1st of each year, and shall be overdue if paid after January 1st of the year for which the renewal license is issued, and shall authorize a maximum of five (5) billiard or pool tables, a maximum of five (5) domino tables, and a maximum of ten (10) coin-operated amusement devices which are not billiard, pool or domino tables. Any additional pool, billiard or domino tables, or other coin-operated amusement devices shall be subject to an annual fee of \$7.50 per table or device payable together with the annual fifty dollar (\$50.00) minimum licensing fee as described above. Tables or devices not in use shall be dismantled, removed, or a license fee paid therefore pursuant to this section.
- (b) The special supervision fee provided for by section 5-212 of this code shall be assessed at the rate of thirty-five dollars (\$35.00) for each hour, or fraction thereof, that special supervision is required and provided.

17-305. RESERVED.

17-306. ANIMAL IMPOUNDMENTS. The animal impound fees required to be paid by section 2-211 of this code are separate from fines or costs assessed for conviction of any section of this code, and shall be charged to the individual claiming such animal from the City's impound facility. The fees as provided in this section shall be:

(a) First impoundment. A twenty five dollars (\$25.00) impound fee, together with a food fee of one dollar (\$1.00) per day for each day of impoundment, shall be charged for each animal impounded for the first time, for the first five (5) full days of impoundment. Each subsequent day, or partial day, of impoundment shall be five dollars (\$5.00) per day of impoundment.

(b) Second impoundment, within the same calendar year. A fifty dollar (\$50.00) impound fee, together with a food fee of one dollar (\$1.00) per day for each day of impoundment, shall be charged for each animal impounded for a second time, for the first five (5) full days of impoundment. Each subsequent day, or partial day, of impoundment shall be five dollars (\$5.00) per day of impoundment.

(c) Third impoundment, within the same calendar year. A seventy five dollar (\$75.00) impound fee, together with a food fee of one dollar (\$1.00) per day for each day of impoundment, shall be charged for each animal impounded for a third time, for the first five (5) full days of impoundment. Each subsequent day, or partial day, of impoundment shall be five dollars (\$5.00) per day of impoundment.

(d) Fourth and subsequent impoundments, within the same calendar year. A one hundred dollar (\$100.00) impound fee, together with a food fee of five dollars (\$5.00)

per day for each day, or partial day, of impoundment, shall be charged for each animal impounded for a fourth and any subsequent time within a calendar year.

(e) All impound fees and City animal registration fees shall be collected by the City, and the receipt shown to the City Animal Control Officer(s) or their designee, prior to any animal being released from impound. Such fee may only be waived by court order.

(f) Owners/harborers of impounded animals shall not avoid liability for the costs incurred in impoundment of their animal by failing to recover such animal(s) from the City or due to lawful destruction of the animal pursuant to any provision of this Code. Such fees are administrative and mandatory and are separate from any sentence imposed in an action for violation of this code. Such unpaid fees may be submitted to the municipal court for collection as part of a code violation or to the city clerk for collection in the manner of unpaid utilities.

(Code 2015)

17-307. AUCTIONS. Each applicant to whom the city clerk issues an auction permit pursuant to section 5-502 of this code shall pay to the city clerk a permit fee of fifty dollars (\$50.00).

17-308. RESERVED.

17-309. BOARD OF ZONING APPEALS; FEES. For the purpose of defraying costs of the board of zoning appeals (BZA) proceedings, the governing body establishes the following schedule of fees to be paid at the time of filing for the application:

(a) Appeals of administrative interpretations. A filing fee of \$100.00; a publication fee of \$50.00.

(b) Variances. A filing fee of \$100.00 and a publication fee of \$50.00.

Mailing Fee. Mailing costs arising out of any application shall be the responsibility of the applicant. If the City carries out any mailing in association with an application all such costs shall be immediately assessed back to the applicant. Repayment to the City of such mailing costs shall be a condition precedent to an application being deemed complete.

(Code 2019)

17-310. ~~1.~~ BUILDING PERMITS. Fees for building permits shall be set forth in the Commercial and Residential Building Code as adopted by the City of Haysville

(Code 2015)

17-311. BUILDING REINSPECTION FEE/NON-BUSINESS HOURS. There shall be charged for the re-inspection of any building pursuant to section 4-202 of this code an

inspection fee at the rate of thirty-five dollars (\$35.00) per ~~occurrence~~ hour for each hour, and fraction thereof, of such re-inspection.

- 17-312. BUSINESS REGISTRATION FEES. Each person, firm, association, corporation or entity required by section 5-101 of this code to register with the city shall pay to the city an initial registration fee of ten dollars (\$10.00) and shall each year thereafter pay an annual registration renewal fee of five dollars (\$5.00). Registration fees shall become due on December 1st of each year, and shall be overdue if paid on or after January 1st of the year for which the renewal registration is issued. A ten dollar (\$10.00) late fee shall be assessed on January 1st, and an additional ten dollar (\$10.00) late shall be assessed for every subsequent month such fee is overdue, beginning on the first of each subsequent month. The cumulative amount of late fee is due at the time such business registration is made current by payment of the registration fee.
(Code 2015)

- 17-313. CATERERS SELLING OR SERVING ALCOHOLIC LIQUOR. The biennial fee required by section 3-415 of this code to be paid to the city clerk by each applicant for a caterer's license authorizing said applicant to sell or serve alcoholic liquor by the drink (including beer containing more than three and two-tenths percent [3.2 percent] of alcohol by weight) shall be five hundred dollars (\$500.00). (Code 2012)

17-314 CEREAL MALT BEVERAGES. The annual license fees required for the sale at retail of cereal malt beverages, as required by section 3-103 of this code, shall be as provided in this section.

(a) General Retailer. For each place of business selling cereal malt beverages at retail (as set forth within K.S.A. 41-2702(d)(1)) there shall be an initial license fee of one hundred and fifty dollars (\$150.00) which shall be valid for the balance of the calendar year for which it was issued. Licenses are issued for the calendar year and must be renewed prior to January 1st of each year. An annual renewal fee shall be one hundred and fifty dollars (\$150.00) if the renewal license fee is paid prior to November 30th of the preceding year; and two hundred dollars (\$200.00) if the renewal license fee is paid any after November 30th of the preceding year.

(b) Limited Retailer. Each place of business selling cereal malt beverages (as set forth within K.S.A. 41-2702(e)) at retail in original and unopened containers, and not for consumption on the business premises, shall pay an initial license fee of fifty dollars (\$50.00) which shall be valid for the balance of the calendar year for which it was issued. An annual renewal fee shall be fifty dollars (\$50.00) and shall be due and collectable any time after November 30th of the year prior to which the license shall be valid. Licenses are issued for the calendar year and must be renewed prior to January 1st of each year.

(c) The annual license fee for such license shall be in addition to the State Stamp fee of \$25 mandated by K.S.A. 41-2702(e).

(d) The full amounts of the license fees established by this section shall be paid regardless of the time of the year in which the application is made, and the licensee shall be authorized to operate under said license only for the remainder of the calendar year in which the license is issued. No refunds shall be paid in the event a licensee ceases to do business prior to the end of the calendar year in which the fee was paid.

(e) Non-transferability. No license issued under this section shall be transferable to any person, or entity.

(f) Change of location. The fee assessed for changing the location of a business for which a cereal malt beverage license has been issued as provided for by Section 3-113 of this code shall be ten dollars (\$10.00).

(g) Special Event Retailers' Permit. The assessed fee for a Special Event Retailers' Permit shall be one hundred dollars per day of operation of the Special Event site. For purposes of determining the fee amount, each day or part of day shall be subject to the daily operating fee. Such amount shall be payable by permittee within seven days following approval by the Governing Body of the Special Event Retailers' Permit application, but in no case less than five (5) days prior to the proposed special event. A Special Event Retailers' Permit is not valid until such fee is paid, and a permit is obtained from the City Clerk.

(Code 2015)

17-315. COMMUNITY BUILDING. The city shall charge and receive for the use of the community building pursuant to section 12-107 of this code the fees provided for in this section.

(a) Refundable deposit. Each person or entity applying to use the community building shall pay at the time of application a refundable deposit of either: (i) one hundred dollars (\$100.00) for any use requiring a City issued temporary special event permit; or (ii) fifty dollars (\$50.00) for all other uses, which deposit shall be used to secure payment of any damages or cleanup costs incurred by the city for such use. Any portion of said deposit not used to repair damages or for cleanup shall be refunded to the applicant.

(b) Single use. The fee for a single, non-recurring use of the community building shall be seventy-five dollars (\$75.00) on Mondays through Thursdays and one hundred dollars (\$100.00) for Fridays through Sundays.

(c) Monthly use. The fee for use of the community building once per month on Mondays through Thursdays shall be seven hundred twenty dollars (\$720.00) per year.

(Code 2003; Code 2007; Ord. 1043)

17-316. CONDITIONAL USE PERMITS. A filing fee of two hundred dollars (\$200.00) and a publication fee of seventy-five dollars (\$75.00) shall be paid to the city clerk upon the filing of each application for each lot, tract, or parcel included in the application for the purpose of defraying the costs of the proceedings prescribed in Article 7, Section 702 of the Zoning Regulations of the City of Haysville, Kansas. Mailing costs arising out

of any application shall be the responsibility of the applicant. If the City carries out any mailing in association with an application all such costs shall be immediately assessed back to the applicant. Repayment to the City of such mailing costs shall be a condition precedent to an application being deemed complete. A written receipt shall be issued to the person making such payment and records thereof shall be kept in such a manner prescribed by law.

(Code 2007; Code 2019)

- 17-317. **CONTRACTORS PERFORMING WORK WITHIN THE CITY.** Contractors shall pay to the city clerk, prior to performing any work within the city, fees in accordance with the following schedule:

Class A Contractor	\$125.00 (over \$30,000)
Class B Contractor	\$100.00 (\$30,000 or less)
Class C Contractor	\$ 75.00 (Roofing & Siding)
Class D Contractor	\$ 50.00 (Porch & Fencing)
Pool Contractor	\$ 50.00
Wrecking Contractor	\$ 30.00
Concrete Contractor	\$ 30.00
Drain Layer	\$ 50.00
Drain Cleaner	\$ 20.00
Electrical Contractor	
License	\$ 75.00
Master Certificate	\$ 20.00
Journeyman's Certificate/	\$ 10.00
Mechanical Contractor	
License	\$ 75.00
Master Certificate	\$ 20.00
Journeyman's Certificate	\$ 10.00
Certificate Fee	\$ 5.00
Plumbing Contractor	
License	\$ 75.00
Master Certificate	\$ 20.00
Journeyman's Certificate	\$ 10.00
Certificate Fee	\$ 5.00
Water Treatment	\$ 30.00
Solar Heat	\$ 30.00
Fire Sprinkler	\$ 30.00
Gas Fitter	\$ 20.00
Irrigation	
License	\$ 50.00

Master Certificate	\$ 20.00
Journeyman's Certificate	\$ 10.00
Swimming pools	\$ 50.00
Right Of Way Maintenance	\$ 25.00
Submitted after February 15 th	\$ 75.00
(Code 2003; Code 2007; Code 2012)	

17-318. COUNCILPERSONS SALARY. The monthly salary to be paid to each city councilperson pursuant to section 1-308 of this code shall be one hundred dollars (\$100.00).

(Code 2003; Code 2007)

17-319. COURT FEES; MISCELLANEOUS. The following fees are hereby adopted to defray the costs associated with the following specific processes carried out by the municipal court.

(a) Diversions. The fee required to be paid by any defendant requesting a diversion in connection with any case filed in the city municipal court pursuant to section 9-108 of this code shall be one-hundred dollars (\$100.00). Said fee shall be non-refundable. Additionally, the fee charged by the providing agency to complete a pre-diversion evaluation shall be paid to the providing agency at the time of such evaluation.

(b) Court costs assessed pursuant to section 9-106 of this code shall be eighty-~~four~~^{one} dollars ~~and fifty cents~~ (\$~~84.00~~^{81.50}), which shall include those costs that the City must remit to the State under K.S.A. 12-4117, and docket and administrative fees.

(c) Pre-Sentence Investigations. The fee to be paid to the city by each defendant convicted in the city's municipal court and concerning whom a pre-sentence investigation is ordered shall be \$150.00, unless such PSI fee is paid directly to the provider. Probation Administrative fees as set forth within shall be assessed separately from the PSI fee.

(d) Registered letter fee \$ 10.00

(e) Notice letter for FTO/FTA \$ 5.00

(f) Warrant Fee \$ 25.00

(g) Warrant Service Fee if served other than at court or police station/traffic stop
\$ 20.00

Mileage per Mile for Warrant Service As determined by State

(h) Witness Fee (per person) \$ 10.00

Mileage from home address per Mile for

(i) Witness Under Subpoena, Except first 10 miles As determined by State

(j) Administration Fee for Post-Conviction Remedy \$ 100.00

(k) Copying fee for court records (see 17-368 below) 25 cents/page

(l) Copying fee for each DVD, audio or video tape \$ 25.00

(see 17-368 below)

(Code 2012)

- 17-320. COURT FINES; PUBLIC OFFENSES. Fines for violations of municipal ordinances shall be assessed pursuant to such ordinance, in conformance with K.S.A. 12-4305, the Uniform Public Offense Code, the Standard Traffic Ordinance, or as otherwise set forth by this Code. The description of offenses contained in this schedule of fines is for reference only and is not a legal definition. Pursuant to K.S.A. 12-4305, the municipal court judge is permitted to impose any fine within the minimum and maximum approved by ordinance.

(Code 2012)

ANIMALS

2-102	<u>Animal at large/Violation of Dog Park Rules & Regulations set forth in sec. 12-301</u>	
	First offense	\$ 25.00
	Second offense, within the same calendar year	\$ 50.00
	Third offense, within the same calendar year	\$ 75.00
	Fourth and subsequent offense, within the same calendar year	\$100.00
2-112	Cruelty or Neglect	\$100.00
2-202	Barking dog	\$ 25.00
2-201	No tag attached	\$ 25.00
2-213	Rabies vaccination required	\$ 50.00

NUISANCE OFFENSES

Burning (unlawful) \$500.00

Any nuisance offense set forth within Chapter 7, Article 4:

(1) Upon conviction for a first offense, by a fine up to \$250.00.

(2) Upon conviction of a second or subsequent offense, by a fine of not less than \$250.00 and not more than \$500.00.

MISCELLANEOUS

Failure to obey notice or summons Class C violation

A sum not exceeding \$500.00 and/or one (1) month in custody.

Failure to appear in court Class B violation

A sum not exceeding \$1000.00 and/or six (6) months in custody.

(Code 2012)

- 17-321. CULVERT PERMIT. The permit fee for a culvert within the city shall be sixty dollars (\$60.00).
(Code 2003; Code 2007)
- 17-322. CURB CUT PERMIT. The permit fee for a curb cut within the city shall be fifty dollars (\$50.00).
(Code 2003; Code 2007)
- 17-323. DANCES AND DANCE HALLS. The fee for any dance for which section 5-404 of this code requires a license shall be ten dollars (\$10.00) for any dance approved for a duration not exceeding three (3) days, and fifty (\$50.00) for any dance approved for a duration exceeding three (3) days. The licensing fee for any dance hall required to be licensed by this code shall be fifty dollars (\$50.00) for the initial license. and fifty dollars (\$50.00) for each annual renewal license. Renewal license fees shall become due on December 1st of each year, and shall be overdue if paid after January 1st of the year for which the renewal license is issued. The special supervision fee provided for by Section 5-408 of this code shall be thirty-five dollars (\$35.00) per hour.
(Code 2003; Code 2007)
- 17-324. DOG LICENSES. The annual licensing fee for any license required to be obtained by section 2-201 of this code shall be as provided for by this section, shall expire with the rabies vaccination and shall be renewed with the city within thirty (30) days after the expiration of the rabies vaccination. Such licensing fees shall be as follows:
- (a) Unspayed females. The annual license fee for each unspayed female dog shall be twenty dollars (\$20.00).
 - (b) Spayed females. The annual license fee for each properly spayed female dog shall be ten dollars (\$10.00).
 - (c) Non-neutered males. The annual license fee for each non-neutered male dog shall be twenty dollars (\$20.00).
 - (d) Neutered males. The annual license fee for each neutered male dog shall be ten dollars (\$10.00).
 - (e) If thirty (30) or more days have elapsed since the date of the rabies vaccination or thirty (30) or more days have elapsed since the dog became six (6) months old or thirty (30) or more days have elapsed since the dog was acquired, a penalty fee shall be assessed in the amount of two dollars (\$2.00) for each month, or portion of month, during which the animal was not licensed pursuant to this code. (Code 2003, Code 2004; Ord. 852, Ord. 862, Ord. 864)
- 17-325 DOOR TO DOOR SALES. The registration fee required to be paid for persons or entities engaging in door to door sales pursuant to section Chapter 5, Article 13 of this code shall include the cost of background investigations upon up to five individuals.

All additional individuals shall be assessed the cost of such background investigation as set forth below.

thirty (30) day permit \$100.00

six (6) month permit \$300.00

one (1) year permit \$500.00

background investigation

for each individual not included within permit fee: \$10.00/person

(Code 2003; Code 2007)

17-326. DRAIN CLEANER. There shall be charged twenty dollars (\$20.00) for a drain cleaner's license.

(Code 2003; Code 2007)

17-327. DRAIN LAYING REINSPECTION/NON-BUSINESS HOURS; FEE. There shall be charged for the reinspection of any drain laying pursuant to section 4-705 of this code an inspection fee at the rate of thirty-five dollars (\$35.00) per occurrence ~~hour for each hour, and fraction thereof~~, of such reinspection.

(Code 2003; Code 2007)

17-328. DRINKING ESTABLISHMENTS. Each drinking establishment located in the city and operating pursuant to a drinking establishment license issued by the state of Kansas and the provisions of this code regulating such establishments shall pay to the city a biennial license fee of five hundred dollars (\$500.00) pursuant to section 3-407. The city license shall run concurrently with the state drinking establishment license and must be obtained within five (5) days of issuance of the state license. If more than five (5) days elapse before purchase of the city license, a penalty of fifty dollars (\$50.00) is hereby established.

(Code 2003; Code 2007; Ord. 976)

17-329. Reserved.

17-330. Reserved.

17-331. ELECTION FILING FEE; WAIVER. The filing fee required of each person seeking election to city office pursuant to section 1-206 of this code shall be twenty dollars (\$20.00), except that no fee shall be required of any such candidate who presents, at the time such person files for election, a petition supporting such person's candidacy signed by fifty (50) qualified electors of the city or by a number of such electors equal to not less than one-percent (1%) of the ballots cast and counted in the most immediately preceding city election, whichever is less.

(Code 2003; Code 2007; Code 2019)

- 17-332. ELECTRICAL PERMITS. Fees for building permits shall be set for in the Electrical Code as adopted and enforced by the City of Haysville ~~and enforced by Sedgwick County~~.
(Code 2003; Code 2007; Code 2012)
- 17-333. ELECTRICAL REINSPECTION/NON-BUSINESS HOURS; FEE. There shall be charged for electrical reinspections pursuant to section 4-507 of this code an inspection fee at the rate of thirty-five dollars (\$35.00) per occurrence ~~hour for each hour, and fraction thereof~~, for such reinspections.
(Code 2003; Code 2007)
- 17-334. ENTERTAINER. The annual license fee for entertainers, as described in section 3-201 of this code, shall be twenty-five dollars (\$25.00), payable to the city clerk.
(Code 2003, Code 2004; Code 2007)
- 17-335. EROTIC DANCE STUDIOS. The annual license fee required by section 5-803 of this code for erotic dance studios shall be one-hundred dollars (\$100.00).
(Code 2003; Code 2007)
- 17-336. EXCAVATION REINSPECTION/NON-BUSINESS HOURS; FEE. There shall be charged for excavation inspections pursuant to section 13-204 of this code an inspection fee at the rate of thirty-five dollars (\$35.00) per occurrence ~~hour for each hour, and fraction thereof~~, of such inspections.
(Code 2003; Code 2007)
- 17-337. EXCAVATION PERMITS. There shall be charged for each excavation permit issued pursuant to section 13-206 of this code the sum of fifty dollars (\$50.00).
(Code 2003; Code 2007)
- 17-338. RESERVED.
- 17-339. FENCE PERMITS. The fee required by section 4-1108 of this code to be paid to the city by each applicant for a fence permit shall be twenty-five dollars (\$25.00).
(Code 2003; Code 2007)
- 17-340. FINGERPRINT PROCESSING FEES. A processing fee of twenty dollars (\$20.00) shall be paid to and collected by the city from each person requesting to be fingerprinted prior to such service being performed pursuant to section 10-104.
(Code 2003; Code 2007)

17-341. FIREWORKS SALES PERMITS. There shall be collected for each location within the city for which a fireworks sales permit has been issued pursuant to section 5-1102 of this code, permit fees based upon the square footage of the structure from which fireworks are to be sold:

- | | |
|--|-------------|
| (a) For structures not exceeding 400 square feet | \$ 2,500.00 |
| (b) For structures having square footage of 401, but not exceeding 800 square feet | \$ 5,000.00 |
| (c) For structures greater than 800 square feet, but not exceeding 1,500 square feet | \$ 7,500.00 |
| (d) For structures exceeding 1,500 square feet | \$10,000.00 |

For the purposes of this section, square footage shall be determined by the interior dimension measurement of the structure.

(Code 2003; Code 2007)

17-342. HAYSVILLE ACTIVITY CENTER AND POOL USAGE AND RENTAL

Admission and rental fees associated with the Haysville Activity Center and the Dewey Gunzelman Swimming Pool Facility shall be set by the Governing Body. Unless the Governing Body takes action to change any established admission or rental fee, such fees shall remain the same from year to year. The categories of the memberships and admissions shall be as follows:

1. HAC: One Day Admission - Daily rate for one individual
 - a. Single: Individuals in the 6th grade or older that are not USD 261 students.
 - b. Seniors: Any person aged fifty-five (55) and older.
 - c. Military: Active Duty serviceperson with current military ID card.
 - d. Campus/HMS Student: A current student attending USD 261 Campus, Haysville High School or any Haysville Middle School.
 - e. Youth (6 years - 5th Grade): Any person between 6 yrs of age and fifth (5th) grade.
 - f. Children (5 Years and younger): Any person aged five (5) years or younger.
 - g. Weekly Pass (7 consecutive days): Any individual regardless of age may purchase a weekly pass.
2. HAC: Memberships - Annual (12 months), Six-months (6), and Three-month (3):
 - a. Family: Families are defined as an individual, their spouse and their dependent children aged 23 and under.

- b. Single: Limited to one person.
- c. Senior: Limited to one person, aged fifty-five (55) and older.
- d. Military: Active Duty serviceperson with current military ID card.
- e. Campus HS Student: Any student attending Campus HS or Haysville High School. Limited to one person.
- f. Haysville MS Student: Any student attending Haysville Middle Schools. Limited to one person.

3. HAC: Activity Center Rental Rooms - Room/Deposits

- a. Rental Room A & B: Rental of the rental rooms will be based on the number of hours requested per day.
- b. Damage Deposit: Each person or entity applying to rent the HAC shall pay at the time of application for such use a refundable deposit to secure payment of any damages or cleanup costs incurred by the City in association with such use. Groups shall pay a Damage Deposit of fifty dollars (\$50.00). Groups applying for a special event permit shall pay a Damage Deposit of one hundred dollars (\$100.00). Any portion of said deposit not used to repair damages or applied toward venue cleanup shall be refunded to the applicant.

4. Dewey Gunzelman Swimming Pool. The categories of swimming pool passes shall be as follows:

- a. Daily passes.
 - 1. Preschooler: less than six (6) years of age;
 - 2. School Age and Adult: less than fifty-four (54) years of age;
 - 3. Senior: persons fifty-five (55) years of age or older.
- b. Season Passes
 - 1. Families are defined as an individual, their spouse and their dependent children aged 23 and under
 - 2. Individual: Any single individual, limited to only one person.
- c. Ticket books: Ticket books containing twenty (20) daily admission tickets

5. Dewey Gunzelman Swimming Pool Rental and Deposit. The Governing Body shall establish rules and procedures for permitting the swimming pool facility to be rented for private events. Fees for rental of the swimming pool may be based upon the number of people in attendance at the rental event, and whether additional

swimming facilities, equipment, and personnel are requested for the event. The deposit and rental fee are due at the time of the rental request. This entire amount will be refunded if the City determines that the requested date(s) are unavailable.

6. Dewey Gunzelman Swimming Pool Rental Deposit. Each person or entity applying to rent the swimming pool shall pay at the time of application a refundable deposit to secure payment of any damages or cleanup costs incurred by the City arising out of such use. Any portion of said deposit not applied to repairs or cleanup shall be refunded to the applicant. Such deposit shall be as follows:

\$50 (Rentals < than 100 people)

\$100 (Rentals > 100 people or if a DJ/Band is utilized)

(Code 2003, Code 2004, Code 2007, Code 2009; Ord. 941; Code 2015; Ord. 1043)

17-343. HISTORIC DISTRICT APPEAL. A fifty dollar (\$50.00) fee shall be paid when submitting an application for an appeal to the Historic District Committee.

(Code 2003; Code 2007)

17-344. ICE CREAM VENDOR – MOBILE; LICENSE. Each applicant for an ice cream vendor's license shall be charged an annual license fee of fifty dollars (\$50.00) for each vehicle operating within the city limits pursuant to section 5-904.

(Code 2003; Code 2007)

17-345. INSUFFICIENT FUNDS CHECK CHARGE. A service charge of thirty dollars (\$30.00) shall be charged for any check returned to the city, or any other form of refused or returned payment, including credit card and PayPal, pursuant to section 1-404.

(Code 2003; Code 2007; Code 2015)

17-346. KENNEL LICENSE. As required by section 2-206 there shall be an annual license fee of one-hundred dollars (\$100.00) for any kennel operating in the city.

(Code 2007)

17-347. LANDLORD GUARANTEE. For each landlord guarantee there shall be charged a fee of forty dollars (\$40.00).

(Code 2003; Code 2007)

17-348. LANDSCAPE PLAN REVIEW. A fee of one-hundred dollars (\$100.00) shall be paid when submitting a landscape plan for review.

(Code 2003; Code 2007)

- 17-349. MANUFACTURED HOME INSPECTION FEE. For each inspection of a manufactured home prior to occupancy being granted a fee of twenty-five dollars (\$25.00) shall be charged and collected pursuant to section 8-106.
(Code 2003; Code 2007)
- 17-350. MANUFACTURED HOME PARKS, TRAILER PARKS; FEE. For manufactured home parks or trailer parks located within the city limits, there shall be an annual fee in the amount of five dollars (\$5.00) for each space, whether occupied or not, pursuant to section 8-107.
(Code 2003; Code 2007)
- 17-351. MAYOR'S SALARY. The monthly salary to be paid to the mayor of the city pursuant to section 1-307 of this code shall be seven hundred fifty dollars (\$750.00).
(Code 2003; Code 2007)
- 17-352. MECHANICAL PERMITS. Fees for mechanical permits shall be set forth in the Mechanical Code as adopted and enforced by the City of Haysville ~~and enforced by Sedgwick County~~.
- 17-353. MECHANICAL REINSPECTION/NON-BUSINESS HOURS; FEE. There shall be charged for mechanical re-inspections pursuant to section 4-807 of this code a fee at the rate of thirty-five dollars (\$35.00) per occurrence ~~hour for each hour, and fraction thereof~~, of such re-inspections.
(Code 2003; Code 2007)
- 17-354. MOBILE FOOD VENDORS; FEE. The permit fee required by Chapter 5, Article 16 of this code for Mobile Food Vendors shall be as set forth below.
(a) \$25.00 for each thirty (30) days, or portion thereof;
(b) \$125.00 for six (6) months; or
(c) \$200.00 for one (1) calendar year.
- 17-35~~5~~4. MUNICIPAL JUDGE PRO TEMPORE; FEE. A municipal judge pro tempore shall be paid a fee of one hundred fifty dollars (\$150.00) per court day pursuant to section 9-105.
(Code 2019)
- 17-35~~6~~5. OIL AND GAS WELL DRILLING; APPLICATION AND ANNUAL LICENSE. The fee to be paid to the city clerk by each applicant for a permit to drill an oil or gas well within the city pursuant to section 5-303 of this code shall be five hundred dollars (\$500.00). In the event such permit is not granted, the city shall retain and credit to the city general fund the sum of one-hundred dollars (\$100.00) to defray the costs of processing such application, and shall refund the balance of the fee to the

applicant. In addition to the application fee prescribed by this section, and pursuant to section 5-315 of this code, each applicant to whom a drilling permit is issued shall pay to the city an annual license fee of one hundred fifty dollars (\$150.00) for each oil or gas well located within the city and which has not been plugged; each such license shall expire on December 31 of each year and shall be paid by January 1 of each year.

(Code 2003; Code 2007)

17-3576. **PARK SHELTERS.** The fees for use of city park shelters shall be as provided in this section.

- (a) For use of the Riggs, Timberlane, Police, Kirby, Orchard Acres, Pear Tree, Whisler, or Plagens-Carpenter Park shelters, twenty-five dollars (\$25.00);
- (b) For use of the Brady Shelter, Riggs Park Gazebo, or Orchard Acres Scout Shelter, ten dollars (\$10.00);
- (c) For use of the Lions Club Shelter, fifty dollars (\$50.00) with a fifty dollar (\$50.00) refundable deposit to cover possible clean up and damage costs;
- (d) For use of the Band Shell, twenty-five dollars (\$25.00);
- (e) For use of Historic District Gazebo, fifty dollars (\$50.00) with a fifty dollar (\$50.00) refundable deposit to cover possible clean up and damage costs; or
- (f) Home Town Market facility, fifty dollars (\$50.00). The Home Town Market community open-air market establishes fees for booth rental in a manner established for that program.
- (g) The fee charged for a lost key shall be ten dollars (\$10.00).

(Code 2003, Code 2004; Code 2007; Code 2008; Ord. 1043)

17-358. **PAWNBROKERS AND PRECIOUS METAL DEALERS.** The application and subsequent annual license fee required by section 5-1002 of this code to be paid to the city for persons or entities seeking to engage or engaging in the businesses of pawnbroking or dealing precious metals shall be fifty dollars (\$50.00).

(Code 2003; Code 2007)

17-359. **PERMITS FOR CONSTRUCTION OF PUBLIC SIDEWALKS, CURBS, GUTTERS OR PRIVATE DRIVEWAYS CUTTING THROUGH OR PASSING OVER PUBLIC SIDEWALKS, CURBS OR GUTTERS.** The fee required by section 13-105 of this code for permits for the construction of public sidewalks, curbs, gutters or private driveways cutting through or passing over public sidewalks, curbs or gutters shall be forty cents (\$0.40) per lineal foot for all such construction.

(Code 2003; Code 2007)

17-360. **PLAGENS-CARPENTER SPORTS COMPLEX USAGE FEES.** Fees for the usage of the Plagens-Carpenter Sports Complex may be annually set by regular action of the Governing Body. Rental fees are anticipated to include costs associated with regular maintenance, lights, and usage. A standard damage/clean-up Deposit Schedule shall also be established.

(Code 2003; Code 2009; Ord. 941)

17-361. PLAN REVIEW. Unless a fee in another amount is expressly provided for elsewhere in this code, the city shall charge and receive a fee of fifty dollars (\$50.00) for the review of each plan required by this code to be submitted to the city or its representatives for review.
(Code 2003; Code 2007)

17-362. PLUMBING PERMITS. Fees for building permits shall be set forth in the Plumbing Code as adopted and enforced by the City of Haysville ~~and enforced by Sedgwick County.~~
(Code 2003; Code 2007; Code 2012)

17-363. PLUMBING REINSPECTION/NON-BUSINESS HOURS; FEE. There shall be charged for plumbing re-inspections pursuant to section 4-610 of this code an inspection fee at the rate of thirty-five dollars (\$35.00) per occurrence ~~hour for each hour, and fraction thereof,~~ of such inspections.
(Code 2003; Code 2007)

~~17-364. RESERVED.~~

~~17-365.~~ 17-364. PRIVATE CLUBS. The biennial license fee to be paid to the city by each private club located within the city pursuant to section 3-411 of this code shall be five hundred dollars (\$500.00). Said fee shall be paid before commencing business under an originally-issued state license, and within five (5) days after the effective renewal date of any subsequently granted state license.
(Ord. 976)

~~17-366.~~ 17-365. PRIVATE SEWAGE DISPOSAL SYSTEMS; PERMIT AND INSPECTION.
The permit and inspection fee required to be paid to the city before commencement of construction of a private sewage disposal system pursuant to Section 15-407 of this code shall be two-hundred dollars (\$200.00).
(Code 2003; Code 2007)

~~17-366 RESERVED.~~

~~17-367~~ 17-366 PROBATION VIOLATION. The fine assessed for a probation violation shall be not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), per violation charged.

~~17-368~~17-367 PUBLIC DEFENDER/CONFLICTS COUNSEL; FEE. When an attorney is appointed to act as a public defender in municipal court due to a conflict of interest or other reason, the fee for such representation shall be seventy five dollars (\$75.00) for up to two appearances in a single matter. (Code 2019)

17-3689. RECORDS INSPECTION AND COPYING. The fees provided for by Chapter 1, Article 8 of this code for the inspection and copying of records shall be as follows:

- (a) Inspection. The fee for inspections provided for by section 1-802 of this code may be an amount equal to the hourly rates of compensation, including benefits, for the city employee or employees involved in the inspection multiplied by the hours, or fractions thereof, such employee or employees were required to be so involved.
- (b) Copying. The fees for copying records provided for by section 1-803 of this code may be an amount equal to the hourly rates of compensation, including benefits, for the city employee or employees involved in the copying multiplied by the hours, or fractions thereof, such employee or employees were required to be so involved. An additional fee of twenty five cents (\$0.25) per page copied may also be charged, and an additional fee of \$25.00 shall also be charged for each Video/CD/DVD/Audio/VHS or other media form copied. Photographs will be reproduced digitally and provided on the appropriate media form. The employee time associated with providing the media form shall be in addition to the \$5.00 media cost.
(Code 2003; Code 2007; Code 2009)

17-369. -RECREATIONAL VEHICLE TEMPORARY PERMIT FEE.

A temporary permit may be issued for a manufactured home, mobile home, or recreational vehicle to be occupied other than within a park or camp, permitted in accordance with sections 5-1503 for a period not to exceed 14 days, upon the payment of a fee of \$10.00. There shall not be more than four such permits issued for the placement of a manufactured home, mobile home, or recreational vehicle in accordance with sections 5-1503 on the same property in any 12 month period.

(Code 2020)

17-370. REFUSE HAULERS. The annual fee to be paid to the city by each person or entity licensed to collect and/or dispose of solid waste within the city pursuant to section 7-311 of this code shall be one hundred fifty dollars (\$150.00) for each vehicle used by such person or entity in such collection and/or disposal.
(Code 2003; Code 2007)

17-371. RETAIL LIQUOR OCCUPATION/LICENSE TAX. (a) There is hereby levied, pursuant to section 3-301, a biennial occupation tax on each retailer of alcoholic liquor within the city (including beer containing more than three and two-tenths percent [3.2 percent] of alcohol by weight) and for consumption off the premises (sales in the original

packages only), and to whom the state of Kansas has issued a retailer's license, of five hundred dollars (\$500.00) payable within five (5) days of the issuance of the state license.

(b) Special Event Retailers' Permit. The assessed fee for a Special Event Retailers' Permit associated with a Temporary Alcohol Beverage Permit issued by the State shall be one hundred dollars per day of operation of the Special Event site. For purposes of determining the fee amount, each day or part of day shall be subject to the daily operating fee. Such amount shall be payable by permittee within seven days following approval by the Governing Body of the Special Event Retailers' Permit application, but in no case less than five (5) days prior to the proposed special event. A Special Event Retailers' Permit is not valid until such fee is paid, and a permit is obtained from the City Clerk.

(Code 2003; Code 2007; Ord. 976; Code 2015)

17-372. ROOFING AND SIDING PERMITS. Fees Roofing and Siding Permits shall be set forth in the Building and Residential Code as adopted and enforced by the City of Haysville ~~and enforced by Sedgwick County.~~

17-373. SENIOR CENTER BUILDING RENTAL. The city shall charge and receive for the rental of the Senior Center the fee provided for in this section and authorized by this code. Rental of the Senior Center is for Members fifty-five (55) years of age or older for functions benefiting senior citizens.

(a) The fee for the rental of the Senior Center shall be fifty dollars (\$50.00) for Members of the Senior Center.

(b) Senior Center rental deposit. Each Member applying to rent the Senior Center shall pay at the time of application for such use a refundable deposit of one hundred dollars (\$100.00) to secure payment of any damages or cleanup costs incurred by the City for such use. Any portion of said deposit not used to repair damages or for cleanup shall be refunded to the applicant.

(Code 2003, Code 2004; Code 2007; Code 2009; Code 2018)

17-374. SEWER SYSTEM TAP. The fee to be paid to the city clerk by any person or entity for a connection to the city's sewer/wastewater treatment system pursuant to section 15-307 of this code shall be five hundred dollars (\$500.00)~~two hundred fifty dollars (\$250.00).~~

(Code 2003; Code 2007)

17-375. SIGN PERMITS. The total annual fee to be paid by a portable sign permit owner shall be one-hundred dollars (\$100.00) regardless of the number of signs owned. The fees to be submitted with the application for a sign permit shall be twenty-five dollars (\$25.00) for a temporary sign, twenty dollars (\$20.00) for a commercial or civic portable sign, and seventy-five (\$75.00) for a permanent sign. The fee for return of an

impounded sign pursuant to section 219-D of the Sign code shall be ten dollars (\$10.00).

(Ord. 902; Code 2007; Code 2019)

(SIDING PERMITS. See Section 17-372, Roofing and Siding Permits.)

17-376. SPECIAL EVENT PERMITS. The fee charged for special event permits shall be twenty-five dollars (\$25.00) pursuant to section 12-302. Upon issuance of a special event permit, a refundable deposit of one hundred dollars (\$100.00) shall be paid by the permit holder to secure payment of any damages or cleanup costs incurred by the city related to the permitted special event. Any portion of said deposit not used to repair damages or for cleanup shall be refunded to the permit holder.

17-377. SPRINKLER SYSTEMS; UNDERGROUND. The fee charged for underground sprinkler permits shall be sixteen dollars (\$16.00) pursuant to section 4-1003. Backflow device test filing fee shall be ten dollars (\$10.00). Late filing of backflow device test shall be ten dollars (\$10.00) per month pursuant to section 15-134. (Code 2003; Code 2007; Code 2019)

17-378. SUBDIVISION APPLICATION FILING FEES. For the purpose of defraying the costs of subdivision applications and proceedings, the governing body establishes the following fees:

(a) Applications. Upon the filing of each application for subdivision approval the following shall be paid:

- (1) Preliminary Plat. The preliminary plat shall not be accepted for filing until a filing fee therefore has been paid by the sub-divider. Such fee shall be computed at \$40.00 plus \$2.00 for each lot over one.
- (2) Lot Split. Upon the filing of each application for lot split approval a fee of \$50.00 shall be paid.
- (3) Vacation. The filing fee for vacation applications shall be \$150.00.
- (4) Street Name Change. The fee for processing a street name change request shall be \$25.00.

(b) Additional Costs. For the applications listed above, the charges associated with recording documents and for mailing any required notifications are in addition to the filing fees. These will be billed to the applicant. Repayment to the City of such additional costs shall be a condition precedent to an application being deemed complete.

(Code 2007; Code 2019)

17-379. TAXICABS. The annual license fee required to be paid to the city by taxicab licensees pursuant to section 5-603 of this code shall be twenty-five dollars (\$25.00) for each taxicab; in the event a licensee operates more than one cab pursuant to said license, fees

of twenty-five dollars (\$25.00) for one taxicab and ten dollars (\$10.00) per taxicab for all other taxicabs shall also be paid.

(Code 2003; Code 2007)

17-380 TEMPORARY COMMERCIAL WATER SERVICE RATES. The charges authorized by section 15-121.1 of this code for temporary provision of water for non-residential purposes from the municipal water works and distribution system shall be as provided by this section.

(a) Payment must be made in advance of any service provided.

(b) Payment shall be in the amount of fifteen dollars (\$15.00) per week plus any applicable sales tax, not to exceed four (4) total weeks of temporary service, except for extensions as provided in 15-121.1, and shall be distributed as follows:

- (1) \$ 6.00 to Water,
- (2) \$ 4.00 to Sewer,
- (3) \$ 3.00 to Sewer Fee,
- (4) \$ 2.00 to Stormwater Fee, and
- (5) applicable sales tax.

(c) In lieu of the standard costs set forth above, where practicable such water service may be metered as a temporary measure and costs imposed in accordance with 17-387.

17-381. TEMPORARY PORTABLE BUSINESS PERMIT FEES. The permit fee required by Chapter 5, Article 12 of this code for Temporary Portable Business Permits shall be fifty dollars (\$50.00).

(Code 2003; Code 2007)

17-382. TEMPORARY RESIDENTIAL WATER SERVICE. The fee for being afforded temporary residential water service pursuant to section 15-121 of this code shall be paid in advance and shall be in the amount of twenty dollars (\$20.00) per week plus applicable sales tax, not to exceed two (2) weeks and distributed as follows:

\$10.00 to water

\$10.00 to sewer

Any water used shall be metered at normal residential rates.

(Code 2019)

- 17-383. TEMPORARY SALES FEES. Each applicant to whom the city clerk issues a sales permit pursuant to section 5-502 of this code shall pay to the city clerk a permit fee of three dollars (\$3.00) per day for up to three (3) consecutive days.
(Code 2003; Code 2007)
- 17-384. TRAFFIC FINES. Pursuant to K.S.A. 12-4305 the municipal judge shall establish a schedule of fines which shall be imposed for municipal ordinance violations that are classified as ordinance traffic infractions. Also, the municipal judge may establish a schedule of fines which shall be imposed for the violation of certain other ordinances. Any fine so established shall be within the minimum and maximum allowable fines established by ordinance for such offenses by the governing body.
- 17-385. TRANSIENT GUEST TAX. The transient guest tax shall be levied at a rate of 6% upon the gross receipts derived from or paid by transient guests for sleeping accommodations, exclusive of charges for incidental service or facilities, in any hotel, motel, or tourist court, and shall be collected as provided in K.S.A. 12-1698.
(Ord. 969)
- 17-386. WASTEWATER RATE. Each user of the city's sewer/wastewater treatment system shall pay for the services provided by the city pursuant to Sections 15-506, 15-507 and 15-508 of this code at a rate based on their use of the wastewater treatment works as determined and measured by meters acceptable to the city. The monthly user charges charged to residential contributors shall be based on their average monthly water usage during the months of January, February and March. Residential contributors who have not established a January, February and March average shall be charged a charge equal to the average charge for all other residential contributors. The monthly user charge charged to industrial and commercial contributors shall be based on current month water usage. If a commercial or industrial contributor has a consumptive water usage, or in some other manner uses water which is not returned to the city's wastewater collection system, the user charge for such contributor may be based on a wastewater meter or separate water meters installed and maintained at the contributor's expense and in a manner acceptable to the city.

In any event, the minimum monthly user charge shall be thirteen dollars and eighty-five cents (\$13.85) for each residential, industrial or commercial contributor, except that each such contributor defined as a subsidized high density residential contributor shall pay a minimum monthly charge of six dollars (\$6.00). In addition, each contributor paying in-city rates shall pay an additional rate for operation and maintenance, including replacement, of four dollars (\$4.00) per one-thousand (1,000) gallons of water (or wastewater) in 2010, \$4.65 in 2011, \$5.30 in 2012, \$5.95 in 2013, \$6.60 in 2014 and \$7.25 in 2015 and thereafter. Each contributor paying out-of-city rates shall pay an additional rate for operation and maintenance, including replacement,

of six dollars (\$6.00) per one-thousand (1,000) gallons of water (or wastewater) in 2010, \$6.98 in 2011, \$7.95 in 2012, \$8.93 in 2013, \$9.90 in 2014 and \$10.88 in 2015 and thereafter.

When the wastewater user charge of thirteen dollars and eighty-five cents (\$13.85) is removed in October 2016, a five dollar (\$5.00) maintenance fee will be implemented.”
(Code 2003, Ord. 878; Code 2007; Code 2009; Ord. 950; Code 2010)

- 17-387. WATER TAP FEES. For each tap to the city waterworks system made pursuant to section 15-107 of this code, the city clerk shall charge and collect, prior to such tap, a fee of one thousand ~~seven hundred and fifty dollars (\$1,750.00)~~ ~~five hundred dollars (\$1,500.00)~~ for each meter connection of $\frac{3}{4}$ inch or $\frac{5}{8}$ inch, a fee of ~~two thousand dollars (\$2,000.00)~~ ~~one thousand six hundred twenty-five dollars (\$1,625.00)~~ for each meter connection of 1-inch, and a fee of ~~three thousand five hundred dollars (\$3,500.00)~~ ~~two thousand two hundred dollars (\$2,200.00)~~ for each meter connection of two (2)-inches.
(Code 2003; Code 2005; Code 2007; Code 2008; Code 2015)

- 17-388 WATER CUSTOMER NON-PAYMENT PENALTY. Water service to or for any customer whose name appears on the city’s water shut-off list pursuant to section 15-117 shall not be continued until such customer pays to the city a ~~forty dollar (\$40.00)~~ ~~twenty dollar (\$20.00)~~ non-payment penalty, together with all past due amounts owing to the city. The mayor or the mayor’s designee may grant exceptions to this section only in hardship cases.
(Code 2003; Code 2007)

- 17-389. WATER METER CALIBRATION. The fees provided for by section 15-140 of this code for testing of water meters shall be ~~twenty dollars (\$20.00)~~ ~~five dollars (\$5.00)~~ for the first test if the meter was found accurate within two percent (2%) and ~~forty dollars (\$40.00)~~ ~~ten dollars (\$10.00)~~ for subsequent tests within a one (1) year period.
(Code 2003; Code 2007)

- 17-390. WATER SERVICE RATES. The charges authorized by section 15-201 of this code for water used from the municipal water works and distribution system shall be as provided by this section.
- (a) Infrastructure Fee. For all users, a \$7.00 per month, infrastructure maintenance and improvement fee.
 - (b) Users located inside city limits. The charges for water users within the city limits shall be \$3.50 per 1,000 gallons. Users outside of the city but added to the system due to contamination concerns as identified by KDHE in 2017 related to the former

American Cleaners Dry Cleaners Site, 412 W. Grand Avenue, shall be charged the same rate as users located inside city limits.

(c) Users located outside city limits. The charges for water users located outside the city limits shall be \$3.92 per 1,000 gallons.

(d) Bulk users. The charges for bulk users of water shall be \$3.50 per 1,000 gallons. (Code 2003, Code 2004; Code 2007; Ord. 949; Code 2010; Code 2018; Code 2019)

17-391. WATER SET-UP AND SERVICE TRANSFER FEES. Pursuant to section 15-116 of this code, each applicant for city water service shall pay a set-up fee of twenty-five dollars (\$25.00), together with any applicable taxes, to establish service, and any such customer who subsequently transfers water service from one (1) location in the city to another location in the city shall pay a transfer fee of fifteen dollars (\$15.00), together with any applicable tax.

(Code 2003; Code 2007)

17-392. WELL PERMITS; WATER. The fee for each well permit required to be paid to the city shall be twenty dollars (\$20.00)~~five dollars (\$5.00)~~.

(Code 2003; Code 2007)

17-393. ZONING DISTRICT BOUNDARY CHANGES AND LOT, TRACT, OR PARCEL RECLASSIFICATIONS. A filing fee of two hundred dollars (\$200.00) and a publication fee of seventy-five dollars (\$75.00) shall be paid to the city clerk upon the filing of each application for each lot, tract or parcel included in an application to change zoning district boundaries or to reclassify an area pursuant to Article 7, Section 701 of the Zoning Regulations of the City of Haysville, Kansas.

Mailing costs arising out of any application shall be the responsibility of the applicant. If the City carries out any mailing in association with a zoning application all such costs shall be immediately assessed back to the applicant. Repayment to the City of such mailing costs shall be a condition precedent to an application being deemed complete. An incomplete application may not be heard by the Planning Commission or Board of Zoning Appeals.

(Code 2003; Code 2007; Code 2008; Code 2016)

[RETURN TO AGENDA](#)



CITY OF HAYSVILLE, KANSAS

ADMINISTRATION SERVICES - 200 WEST GRAND/ P.O. BOX 404
HAYSVILLE, KANSAS 67060 - (316) 529-5900 (316) 529-5925 - FAX

TO: The Honorable Bruce Armstrong
City Council Members

FROM: Georgie Carter, Deputy Administrative Officer

SUBJECT: Title VI Program

DATE: November 22, 2019

Attached is a copy of our Title VI program that is a requirement for the Haysville Hustle 5310 Grant. This has already been approved by Wichita Transit for our program.

This is before you for your approval.

City of Haysville

Title VI Program



2019

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INTRODUCTION

Title VI of the Civil Rights Act of 1964 provides that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.” To fulfill this basic civil rights mandate, each federal agency that provides financial assistance for any program is authorized and directed by the United States Department of Justice to apply provisions of Title VI to each program by issuing applicable rules, regulations, or requirements. The Federal Transit Administration (FTA) of the United States Department of Transportation issued guidelines in October 2012, FTA C 4702.1B describing the contents of Title VI compliance programs to be adopted and maintained by recipients of FTA administered funds for transit programs.

The City of Haysville submits this Title VI Program as a new program.

Haysville Hustle is an on-demand transportation service within Haysville City limits that includes service options along a recommended route into Wichita/Derby. The Haysville Hustle is partly funded by Section 5310. The service will not conduct planned activities. The program operates as a Federal Transit Administration direct recipient. Haysville Hustle operates a fixed route and on-demand response vehicles for ADA transportation. Haysville Hustle is located in Haysville, Kansas, population of 11,278.

NOTICE TO THE PUBLIC

Notifying the Public of Rights under Title VI

THE CITY OF HAYSVILLE, KANSAS

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. The City of Haysville, Kansas is committed to a policy of non-discrimination and operates its program and services without regard to race, color and national origin in accordance with Title VI.

Any person who believes he or she has been aggrieved by any unlawful discriminatory practices under Title VI may file a complaint with the City of Haysville Title VI Coordinator:

City of Haysville/Title VI Coordinator/City Attorney
200 West Grand
Haysville, KS 67060
(316) 529-5900

Complaints may also be filed directly with the Federal Transit Administration:

Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Avenue SE
Washington, DC 20590

- If information is needed in another language, contact (316) 529-5900.
- Si necesita información en otro idioma, llame al (316) 529-5900.

AVISO AL PÚBLICO

Notificación al Público de Derechos bajo el Título VI

LA CIUDAD DE HAYSVILLE

El Título VI de la Ley de Derechos Civiles de 1964 prohíbe la discriminación por motivos de raza, color u origen nacional en los programas y actividades que reciben asistencia financiera federal. La ciudad de Haysville, Kansas está comprometida con una política de no discriminación y opera su programa y servicios sin tener en cuenta la raza, el color y el origen nacional de acuerdo con el Título VI.

Cualquier persona que crea que ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante el Coordinador del Título VI de la Ciudad de Haysville:

Coordinador del Título VI de la Ciudad de Haysville/Abogado de la Ciudad

200 West Grand

Haysville, KS 67060

(316) 529-5900

Las quejas también pueden presentarse directamente ante la Administración Federal de Tránsito:

Oficina de Derechos Civiles

Atención: Coordinador del Programa Título VI

Edificio Este,^{5º} Piso – TCR

1200 New Jersey Avenue SE

Washington, DC 20590

- Si se necesita información en otro idioma, póngase en contacto con el (316) 529-5900.

Si necesita información en otro idioma, llame al (316) 529-5900.

CITY OF HAYSVILLE COMPLAINT PROCEDURE

In order to comply with Federal Transit Administration's requirements and guidelines, as a recipient of federal funds, the City of Haysville must develop procedures for investigating and tracking Title VI complaints filed, and make procedures for filing a complaint available to members of the public.

RESPONSIBILITIES:

Any person who believes he or she has been discriminated against on the basis of race, color, or national origin may file a Title VI complaint. The City of Haysville investigates complaints received no more than 180 days after the alleged incident and will process complaints that are complete.

PROCEDURE:

Once the complaint is received, the City of Haysville will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgment letter informing her/him whether or not the complaint will be investigated by our office.

The City of Haysville has 60 business days to investigate the complaint. If more information is needed to resolve the case, the City of Haysville may contact the complainant. The complainant has 15 business days from the date of the letter to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the City of Haysville can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, he/she will issue one of two letters to the complainant: 1) a closure letter or 2) a letter of finding. A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A letter of finding summarizes the allegations and the interviews regarding the alleged incident and explains whether or not any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, he/she has 30 days after the date of either letter to do so.

A complainant may also file a complaint directly with the Federal Transit Administration:

Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Avenue SE
Washington, DC 20590

Title VI Complaint Form

Section I					
Name:					
Address:					
Home Telephone:			Work Telephone:		
E-Mail Address:					
Accessible Format Requirements?		Large Print		Audio Tape	
		TDD		Other	
Section II					
Are you filing this complaint on your behalf?				Yes*	
				No	
*If you answered "Yes" to this question, go to Section III.					
If not, please supply the name and relationship of the person for whom you are complaining:					
Please explain why you have filed for a third party: _____					
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.				Yes	
				No	
Section III					
I believe the discrimination I experienced was based on (check all that apply):					
<input type="checkbox"/> Race		<input type="checkbox"/> Color		<input type="checkbox"/> National Origin	
Date of Alleged Discrimination (Month, Day, Year):					
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.					
Section IV					
Have you previously filed a Title VI complaint with this agency?				Yes	
				No	
Section V					
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?				Yes	
				No	
If yes, check all that apply:					
<input type="checkbox"/> Federal Agency:			<input type="checkbox"/> Federal Court:		
<input type="checkbox"/> State Agency:			<input type="checkbox"/> State Court:		
<input type="checkbox"/> Local Agency:					

Please provide information about a contact person at the agency/court where the complaint was filed:
Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact Person:
Title:
Telephone Number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below.

Signature

Date

Please submit this form in person at the address below, or mail this form to:

City of Haysville
Attn: Title VI Coordinator/City Attorney
200 West Grand
Haysville, KS 67060
(316) 529-5900

Title VI Investigations, Lawsuits, and Complaints

The City of Haysville has not had any Title VI Complaints filed. There are currently no pending investigations or lawsuits pertaining to Title VI complaints against The City of Haysville.

	Date (Month, Day, Year)	Summary (Include basis of complaint: Race, Color or National Origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

PUBLIC PARTICIPATION ELEMENT

PURPOSE:

The purpose of this procedure is to prescribe those actions required to inform and invite public participation from targeted Title VI communities in pending Haysville Transit activities.

REFERENCE:

Guidelines

GENERAL:

Notices of public hearing will be published 15 days in advance of the hearing, or as early as practicable, and are required generally for the following actions of the City of Haysville:

1. All fare changes, service hour's changes, routes changes affecting the total service area.
2. Implementation of other significant changes.
3. Legal notices pertaining to grants

RESPONSIBILITIES:

1. Department Heads are responsible for the preparation of hearing notices pertaining to their areas of responsibility. Example: The Deputy Administrative Officer will be responsible for hearing notices of a route change.
2. The Community Relations Director is responsible for the publication of notice of public hearings and distribution of all notices.
3. The City Clerk will be responsible for maintaining a file of certified notices of public hearing as provided by the publisher.
4. The Senior Center Director is responsible to reach out to low-income and minority groups through the Senior Center.
5. Outreach to specific groups will be based on census data collected determining if any low-income, minority or LEP groups are affected.

PROCEDURES:

1. All notices shall be publicized as follows:
 - a. Legal notices pertaining to grants, fare/route changes and any other significant change will be published 15 days in advance of the hearing if possible, or as early as practicable before the hearing.
 - b. Times-Sentinel, will be used.
 - c. General releases (PSAs), if necessary
2. Bulletins will be posted at City facilities and in the Hustle van that discuss changes and information for how to provide comments.
3. Notification on the City of Haysville website and social media accounts.
4. Public hearings and meetings will be scheduled generally in the evening to accommodate work schedules. Haysville Hustle will provide on-demand pickup for the meeting when needed. All meeting locations will be accessible.
5. Public comments can be provided through email to the senior center staff, a recorded phone line, postal mail, social media, comment cards provided at Senior Center and open City Council meetings under citizens to be heard.
6. Public hearings will be open to the public and posted in advance. Citizens will be encouraged to attend to provide comment. Language or sign interpretation will be provided upon request since less than 1% of the population speaks Spanish or English less than very well.

FOUR FACTOR ANALYSIS

1. Identify number of proportion of LEP individuals that can utilize the service provided by City of Haysville.

Using information from the 2007 – 2011 American Community Survey data, the Spanish group has less than 1% of the total population and less than 30 persons that “speak English less than very well” and will require written translation.

2. Identify the frequency in which LEP individuals come in contact with the service.

The City of Haysville has not begun to offer services yet, but our frequency will be low due to the small population of LEP’s.

3. Identify the importance of the service to the LEP community.

Providing services to everyone in the community is a priority to the City of Haysville, we will use an interpreter to communicate and schedule rides for individuals who speak English less than very well.

4. Identify the resources available and the respective costs of these resources.

Currently, the interpreters are City of Haysville employees. There are no additional costs associated with this service.

LIMITED ENGLISH PROFICIENCY PLAN

The purpose of developing a Limited English Proficiency (LEP) Plan, as a recipient of federal funds, is to identify the extent of LEP individuals and identify ways that the transit agency can reduce, or eliminate, barriers to LEP individuals.

Haysville Hustle is committed to providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act which requires non-discrimination on the basis of race, color or national origin. Equal opportunity includes program access for persons with Limited English Proficiency (LEP).

Limited English Proficient (LEP) persons refer to: Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Utilizing the information gathered from the Four Factor Analysis, the following plan is developed in order to provide the necessary assistance to LEP persons.

1. Identified LEP Individuals.

Since less than 1% of the population speaks Spanish or English less than very well no language meets the requirements. Haysville Hustle (or City of Haysville) will provide translated materials and interpretation services when needed.

2. Language Assistance Measures.

Since less than 1% of the population speaks Spanish or English less than very well no language meets the requirements.

3. Training Staff.

Drivers will be trained to identify those needing assistance and assist riders as well as possible using phone translators. An interpreter will help with scheduling a ride.

4. Providing Notice.

The LEP Plan is posted on the agency's website, www.haysville-ks.com. The LEP plan will be provided to any person or agency requesting a copy. The person to contact in regards to the LEP Plan is the Human Resource Manager and can be reached via phone at (316) 529-5900.

5. Monitoring and Updating the LEP Plan.

City of Haysville will update the plan according to the Title VI update schedule, which is every three years. The plan will also be updated any time changes in the demographics of the agency's service area are deemed significant in regards to LEP persons.

City of Haysville Human Resources is designated as the Equal Opportunity/Limited English Proficiency Coordinator and may be reached at 316-529-5900 for information, access or to file a complaint.

FACILITY LOCATION EQUITY ANALYSIS

The City of Haysville has no facilities.

PLANNING AND ADVISORY BOARDS

Haysville

Body	White	African American	Native American	Asian American	Other	More than One Race
Population	91.8%	0.6%	1.1%	0.9%	1.4%	4.2%
City Council	100%					

Members are elected to these position.

HAYSVILLE TRANSIT TITLE VI PROGRAM

APPROVED on _____, 2019.

Bruce Armstrong, Mayor

ATTEST:

Janie Cox, City Clerk

Approved as to Form:

Josh Pollock, City Attorney

[RETURN TO AGENDA](#)

HAYSVILLE POLICE DEPARTMENT

TO: MAYOR ARMSTRONG & COUNCIL
FROM: CHIEF J. WHITFIELD
SUBJECT: EVIDENCE LOCKER REPLACEMENT
DATE: NOVEMBER 25, 2019
CC: WILL BLACK, CHIEF ADMINISTRATIVE OFFICER

The police department has identified the need to replace our evidence lockers used to temporarily hold evidence in cases. Currently when an officer seizes evidence, they will place that item in a secure evidence locker temporarily, until a detective can log it in and take it to the permanent storage area. With the current locker configuration, we are not able to store some large objects. When this happens, those items must be stored in a closet or office area, and if not done correctly, can cause an issue with the chain of custody of the evidence. As part of the building remodel, we have found a way to install a pass through locker system that will be more secure and will accommodate larger evidence and create a more secure evidence area. We solicited three bids for the secure locker system. The three bids submitted are as follows:

Grainger	Law enforcement pass-through evidence locker & freight	\$18,470.00
Fasco	Law enforcement pass-through evidence locker & freight	\$15,347.00
Tiffin Metal Products	Law enforcement pass-through evidence locker & freight	\$10,328.00

We are requesting approval to purchase the evidence locker system and freight from Tiffin Metal Products as quoted in the amount of \$10,328.00. Funding for this purchase will be from the Federal Law Enforcement Trust Fund.

If you have questions please contact me at 529-5912 or by e-mail at jwhitfield@haysville-ks.com.

Thank you for your consideration of this project.

Sincerely,

Jeffrey W. Whitfield
Chief of Police
Haysville Police Department
200 W. Grand
Haysville, Kansas 67060
316.529.5912 Voice 316.529.5910 Fax
jwhitfield@haysville-ks.com

[RETURN TO AGENDA](#)



CITY OF HAYSVILLE, KANSAS

401 S. Jane-P.O. Box 404-Haysville, Kansas 67060

(316) 529-5940~Fax (316) 529-5945

www.haysville-ks.com

To: The Honorable Mayor, Bruce Armstrong
Haysville City Councilmembers

From: Tony Martinez
City of Haysville
Public Works Director

Date: November 25, 2019

Re: Wastewater South Main Lift Station VFD Upgrade

We have received bids for the addition of 2 variable frequency drives (VFD), with bypasses, to regulate 2 of the 3 centrifugal pumps at the South Main Lift Station. The addition of the drives will help extend the life of the pumps by reducing power usage during start up and allow the pumps to be more efficient, using less electrical power while running. We will also have the ability to better regulate the amount of flow from the lift station once the VFDs are programmed into our SCADA system. The bids are as follows:

Logic	\$ 21,104.00
Integrated Controls	\$ 21,428.00
Aqua LLC	\$ 22,900.00

Tracy Electric is familiar with our plant and control systems. We are requesting authorization to contract with Logic and Tracy Electric for the purchase and installation for a total of \$26,529.00. This is a budgeted item and will be paid out of Wastewater Contractual in the Wastewater budget.

Tony Martinez
City of Haysville
Public Works Director

[RETURN TO AGENDA](#)

FARM LEASE

THIS AGREEMENT, made and entered in duplicate on this 28th day of October, 2019, by and between THE CITY OF HAYSVILLE, KANSAS, hereinafter referred to as "Lessor", and David Dejmal, hereinafter referred to as "Lessee".

WITNESSETH:

The Lessor, in consideration of the rents and covenants herein specified, does hereby let and lease to the Lessee the following described real property {Premises} situated in the County of Sedgwick, State of Kansas, to wit:

The Northeast Quarter of Section 12, Township 29 South, Range 1 West, Sedgwick County, Kansas, containing 73 acres, more or less.


The Premises, together with the appurtenances thereunto belonging, shall be leased for the term of one year commencing November 1, 2019, and ending on October 31, 2020. Said Lessee understands that at the conclusion of this lease the property may be leased to another party. Said Lessee does hereby hire said Premises subject to the terms and understandings set forth herein, and agrees with the said Lessor to conform to the anticipated agriculture purposes in the use and occupancy of the above-described Premises, that Lessee will and does hereby bind himself and his heirs and executors, as follows:

1. Lessor does hereby let and lease to the Lessee the tillable portions of the real property hereinbefore described for farming purposes for the sum of \$1728.00 per year, such sum to be paid as follows:
 - (a) \$864.00 down upon execution of this Farm Lease and the balance of \$864.00 to be paid by Lessee on or before May 1, 2020.
2. Lessee agrees to coordinate set aside and crop rotation with the Lessor for purposes of utilization of said Premises in Lessor's sludge application program as follows:
 - (a) Upon commencement of said Lease, Lessee will coordinate with Lessor's representative, Director of Public Works, for the set aside and crop rotation, applicable for any given year. Such agreed upon set aside and crop rotation may not to be altered without prior permission from the Lessor.
 - (b) In the case of total acreage set out (unable to farm) due to the Lessor's actions, the Lessor agrees to deduct the amount of \$48.00 per acre for the number of acres in total set out from the \$864.00 payment due on or before May 1, 2020.

- (c) In the case of crop damage by the Lessor, Lessor agrees to deduct crop damage costs (not to exceed \$200 total) from the \$864.00 payment due on or before May 1, 2020.
3. Lessee will remain liable for maintaining Premises in conformance with this Agreement throughout the term of the lease, and shall not sublease, release or assign this Lease without the written consent of the Lessor, and he will, at the expiration of said term of rental, yield and deliver the property herein rented in like condition as when taken.
4. Lessee will not plant crops that will be harvested after the end date of this lease without having entered into a new lease with Lessor for the additional time required for the new crop. Any unharvested crops that remain on the property at the conclusion of this lease, or any lawful extension thereof, will be forfeit to the Lessor as of the end date of this lease.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

THE CITY OF HAYSVILLE, KANSAS


David Dejmál, Lessee

By: _____
Mayor Bruce Armstrong, Lessor

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Code Enforcement Breakdown 2019

Month	Grass	Parking	Nuisance	Inoperable	Court	Total
January		26	10	2		38
February		17	11	1		29
March		13	7	3		23
April	54	14	16	7		91
May	76	10	6	1		93
June	50	21	9	2	1	83
July	56	14	10	3		83
August	94	6	14	2	6	122
September	17	4	10	3	2	36
October	20	15	12	8		55
November		27	10	1		38
December						
	367	167	115	33	9	691

As Of 11/20/2019

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CITY OF HAYSVILLE, KANSAS

200 W. GRAND AVENUE - P.O. BOX 404 - HAYSVILLE, KS 67060
(316) 529-5900 - FAX (316) 529-5925 - WWW.HAYSVILLE-KS.COM

MEMORANDUM

To: The Honorable Bruce Armstrong, Mayor
City Council Members

From: Planning & Zoning Administrator Angela Millspaugh

Subject: Planning Commission Appointment

Date: November 22, 2019

I would request Fred Plummer be considered for appointment to a three year term as the Ward II representative on the Planning Commission. Fred resides at 1222 E. Winesap.

Angela Millspaugh, Administrator
Planning & Zoning

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VENDOR NO NAME	PAYMENT AMT
5 AAA PORTABLE SERVICES LLC	130.00
10 A&E NOW MERIDIAN ANALYT	290.00
290 AMERI-GRAPHICS SPECIAL T	612.50
433 ARMSTRONG CHAMBERLIN	903.39
530 AUSTIN DISTR./HOSE	499.70
695 BEALL & MITCHELL LLC	1,775.53
777 BIG TOOL STORE	9.99
902 BUSH, JOHN R CONSTRUCTION	1,178.27
1016 CARTER-WATERS	53.16
1155 CINTAS CORPORATION	367.53
1176 CITY ELECTRIC SUPPLY	271.72
1229 CM3, INC.	561.62
1257 COLT BRANDED	576.40
1283 CONCRETE WORKS INC	13,510.75
1303 COOKE J.P. CO	83.50
1304 COONROD & ASSOC. CONSTRUC	82,908.00
1307 CORE & MAIN (HD SUPPLY)	1,770.00
1308 COOPER LAW OFFICES LLC	375.00
1314 CORNEJO CONSTRUCTION	1,237.11
1319 COUNTRY BOYS CARRIAGE &	900.00
1325 COX COMMUNICATIONS	215.11
1499 DERBY PLAZA THEATERS	637.50
1825 FASTENAL COMPANY	369.00
1950 FOLEY INDUSTRIES	844.57
1990 GADES SALES CO INC	956.00

VENDOR NO NAME	PAYMENT AMT
2080 GOLDEN PLAINS CREDIT	1,398.00
2345 HAYSVILLE RENTAL CENTER	163.46
2367 HAYSVILLE TRUE VALUE	1,217.74
2370 HAYSVILLE USD 261	468.29
2391 HEHNKE, JUSTIN	35.00
2500 HAC DBA HOMELAND	321.61
2619 INDEPENDENT SALT COMPANY	1,129.63
2673 INSTANT TIRE SERVICE	1,008.36
2685 INTERLINGUAL INTERP. SVCS	40.00
2874 K & A PROPERTY MAINT	1,955.00
3412 KANZA CO-OPERATIVE ASSOC.	4,533.41
3435 KEN'S PRINTING	98.30
3500 KONICA MINOLTA BUS SYS	264.36
3612 LAUTZ LAW LLC	1,000.00
3880 MAYER SPECIALTY SERVICES	1,450.00
4083 MILLSPAUGH, ANGELA	200.00
4240 MYERS PAINTING CO., INC.	2,250.00
4330 NOAH'S DONUT SHOP	32.60
4370 OFFICE DEPOT	15.84
4396 O'REILLY AUTOMOTIVE INC	410.78
4406 PACE ANALYTICAL SERVICES	1,452.00
4520 PETTY CASH	2,537.10
4540 PHILLIPS 66 - CONOCO-76	386.39
4595 PIONEER SUPPLY LLC	2,564.56
4708 PRICHARD ANIMAL HOSPITAL	46.99

VENDOR NO NAME	PAYMENT AMT
4828 PULVER, TROY	125.00
4860 QUILL CORPORATION	86.97
4905 RADAR SHOP INC	32.50
4976 RED MUNICIPAL/IND. EQUIP.	1,012.95
5042 RICK LABUS DRYWALL, INC.	675.00
5171 RUUD CONCRETE LLC	868.00
5220 SALINA SUPPLY COMPANY	201.29
5328 SEDGWICK COUNTY EMS	765.00
5406 SEXTON KEVIN	35.00
5449 SIMPLOT PARTNERS	1,036.00
5537 SOUTH CENTRAL KS CT	150.00
5670 STANARD & ASSOCIATES, INC	620.00
5777 SUPERIOR SIGNS & ENGRAV.	1,078.00
5916 TIMES-SENTINEL NEWSPAPERS	40.00
5917 TIRE DEALERS WAREHOUSE	446.60
5931 TRAFFTECH INC	1,550.00
5933 TRACY ELECTRIC INC	136.00
5939 TRAVELERS	50.00
6030 UNITED STATES POSTAL SERV	1,180.00
6095 USA BLUE BOOK	1,305.72
6626 WICHITA WINSUPPLY CO.	93.18
6630 WICHITA WINWATER	1,496.27
6700 WILLIAMS JANITORIAL SUPPL	257.47
6701 WILLIAMS, JOY ATTORNEY	1,000.00
6722 WOODS TREE FARM	5,260.00

VENDOR NO NAME	PAYMENT AMT

10112 LESLIE, TANNER	90.00
10137 MCCAFFREE CALEB	20.00
	=====
REPORT TOTAL	155,626.72

FUND	NAME	TOTAL

01	GENERAL FU	13,246.16
10	SEWER FUND	11,263.45
11	WATER FUND	8,345.59
21	STREET FUN	4,605.23
30	RECREATION	4,788.16
32	HAYSVILLE	1,742.17
36	CAPITAL IM	109,108.90
92	TR GUEST T	977.06
97	ST STREET	1,550.00
		=====
	TOTAL	155,626.72

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ

INTRUST									
5 AAA PORTABLE SERVICES LLC									
A-155529	1	11/26/19	11/21/19	1EA.PORTABLE REST. 10/22-11/18	65.00	30		30-50-2092	1
				INVOICE TOTAL	65.00				
A-155530	1	11/26/19	11/21/19	1EA.PORTABLE REST. 10/22-11/18	65.00	30		30-50-2092	1
				INVOICE TOTAL	65.00				
				VENDOR TOTAL	130.00				
10 MERIDIAN ANALYTICAL LABS, LLC.									
W9000278	1	11/26/19	11/20/19	WATER TESTING	290.00	10		10-30-2040	1
				INVOICE TOTAL	290.00				
				VENDOR TOTAL	290.00				
290 AMERI-GRAPHICS SPECIAL T'S									
8358	1	11/26/19	11/22/19	HAC APPRECIAT. T-SHIRTS 160EA.	612.50	30		30-50-2092	1
				INVOICE TOTAL	612.50				
				VENDOR TOTAL	612.50				
433 ARMSTRONG CHAMBERLIN									
14051	1	11/26/19	11/21/19	SEM MGMT./REPORTING - OCT 2019	300.00	92		92-66-3001	1
	2			GOOGLE SEARCH & DISPLAY	603.39	36		36-56-3005	1
				OCT 2019					
				RESIDENTIAL LOTS FOR SALE					
				INVOICE TOTAL	903.39				
				VENDOR TOTAL	903.39				
530 AUSTIN HOSE									
1907571	1	11/26/19	11/21/19	JOHN DEERE SKID STEERS	124.92	10		10-30-2009	1
				FLAT FACE COUPLERS, ETC					
	2			JOHN DEERE SKID STEERS	124.92	11		11-31-2009	1
				FLAT FACE COUPLERS, ETC					
	3			JOHN DEERE SKID STEERS	124.93	21		21-41-2009	1
				FLAT FACE COUPLERS, ETC					
	4			JOHN DEERE SKID STEERS	124.93	01		01-03-2009	1
				FLAT FACE COUPLERS, ETC					
				INVOICE TOTAL	499.70				
				VENDOR TOTAL	499.70				
695 BEALL & MITCHELL LLC									
NOV 2019	1	11/26/19	11/21/19	PROFESSIONAL SERVICES - JUDGE	1,775.53	01		01-06-1100	1
				INVOICE TOTAL	1,775.53				
				VENDOR TOTAL	1,775.53				
777 BIG TOOL STORE									
583349	1	11/26/19	11/20/19	35' TAPE MEASURE 1 EA-PW SHOP	3.33	10		10-30-2012	1
	2			35' TAPE MEASURE 1 EA-PW SHOP	3.33	11		11-31-2012	1
	3			35' TAPE MEASURE 1 EA-PW SHOP	3.33	21		21-41-2012	1

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ
INVOICE TOTAL					9.99				
VENDOR TOTAL					9.99				
004 A	1	11/26/19	11/21/19	902 JOHN R BUSH CONSTRUCTION PROJECT: HIST. BANK RESTROOM FRAMING	1,178.27	36		36-56-3035	1
INVOICE TOTAL					1,178.27				
VENDOR TOTAL					1,178.27				
13641866-00	1	11/26/19	11/22/19	1016 CARTER-WATERS 7' REBAR/18" RINGS - DOG PARK DOG PARK LIGHT POLE BASES	53.16	36		36-56-3044	1
INVOICE TOTAL					53.16				
VENDOR TOTAL					53.16				
451651188	1	11/26/19	11/22/19	1155 CINTAS CORPORATION #451 SHOP TOWELS & SUPPLIES	52.39	10		10-30-2009	1
	2			SHOP TOWELS & SUPPLIES	52.39	11		11-31-2009	1
	3			SHOP TOWELS & SUPPLIES	52.38	21		21-41-2009	1
	4			UNIFORM CLEAN & RENT	105.03	01		01-03-2012	1
	5			UNIFORM CLEAN & RENT	9.13	01		01-20-2016	1
	6			UNIFORM CLEAN & RENT	41.51	10		10-30-2016	1
	7			UNIFORM CLEAN & RENT	33.93	11		11-31-2016	1
	8			UNIFORM CLEAN & RENT	20.77	21		21-41-2016	1
INVOICE TOTAL					367.53				
VENDOR TOTAL					367.53				
WCC/014656	1	11/26/19	11/22/19	1176 CITY ELECTRIC SUPPLY CO. 240V BASEBRD HEATER/T-STAT 1EA SOCCER FLDS/CONCESSION STAND	198.95	36		36-56-3043	1
INVOICE TOTAL					198.95				
WCC/014797	1	11/26/19	11/22/19	LED EXIT/EMERG. LIGHTS - HAC	72.77	30		30-50-2025	1
INVOICE TOTAL					72.77				
VENDOR TOTAL					271.72				
SD2741	1	11/26/19	11/22/19	1229 CM3, INC. S/C 10/10 HISTORIC BANK HEATER	380.00	36		36-56-3035	1
	2			CRANK CASE HEATER 1EA. RPLCD.	64.66	36		36-56-3035	1
INVOICE TOTAL					444.66				
SD2776	1	11/26/19	11/22/19	S/C 10/17 HOMETOWN MRKT RESTRM	95.00	36		36-56-3035	1
	2			SHUTOFF VAVLE/SUPPLY LINE RPLC	21.96	36		36-56-3035	1
INVOICE TOTAL					116.96				
VENDOR TOTAL					561.62				
ORD. 1000032	1	11/26/19	11/22/19	1257 COLT BRANDED HOODED SWEATSHIRTS 36 EA.	144.10	10		10-30-2009	1

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
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	2			HOODED SWEATSHIRTS 36 EA.	144.10	11 11-31-2009	1
	3			HOODED SWEATSHIRTS 36 EA.	144.10	21 21-41-2009	1
	4			HOODED SWEATSHIRTS 36 EA.	144.10	01 01-03-2009	1
				INVOICE TOTAL	576.40		
				VENDOR TOTAL	576.40		
1283 CONCRETE WORKS INC							
11/26/19 A	1	11/26/19	11/22/19	PROJECT:79TH STR LAKE SIDEWALK	13,510.75	36 36-56-3041	1
	2			WITHHELD 25% (LEIN RELEASE)	3,377.69-	36 36-56-3041	1
				INVOICE TOTAL	10,133.06		
11/26/19 A*							
	1	11/26/19	11/22/19	PROJECT:79TH STR LAKE SIDEWALK	3,377.69	36 36-56-3041	2
				WITHHELD 25% (LEIN RELEASE)			
				INVOICE TOTAL	3,377.69		
				VENDOR TOTAL	13,510.75		
1303 J P COOKE COMPANY							
595820	1	11/26/19	11/22/19	2020 DOG TAGS 300 EA.	61.80	01 01-02-2013	1
	2			O-RINGS 300 EA.	4.20	01 01-02-2013	1
	3			SHIPPING/HANDLING	17.50	01 01-02-2013	1
				INVOICE TOTAL	83.50		
				VENDOR TOTAL	83.50		
1304 COONROD & ASSOC. CONSTRUCTION							
11/26/19	1	11/26/19	11/22/19	PROJECT:HAYSVILLE PD BLD MAINT	82,908.00	36 36-56-3030	1
				INVOICE TOTAL	82,908.00		
				VENDOR TOTAL	82,908.00		
1307 CORE & MAIN							
L192903	1	11/26/19	11/21/19	5/8X36/4X18 METER SETTERS 10EA	1,180.00	11 11-31-2009	1
				INVOICE TOTAL	1,180.00		
L505443							
	1	11/26/19	11/22/19	5/8X3/4X18" METER SETTERS 5EA.	590.00	11 11-31-2009	1
				INVOICE TOTAL	590.00		
				VENDOR TOTAL	1,770.00		
1308 COOPER LAW OFFICES LLC							
11/26/19	1	11/26/19	11/21/19	PUBLIC DEFENDER SVCS. 11/12/19	375.00	01 01-06-2037	1
				INVOICE TOTAL	375.00		
				VENDOR TOTAL	375.00		
1314 CORNEJO CONSTRUCTION							
393323	1	11/26/19	11/22/19	1" WHITE STONES 14.94 TONS	313.74	36 36-56-3041	1
				DORNER PARK ACCESS ROAD			
				INVOICE TOTAL	313.74		
393463							
	1	11/26/19	11/22/19	1" WHITE STONES 14.29 TONS	300.09	36 36-56-3041	1
				DORNER PARK ACCESS ROAD			

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
INVOICE TOTAL					300.09			
393710	1	11/26/19	11/22/19	1" WHITE STONES 29.68 TONS DORNER PARK ACESS ROAD	623.28	36	36-56-3041	1
INVOICE TOTAL					623.28			
VENDOR TOTAL					1,237.11			
1319 COUNTRY BOYS CARRIAGE								
11/26/19	2	11/26/19	11/21/19	CARRIAGE RIDES-VILLAGE CHRIST.	900.00	32	32-52-2012	1
INVOICE TOTAL					900.00			
VENDOR TOTAL					900.00			
1325 COX COMMUNICATIONS								
NOV 2019 HAC	1	11/26/19	11/22/19	HAC - CABLE SVC.	82.03	30	30-50-2003	1
	2			HAC - DATA SVC.	133.08	30	30-50-2002	1
INVOICE TOTAL					215.11			
VENDOR TOTAL					215.11			
1499 DERBY PLAZA THEATERS								
11/12/19	1	11/26/19	11/21/19	MOVIE TICKETS 75EA- ARTIC DOG	412.50	30	30-50-2094	1
	2			KIDDIE COMBOS 50EA	225.00	30	30-50-2094	1
INVOICE TOTAL					637.50			
VENDOR TOTAL					637.50			
1825 FASTENAL COMPANY								
KSWI259788	1	11/26/19	11/22/19	#10 1-1/6-1/2X9/16H 400 EA.	369.00	11	11-31-2009	1
INVOICE TOTAL					369.00			
VENDOR TOTAL					369.00			
1950 FOLEY INDUSTRIES								
SS100036895	1	11/26/19	11/20/19	S/C 10/30 CHALLENGER 55	844.57	10	10-30-2006	1
INVOICE TOTAL					844.57			
VENDOR TOTAL					844.57			
1990 GADES SALES CO INC								
0077298-IN	1	11/26/19	11/22/19	LED PED MAN/HAND W/TIMER 4EA.	580.00	21	21-41-2006	1
	2			ADA PUSHBUTTON 2EA.	176.00	21	21-41-2006	1
INVOICE TOTAL					756.00			
0077338-IN	1	11/26/19	11/22/19	ADA PUSHBUTTON 2EA/BASE 1EA.	200.00	21	21-41-2006	1
INVOICE TOTAL					200.00			
VENDOR TOTAL					956.00			
2080 GOLDEN PLAINS CREDIT UNION								
001	1	11/26/19	11/21/19	EMPLOYEE SERVICE AWARDS	1,398.00	01	01-10-2086	1
INVOICE TOTAL					1,398.00			

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL ACCOUNT	CK SQ
VENDOR TOTAL					1,398.00			
2345 HAYSVILLE RENTAL CENTER								
64438	1	11/26/19	11/20/19	REPAIR: #61 WEEDEATER 11/1/19	50.00	01	01-03-2006	1
	2			TUBE 1 EA	90.47	01	01-03-2006	1
	3			DRIVE SHAFT 1 EA	22.99	01	01-03-2006	1
INVOICE TOTAL					163.46			
VENDOR TOTAL					163.46			
2367 HAYSVILLE TRUE VALUE								
STMNT. 10/31/19	1	11/26/19	11/21/19	MONTHLY HARDWARE SUPPLIES	30.28	10	10-30-2009	1
	2			MONTHLY HARDWARE SUPPLIES	77.98	10	10-30-2012	1
	3			MONTHLY HARDWARE SUPPLIES	15.19	11	11-31-2004	1
	4			MONTHLY HARDWARE SUPPLIES	104.99	11	11-31-2009	1
	5			MONTHLY HARDWARE SUPPLIES	15.23	21	21-41-2004	1
	6			MONTHLY HARDWARE SUPPLIES	12.57	21	21-41-2006	1
	7			MONTHLY HARDWARE SUPPLIES	75.42	21	21-41-2009	1
	8			MONTHLY HARDWARE SUPPLIES	69.03	21	21-41-2012	1
	9			MONTHLY HARDWARE SUPPLIES	15.19	01	01-03-2004	1
	10			MONTHLY HARDWARE SUPPLIES	38.16	01	01-03-2006	1
	11			MONTHLY HARDWARE SUPPLIES	206.57	01	01-03-2009	1
	12			MONTHLY HARDWARE SUPPLIES	36.84	01	01-03-2012	1
	13			MONTHLY HARDWARE SUPPLIES	23.08	01	01-03-2093	1
	14			MONTHLY HARDWARE SUPPLIES	3.00	01	01-09-2009	1
	15			MONTHLY HARDWARE SUPPLIES	42.94	01	01-09-2012	1
	16			MONTHLY HARDWARE SUPPLIES	17.23	01	01-12-2025	1
	17			MONTHLY HARDWARE SUPPLIES	9.67	32	32-00-5012	1
	18			MONTHLY HARDWARE SUPPLIES	6.19	01	01-02-2047	1
	19			MONTHLY HARDWARE SUPPLIES	8.99	01	01-02-2006	1
	20			MONTHLY HARDWARE SUPPLIES	7.74	01	01-02-2035	1
	21			MONTHLY HARDWARE SUPPLIES	2.30	30	30-50-2009	1
	22			MONTHLY HARDWARE SUPPLIES	52.43	36	36-56-3011	1
	23			MONTHLY HARDWARE SUPPLIES	77.60	36	36-56-3044	1
	24			MONTHLY HARDWARE SUPPLIES	132.06	36	36-56-3041	1
	25			MONTHLY HARDWARE SUPPLIES	137.06	92	92-66-3001	1
INVOICE TOTAL					1,217.74			
VENDOR TOTAL					1,217.74			
2370 HAYSVILLE USD 261								
11/26/19	1	11/26/19	11/21/19	SOS DAY 10/18 DRIVER/MILEAGE	468.29	30	30-50-2094	1
INVOICE TOTAL					468.29			
VENDOR TOTAL					468.29			
2391 JUSTIN D. HEHNKE								
NOV 2019	1	11/26/19	11/21/19	REIMBURSE CELL PHONE USE	35.00	01	01-02-2040	1
INVOICE TOTAL					35.00			
VENDOR TOTAL					35.00			
2500 HAC INC								
NOV 2019	1	11/26/19	11/20/19	MONTHLY GROCERIES	8.53	01	01-01-2015	1

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
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	2			MONTHLY GROCERIES	16.39	01 01-10-2054	1
	3			MONTHLY GROCERIES	9.32	01 01-20-2004	1
	4			MONTHLY GROCERIES	22.14	01 01-18-2004	1
	5			MONTHLY GROCERIES	4.36	01 01-02-2012	1
	6			MONTHLY GROCERIES	16.34	10 10-30-2012	1
	7			MONTHLY GROCERIES	61.88	30 30-50-2092	1
	8			MONTHLY GROCERIES	182.65	30 30-50-2094	1
				INVOICE TOTAL	321.61		
				VENDOR TOTAL	321.61		
2619 INDEPENDENT SALT COMPANY							
0147490-IN	1	11/26/19	11/22/19	16.52 TON TREATED BULK SALT	578.38	21 21-41-2009	1
				INVOICE TOTAL	578.38		
0147538-IN							
	1	11/26/19	11/22/19	15.75 TON TREATED BULK SALT	551.25	21 21-41-2009	1
				INVOICE TOTAL	551.25		
				VENDOR TOTAL	1,129.63		
2673 INSTANT TIRE SERVICE							
27113	1	11/26/19	11/20/19	TIRE REPAIR - JD 310 BACKHOE	217.55	10 10-30-2006	1
	2			TIRE REPAIR - JD 310 BACKHOE	217.55	11 11-31-2006	1
	3			TIRE REPAIR - JD 310 BACKHOE	217.56	21 21-41-2006	1
				INVOICE TOTAL	652.66		
27114							
	1	11/26/19	11/20/19	TIRE REAIR - FORD 6610	177.85	11 11-31-2006	1
	2			TIRE REAIR - FORD 6610	177.85	21 21-41-2006	1
				INVOICE TOTAL	355.70		
				VENDOR TOTAL	1,008.36		
2685 INTERLINGUAL INTERPRETING SVCS							
3221	1	11/26/19	11/21/19	INTERPRETATION SVCS. 10/22/19	40.00	01 01-06-2012	1
				INVOICE TOTAL	40.00		
				VENDOR TOTAL	40.00		
2874 K & A PROPERTY MAINTENANCE LLC							
4628	1	11/26/19	11/22/19	CLEAN CITY BLDG.	528.00	01 01-09-2040	1
	2			CLEAN PD	440.00	01 01-09-2040	1
	3			CLEAN COMM. BLDG.	112.00	01 01-09-2040	1
	4			CLEAN SR. CNTR.	425.00	01 01-12-2025	1
	5			CLEAN HAC	450.00	30 30-50-2025	1
				INVOICE TOTAL	1,955.00		
				VENDOR TOTAL	1,955.00		
3412 KANZA CO-OPERATIVE ASSOC.							
39338	1	11/26/19	11/20/19	UNLEADED FUEL 1400 GAL	2,898.21	10 10-30-2009	1
	2			DIESEL FUEL 700 GAL	1,635.20	10 10-30-2009	1
				INVOICE TOTAL	4,533.41		
				VENDOR TOTAL	4,533.41		

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ

3435 KEN'S PRINTING & COPYING									
8825	1	11/26/19	11/20/19	#62111 BUILDING PERMIT FORM	98.30	01		01-20-2004	1
				INVOICE TOTAL	98.30				
				VENDOR TOTAL	98.30				
3500 KONICA MINOLTA BUSINESS									
262429543	1	11/26/19	11/21/19	C3650 - SENIOR CENTER BLK/WHT	12.25	01		01-12-2004	1
	2			C3650 - SENIOR CENTER COLOR	252.11	01		01-12-2004	1
				INVOICE TOTAL	264.36				
				VENDOR TOTAL	264.36				
3612 LAUTZ LAW, LLC									
NOV 2019	1	11/26/19	11/21/19	PUBLIC DEFENDER MONTHLY SVCS.	1,000.00	01		01-06-2037	1
				INVOICE TOTAL	1,000.00				
				VENDOR TOTAL	1,000.00				
3880 MAYER SPECIALTY SERVICES LLC									
2019604	1	11/26/19	11/22/19	7.25 HRS JET/VAC TRUCK 10/22	1,450.00	10		10-30-2006	1
				INVOICE TOTAL	1,450.00				
				VENDOR TOTAL	1,450.00				
4083 ANGELA D. MILLSPAUGH									
11/26/19	1	11/26/19	11/21/19	VILLAGE CHRIST. START UP CASH 2019	200.00	32		32-52-2012	1
				INVOICE TOTAL	200.00				
				VENDOR TOTAL	200.00				
4240 MYERS PAINTING CO., INC.									
001 A	1	11/26/19	11/21/19	PROJECT: HIST. BANK PAINTING	2,250.00	36		36-56-3035	1
				INVOICE TOTAL	2,250.00				
				VENDOR TOTAL	2,250.00				
4330 NOAH'S DONUT SHOP									
11/7/19	1	11/26/19	11/22/19	DONUT PURCHASE 11/7/19 (HPD)	32.60	01		01-02-2015	1
				INVOICE TOTAL	32.60				
				VENDOR TOTAL	32.60				
4370 OFFICE DEPOT									
399398455001	1	11/26/19	11/22/19	SHARPENER, 2 HOLE 3EA.	1.26	10		10-30-2004	1
				INVOICE TOTAL	1.26				
399400197001	1	11/26/19	11/22/19	PAPER,ASTROBRIGHT 2 REAMS - PW	14.58	01		01-20-2004	1
				INVOICE TOTAL	14.58				
				VENDOR TOTAL	15.84				

4396 O'REILLY AUTOMOTIVE INC

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ

4396 O'REILLY AUTOMOTIVE INC									
4814-319285	1	11/26/19	11/22/19	WATER PUMP / COOLANT HOSE CAR#09-13	194.12	01		01-02-2035	1
				INVOICE TOTAL	194.12				
4814-319301	1	11/26/19	11/22/19	THERMOSTAT - CAR#09-13	12.99	01		01-02-2035	1
				INVOICE TOTAL	12.99				
4814-319734	1	11/26/19	11/22/19	DORMAN OE SOLUTIONS-CAR#06-15	41.11	01		01-02-2035	1
				INVOICE TOTAL	41.11				
4814-319815	1	11/26/19	11/22/19	OIL FILTER/1QT MOTOR OIL 6EA	35.95	01		01-02-2035	1
				INVOICE TOTAL	35.95				
4814-320763	1	11/26/19	11/22/19	LOCK CYL/KEY - TRUCK#41	18.19	01		01-03-2006	1
				INVOICE TOTAL	18.19				
4814-320892	1	11/26/19	11/22/19	GRINDER WHL-WELDING BANK SUPPL	4.79	36		36-56-3035	1
				INVOICE TOTAL	4.79				
4814-321496	1	11/26/19	11/22/19	ACDELCO DURAGUARD-TRUCK#20 CITY TRAVEL VEHICLE	7.64	01		01-18-2035	1
				INVOICE TOTAL	7.64				
4814-321597	1	11/26/19	11/22/19	REFLECT TAPE-DORNER PARK GATE	12.59	36		36-56-3041	1
				INVOICE TOTAL	12.59				
4814-321611	1	11/26/19	11/22/19	REFLECT TAPE 2EA DORNER PARK GATE	25.18	36		36-56-3041	1
				INVOICE TOTAL	25.18				
4814-321683	1	11/26/19	11/22/19	OIL FILTER - 120G ROAD GRADER	14.84	21		21-41-2006	1
				INVOICE TOTAL	14.84				
4814-321754	1	11/26/19	11/22/19	1GAL CAR WASH 2EA.	9.98	01		01-02-2035	1
				INVOICE TOTAL	9.98				
4814-321755	1	11/26/19	11/22/19	AIR FILTER - TRUCK #12	11.13	21		21-41-2006	1
	2			AIR FILTER - TRUCK #12	11.13	11		11-31-2006	1
	3			AIR FILTER - TRUCK #12	11.14	10		10-30-2006	1
				INVOICE TOTAL	33.40				
				VENDOR TOTAL	410.78				
4406 PACE ANALYTICAL SERVICES INC									
1960091097	1	11/26/19	11/20/19	ANALYTICAL TESTING	1,452.00	10		10-30-2040	1
				INVOICE TOTAL	1,452.00				
				VENDOR TOTAL	1,452.00				
4520 PETTY CASH									
11/26/19	1	11/26/19	11/22/19	REIMBURSE FUND	69.87	01		01-01-2015	1
	2			REIMBURSE FUND	367.50	01		01-00-5016	1
	3			REIMBURSE FUND	25.00	01		01-00-5059	1

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
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	4			REIMBURSE FUND	7.50	32 32-00-5012	1
	5			REIMBURSE FUND	500.00	32 32-52-2012	1
	6			REIMBURSE FUND	72.00	01 01-04-2066	1
	7			REIMBURSE FUND	397.43	01 01-02-2015	1
	8			REIMBURSE FUND	87.59	10 10-30-2015	1
	9			REIMBURSE FUND	33.36	10 10-30-2016	1
	10			REIMBURSE FUND	162.59	11 11-31-2015	1
	11			REIMBURSE FUND	33.32	11 11-31-2016	1
	12			REIMBURSE FUND	87.59	21 21-41-2015	1
	13			REIMBURSE FUND	33.32	21 21-41-2016	1
	14			REIMBURSE FUND	25.00	01 01-00-5062	1
	15			REIMBURSE FUND	21.80	01 01-00-5053	1
	16			REIMBURSE FUND	35.00	30 30-00-5077	1
	17			REIMBURSE FUND	400.00	30 30-00-5016	1
	18			REIMBURSE FUND	30.80	30 30-50-2092	1
	19			REIMBURSE FUND	43.89	30 30-50-2015	1
	20			REIMBURSE FUND	78.54	01 01-18-2015	1
	21			REIMBURSE FUND	25.00	01 01-18-2004	1
				INVOICE TOTAL	2,537.10		
				VENDOR TOTAL	2,537.10		
OCT 2019	1	11/26/19	11/21/19	4540 PHILLIPS 66 - CONOCO-76 MONTHLY FUEL PURCHASES	386.39	01 01-02-2010	1
				INVOICE TOTAL	386.39		
				VENDOR TOTAL	386.39		
78639	1	11/26/19	11/20/19	4595 PIONEER SUPPLY LLC 2" WATER METER 3 EA	2,521.95	11 11-31-2009	1
	2			FREIGHT CHARGE	42.61	11 11-31-2009	1
				INVOICE TOTAL	2,564.56		
				VENDOR TOTAL	2,564.56		
270204	1	11/26/19	11/22/19	4708 PRICHARD ANIMAL HOSPITAL PA EVP CANINE ADULT 35 LBS.	46.99	01 01-02-2047	1
				INVOICE TOTAL	46.99		
				VENDOR TOTAL	46.99		
11/26/19	1	11/26/19	11/22/19	4828 TROY PULVER 37-MILE BAND PERF. 12/7/19 EVENT LOCATION:HISTORIC DIST. EVENT : VILLAGE CHRISTMAS	125.00	32 32-52-2012	1
				INVOICE TOTAL	125.00		
				VENDOR TOTAL	125.00		
2426003	1	11/26/19	11/22/19	4860 QUILL CORPORATION MISC. OFFICE SUPPLIES (PD)	86.97	01 01-02-2004	1
				INVOICE TOTAL	86.97		
				VENDOR TOTAL	86.97		

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ

4905 THE RADAR SHOP INC									
RS-11088	1	11/26/19	11/22/19	STALKER POWER PLUG REPAIR 11/7	32.50	01		01-02-2006	1
				INVOICE TOTAL	32.50				
				VENDOR TOTAL	32.50				
4976 RED MUNICIPAL/INDUSTRIAL EQUIP									
13047	1	11/26/19	11/20/19	HYDR. FITTINGS - MALE/FEMALE	120.42	21		21-41-2006	1
				2 EA					
	2			SHIPPING CHARGE	9.51	21		21-41-2006	1
				INVOICE TOTAL	129.93				
I-SERIES MAINTENANCE KIT 1EA									
13060	1	11/26/19	11/20/19	RAVO SWEEPER	624.44	21		21-41-2006	1
				SHIPPING CHARGE	15.21	21		21-41-2006	1
				INVOICE TOTAL	639.65				
CAMERA 1 EA (RAVO SWEEPER)									
13074	1	11/26/19	11/20/19		234.09	21		21-41-2006	1
	2			SHIPPING CHARGE	9.28	21		21-41-2006	1
				INVOICE TOTAL	243.37				
				VENDOR TOTAL	1,012.95				
5042 RICK LABUS DRYWALL, INC.									
001 B	1	11/26/19	11/21/19	RESTROOM WALLS	600.00	36		36-56-3035	1
	2			PATCH HOLE	75.00	36		36-56-3035	1
				INVOICE TOTAL	675.00				
				VENDOR TOTAL	675.00				
5171 RUUD CONCRETE LLC									
1589	1	11/26/19	11/22/19	4000 ROCK MIX - DOG PARK LIGHT	752.00	36		36-56-3044	1
				LIGHT POLE BASES @ DOG PARK					
				INVOICE TOTAL	752.00				
4000 ROCK MIX - DORNER GATES									
1608	1	11/26/19	11/22/19	ENTRANCE GATE @ DORNER PARK	116.00	36		36-56-3041	1
				INVOICE TOTAL	116.00				
				VENDOR TOTAL	868.00				
5220 SALINA SUPPLY COMPANY									
S100158229.001	1	11/26/19	11/21/19	3/4"CTS BRASS COMPRESSION	201.29	11		11-31-2009	1
				COUPLING 3" 20 EA					
				INVOICE TOTAL	201.29				
				VENDOR TOTAL	201.29				
5328 SEDGWICK COUNTY EMS									
X54757632A0	1	11/26/19	11/22/19	SERVICES - JOHN BALL 8/22/19	765.00	01		01-00-5059	1
				INVOICE TOTAL	765.00				
				VENDOR TOTAL	765.00				

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ

NOV 2019			5406	KEVIN SEXTON			
	1	11/26/19	11/21/19	REIMBURSE CELL PHONE USE	35.00	01 01-02-2040	1
				ON CALL PERSONNEL			
				INVOICE TOTAL	35.00		
VENDOR TOTAL					35.00		
218038909			5449	SIMPLOT PARTNERS			
	1	11/26/19	11/21/19	40 BAGS - PARKS	518.00	01 01-03-2009	1
	2			40 BAGS - P/C SPORTS BALLFIELD	518.00	01 01-03-2046	1
				INVOICE TOTAL	1,036.00		
VENDOR TOTAL					1,036.00		
NOV 2019			5537	CHRISTOPHER M DAVIS PCO			
	1	11/26/19	11/21/19	CASE #17-5441 11/11/19	150.00	01 01-06-2012	1
				INVOICE TOTAL	150.00		
				VENDOR TOTAL	150.00		
SA000041760			5670	STANARD & ASSOCIATES, INC			
	1	11/26/19	11/22/19	NFLST TEST/GUIDE/ANSWR SHT.4EA	450.00	01 01-02-2012	1
	2			SHIPPING/HANDLING	15.00	01 01-02-2012	1
				INVOICE TOTAL	465.00		
SA000042277							
	1	11/26/19	11/22/19	NFLST TEST/GUIDE/ANSWR SHT.3EA	140.00	01 01-02-2012	1
	2			SHIPPING/HANDLING	15.00	01 01-02-2012	1
				INVOICE TOTAL	155.00		
VENDOR TOTAL					620.00		
846328			5777	SUPERIOR SIGNS & ENGRAVING INC			
	1	11/26/19	11/21/19	2019 GOBBLE WOBBLE T-SHIRTS	1,078.00	30 30-50-2092	1
				136EA.			
				INVOICE TOTAL	1,078.00		
VENDOR TOTAL					1,078.00		
43827			5916	TIMES-SENTINEL NEWSPAPERS			
	1	11/26/19	11/21/19	SALUTE TO VETERANS AD 11/7/19	40.00	92 92-66-3001	1
				INVOICE TOTAL	40.00		
				VENDOR TOTAL	40.00		
325-782484			5917	TIRE DEALERS WAREHOUSE			
	1	11/26/19	11/20/19	WATER TESTING	413.30	21 21-41-2006	1
				INVOICE TOTAL	413.30		
325-782735							
	1	11/26/19	11/21/19	175/65R14 82H TRAVELSTAR UN99	33.30	21 21-41-2006	1
				SPEED MOWER			
				INVOICE TOTAL	33.30		
VENDOR TOTAL					446.60		

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST	GL	ACCOUNT	CK SQ

5931 TRAFFTECH INC									
1598	1	11/26/19	11/20/19	SQUARE MAINTENANCE PROGRAM	1,550.00	97		97-66-3001	1
				INVOICE TOTAL	1,550.00				
				VENDOR TOTAL	1,550.00				
5933 TRACY ELECTRIC INC									
23998	1	11/26/19	11/22/19	S/C 8/8 EMMETT LIFT STATION	136.00	10		10-30-2006	1
				COMMUNICATION BOARD FAILURE					
				INVOICE TOTAL	136.00				
				VENDOR TOTAL	136.00				
5939 TRAVELERS COMMERCIAL LINES									
107176992	1	11/26/19	11/21/19	NOTARY BOND - G.CARTER	50.00	01		01-18-2004	1
				INVOICE TOTAL	50.00				
				VENDOR TOTAL	50.00				
6030 UNITED STATES POSTAL SERVICE									
NOV 2019	1	11/26/19	11/20/19	PAYMENT ON PERMIT #1	410.00	10		10-30-2011	1
	2			PAYMENT ON PERMIT #1	770.00	11		11-31-2011	1
				INVOICE TOTAL	1,180.00				
				VENDOR TOTAL	1,180.00				
6095 USA BLUE BOOK									
050938	1	11/26/19	11/22/19	MISC. SAFETY SUPPLIES	1,201.14	10		10-30-2009	1
	2			FREIGHT CHARGE	104.58	10		10-30-2009	1
				INVOICE TOTAL	1,305.72				
				VENDOR TOTAL	1,305.72				
6626 WICHITA WINSUPPLY CO.									
32216801	1	11/26/19	11/21/19	1/2"CHCK VALVE/SS HEATER CONN.	37.68	11		11-31-2006	1
				INVOICE TOTAL	37.68				
322249 01	1	11/26/19	11/21/19	CREDIT: RETURN SS HEATER CONN	18.06-	11		11-31-2006	1
				3EA					
				INVOICE TOTAL	18.06-				
322325 01	1	11/26/19	11/22/19	3/4" CHK VLV & 1/2" GATE VLV	73.56	11		11-31-2006	1
				INVOICE TOTAL	73.56				
				VENDOR TOTAL	93.18				
6630 WICHITA WINWATER WORKS									
238591 00	1	11/26/19	11/21/19	6 & 12" EXXT 5-1/4" HYD CLOW	506.88	11		11-31-2009	1
	2			HAND TRNSFR PUMP W/6' HOSE 2EA	94.54	11		11-31-2012	1
				INVOICE TOTAL	601.42				
238642 00	1	11/26/19	11/21/19	5-1/4" FLG REPAIR KIT 1 EA	113.41	11		11-31-2009	1
				INVOICE TOTAL	113.41				

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
238694 00	1	11/26/19	11/22/19	6 & 12" HYDRANT EXT-DORNER PRK	781.44	11 11-31-2009	1
				INVOICE TOTAL	781.44		
				VENDOR TOTAL	1,496.27		
0577166-IN	1	11/26/19	11/21/19	6700 WILLIAMS JANITORIAL SUPPLY MISC. JANITORIAL SUPPLIES	257.47	30 30-50-2009	1
				INVOICE TOTAL	257.47		
				VENDOR TOTAL	257.47		
NOV 2019	1	11/26/19	11/21/19	6701 JOY WILLIAMS PROSECUTING SERVICES	1,000.00	01 01-06-1100	1
				INVOICE TOTAL	1,000.00		
				VENDOR TOTAL	1,000.00		
11/26/19 A	1	11/26/19	11/21/19	6722 WOODS TREE FARM \$100.00 CERTIFICATES 3 EA	500.00	92 92-66-3001	1
				INVOICE TOTAL	500.00		
11/26/19 B	1	11/26/19	11/20/19	MISC. TREES - DOG PARK	4,760.00	36 36-56-3044	1
				INVOICE TOTAL	4,760.00		
				VENDOR TOTAL	5,260.00		
11/26/19 A	1	11/26/19	11/22/19	10112 TANNER LESLIE REFEREE SOCCER 5 HRS 11/16/19	75.00	30 30-50-1250	1
	2			REFEREE SOCCER 1 HR 11/18/19	15.00	30 30-50-1250	1
				INVOICE TOTAL	90.00		
				VENDOR TOTAL	90.00		
11/26/19 A	1	11/26/19	11/22/19	10137 CALEB MCCAFFREE REFEREE SOCCER 1 HR 11/16/19	20.00	30 30-50-1250	1
				INVOICE TOTAL	20.00		
				VENDOR TOTAL	20.00		
				INTRUST TOTAL	155,626.72		
				TOTAL MANUAL CHECKS	.00		
				TOTAL E-PAYMENTS	.00		
				TOTAL PURCH CARDS	.00		
				TOTAL ACH PAYMENTS	.00		
				TOTAL OPEN PAYMENTS	155,626.72		
				GRAND TOTALS	155,626.72		

CK #	DATE	PAYEE	DESCRIPTION	DEPARTMENT	AMOUNT
47061	10/24/2019	Shaylie McCleary	This Check Was Voided & Reissued on Check #47085	General Revenue - Bldg. Rentals	-50.00
47083	11/1/2019	Xcaret Mexico	Food for All Employee Meeting	City Clerk - Training/Educ/Travel	69.87
				Police - Training/Educ/Travel	122.43
				Recreation - Training/Educ/Dues	43.89
				General Government - Training/Educ/Trv	78.54
				Water - Training/Educ/Travel	87.59
				Sewer - Training/Educ/Travel	87.59
				Street - Training/Educ/Travel	87.59
47084	11/4/2019	Angela Millsbaugh	Reimburse Purchases for Vill Christmas Silent Auction & Grab Bags	Historic - Miscellaneous	500.00
47085	11/12/2019	Shaylie McCleary	Refund Deposit on Comm Bldg Rental - Rcpt #105234	General Revenue - Bldg. Rentals	50.00
47086	11/12/2019	Jeff Kebert	Refund Deposit on Comm Bldg Rental - Rcpt #106528	General Revenue - Bldg. Rentals	50.00
47087	11/12/2019	Joyce Metzinger	Refund Deposit & Deposit on Comm Bldg Rental - Rcpt #103524	General Revenue - Bldg. Rentals	117.50
				Historic Revenue - Miscellaneous	7.50
47088	11/12/2019	Tara Sharon	Restitution - Sasha Cook - Case #2018/4652 - Rcpt #32558	General Revenue - Mun Ct Restitution	25.00
47089	11/12/2019	KDHE / Water Bureau	Zach Baty - Water Certification Class - Class I	Water - Trainin/Educ/Travel	25.00
47090	11/12/2019	KDHE / Water Bureau	Kyle Lyons - Water Certification Class - Class IV	Water - Trainin/Educ/Travel	25.00
47091	11/12/2019	KDHE / Water Bureau	Alex Wood - Water Certification Class - Class IV	Water - Trainin/Educ/Travel	25.00
47092	11/12/2019	Daniel Jones	Boot Reimbursement	Sewer - Uniforms	16.68
				Water - Uniforms	16.66
				Street - Uniforms	16.66
47093	11/12/2019	Marshall Litchfield	Boot Reimbursement	Sewer - Uniforms	16.68
				Water - Uniforms	16.66
				Street - Uniforms	16.66
47094	11/12/2019	Lakota Hyde	Refund Youth Basketball Fees - Rcpt #93542	Recreation Revenue - Programs	35.00
47095	11/12/2019	Lei Cheung	Refund Deposit on HAC Rental - Rcpt #92398	Recreation Revenue - Rental Fees	50.00
47096	11/12/2019	Heather Settle	Refund Deposit on HAC Rental - Rcpt #93327	Recreation Revenue - Rental Fees	50.00
47097	11/12/2019	Stacy Day-Hopper	Refund Deposit & Rental on HAC Rental - Rcpt #93667 & #93673	Recreation Revenue - Rental Fees	150.00
47098	11/15/2019	Randy Nowak	Travel Advance for K9 Training	Police - Training/Educ/Travel	275.00
47099	11/15/2019	Noah's Donut	Donuts for Overnight Basketball Camp	Recreation - Programs	30.80
47100	11/15/2019	KS Secretary of State	Notary for Georgie Carter	General Government - Office Expense	25.00
47101	11/19/2019	Alcoholic Beverage Control	Cereal Malt Beverage - State of KS Fee	General Revenue - Cer Malt Bev St Fee	25.00
47102	11/19/2019	Donald Moore	Refund Court Fine Over Payment - Rcpt #33182	General Revenue - Court DUI Fine	21.80
47103	11/19/2019	Andrea Ramos	Refund Deposit on Comm Bldg Rental - Rcpt #106409	General Revenue - Bldg. Rentals	50.00
47104	11/19/2019	Marangelie Childers	Refund Deposit on Comm Bldg Rental - Rcpt #106441	General Revenue - Bldg. Rentals	50.00
47105	11/19/2019	Ryan Reed	Refund Deposit on Comm Bldg Rental - Rcpt #105628	General Revenue - Bldg. Rentals	50.00
47106	11/19/2019	Jeanine Spiegel	Refund Deposit on Comm Bldg Rental - Rcpt #106253	General Revenue - Bldg. Rentals	50.00
47107	11/19/2019	Jessica Reymer	Refund Deposit on HAC Rental - Rcpt #93735	Recreation Revenue - Rental Fees	50.00
47108	11/19/2019	Chelsey Wyrick	Refund Deposit on HAC Rental - Rcpt #94029	Recreation Revenue - Rental Fees	50.00
47109	11/19/2019	Makenzie Baima	Refund Deposit on HAC Rental - Rcpt #92965	Recreation Revenue - Rental Fees	50.00
47110	11/19/2019	Sedgwick Co Register of Deeds	Water Line Extension / Consent to Annexation	Planning Commission - Filing Fees	72.00
				TOTAL CHECKS WRITTEN	2,537.10

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL	ACCOUNT	CK SQ
INTRUST								
495 AT&T MOBILITY								
OCT 2019	1	11/21/19	11/18/19	MONTHLY CELL PHONE BILLING	134.69	30	30-50-2094	1
				INVOICE TOTAL	134.69			
				VENDOR TOTAL	134.69			
817 BORDER STATES ELECTRIC SUPPLY								
918803936	1	11/21/19	11/19/19	ELC-BAL FL 4LMP 23W 2LMP 32W CODE BOOK	266.77	01	01-12-2025	1
				INVOICE TOTAL	266.77			
				VENDOR TOTAL	266.77			
1325 COX COMMUNICATIONS								
DEC 2019 PW*	1	11/21/19	11/18/19	PW-CABLE/DATA SVC.	1.04	01	01-03-2002	1
	2			PW-CABLE/DATA SVC.	1.04	01	01-20-2002	1
	3			PW-CABLE/DATA SVC.	1.05	10	10-30-2002	1
	4			PW-CABLE/DATA SVC.	1.05	11	11-31-2002	1
	5			PW-CABLE/DATA SVC.	1.05	21	21-41-2002	1
				INVOICE TOTAL	5.23			
				VENDOR TOTAL	5.23			
4370 OFFICE DEPOT								
391979890001	1	11/21/19	11/19/19	BALLPOINT PEN / DRY ERASE POST IT, ACCSSRY TRAY	8.22	11	11-31-2004	1
				INVOICE TOTAL	8.22			
392964701001	1	11/21/19	11/19/19	EXPO DRY ERASE MARKERS	4.59	11	11-31-2004	1
				INVOICE TOTAL	4.59			
393681348001	1	11/21/19	11/19/19	POST-IT NOTES	9.20	01	01-04-2004	1
	2			MISC OFFICE SUPPLIES	114.95	01	01-10-2077	1
	3			600 PK WHITE MAILING LABELS	8.84	01	01-18-2004	1
				INVOICE TOTAL	132.99			
396573647001	1	11/21/19	11/19/19	IBM WHEELWRITER RIBBON	29.37	01	01-10-2077	1
				INVOICE TOTAL	29.37			
396574541001	1	11/21/19	11/19/19	CALC INKROLL 2PK	6.82	01	01-01-2004	1
	2			STAPLER/WASTEBASKET/TAPE DISP	32.67	01	01-04-2004	1
	3			MISC OFFICE SUPPLIES	48.74	01	01-10-2077	1
	4			ASTROBRIGHTS - GREEN CARDSTOCK	15.81	10	10-30-2004	1
	5			ASTROBRIGHTS - GREEN CARDSTOCK	15.81	11	11-31-2004	1
	6			ASTROBRIGHTS - COLORED PAPER	34.83	32	32-52-2012	1
				INVOICE TOTAL	154.68			
				VENDOR TOTAL	329.85			
				INTRUST TOTAL	736.54			

SCHEDULED CLAIMS LIST

INVOICE#	LINE	DUE DATE	INVOICE DATE	REFERENCE	PAYMENT AMOUNT	DIST GL ACCOUNT	CK SQ
TOTAL MANUAL CHECKS					.00		
TOTAL E-PAYMENTS					.00		
TOTAL PURCH CARDS					.00		
TOTAL ACH PAYMENTS					.00		
TOTAL OPEN PAYMENTS					736.54		
GRAND TOTALS					736.54		

VENDOR NO NAME	PAYMENT AMT
495 AT&T MOBILITY	134.69
817 BORDER STATES ELECTRIC	266.77
1325 COX COMMUNICATIONS	5.23
4370 OFFICE DEPOT	329.85
	=====
REPORT TOTAL	736.54

APPOST00 Fri Nov 22, 2019 3:11 PM
10.09.19 POSTING DATE: 11/22/2019

**** City of Haysville ****
ACCOUNTS PAYABLE POSTING JOURNAL
CALENDAR 11/2019, FISCAL 11/2019

OPER: AMD PAGE 1
JRNL: 248

INVOICE #	DUE DATE	REFERENCE	NET	GL ACCOUNT #	GL ACCOUNT NAME	DIST ID
LINE						

		4085 MINTER & POLLAK, LC				
NOV 2019	11/26/2019					
1		CITY ATTORNEY FEES	3,650.00	01-10-1100	SP FUNDS PERSONNEL SERVICES 01	
					E-PAYMENT 99870029 11/26/19	
		INVOICE TOTAL	3,650.00			
		VENDOR TOTAL	3,650.00			
		GRAND TOTAL	3,650.00			
		E-PAYMENTS	3,650.00			

ACCOUNT NUMBER	ACCOUNT TITLE	DEBITS	CREDITS	NET
01-00-0010	GENERAL CASH BALANCE	.00	3,650.00	3,650.00-
01-10-1100	SP FUNDS PERSONNEL SERVICES	3,650.00	.00	3,650.00
TRANSACTION TOTALS		3,650.00	3,650.00	.00
FUND	NAME	DEBITS	CREDITS	
01	GENERAL FUND	3,650.00	3,650.00	
TOTALS		3,650.00	3,650.00	

[RETURN TO AGENDA](#)