

1 (Published in the Topeka Metro News August 30, 2006)

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3 ORDINANCE NO. 18702

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5 AN ORDINANCE introduced by Councilmember John Alcala repealing the
6 enforcement of City building codes outside of the City and within
7 the City’s municipal services area, amending Topeka City Code §§
8 26-58, 26-116, 26-139.1.5. and 26-298, and repealing said original
9 sections.

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

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

14 **Administrative and other fees.**

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

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

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

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

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

25 Driveway permit for work which is not done under a duly issued building permit: .
26 \$50.00

27 Sidewalk permit for work which is not done under a duly issued building permit: .
28 \$30.00

29 Parking lot permit plan review and inspection for work which is not done under a
30 duly issued building permit (per hour): \$50.00
31 Homeowner permit for work which is not done under a duly issued building
32 permit: \$50.00
33 Reinspection charge: \$50.00
34 Onsite consultation--No permit (per hour): \$50.00
35 After hours inspection--weekend: \$100.00
36 After hours inspection--Holiday weekend: \$200.00
37 Inspection requested after four o'clock (4:00) p.m.: \$50.00
38 Specified inspection time: \$50.00
39 Water heater replacement--Self inspection: \$20.00
40 Heating, ventilation and air conditioning system replacement--Self inspection: . . .
41 . . \$20.00
42 Fire alarm test for work which is not done under a duly issued building permit or
43 exceeds one hour (per hour): \$50.00
44 Electrical inspection service clearance for existing structures (per hour):
45 \$50.00
46 ~~(b) Additional permit fee in the municipal service area. An additional fee of 25~~
47 ~~percent of the inspection, permit, or testing fees or charges required under this chapter~~
48 ~~shall be imposed for each inspection, permit, or test done or commenced outside the~~
49 ~~city's boundaries and within the city's municipal service area as defined in Chapter 134.~~

50 (eb) Fees for trade contractor work commenced without a permit. Any work
51 commenced by a trade contractor without having first obtained the required permit shall
52 be charged a fee of \$500.00, in addition to the fee for the permit.

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

55 **Adoption of Uniform Building Code.**

56 ~~Pursuant to the authority granted by K.S.A. 12-751, t~~The City of Topeka adopts
57 the following building codes: uniform building code, 1997 edition, as amended;
58 International Residential Code for one- and two-family dwellings, 2003 Edition as
59 adopted in part and as amended; uniform code for building conservation, 1997 edition,
60 as amended; national electrical code, 2002 edition; uniform plumbing code, 2000
61 edition, as amended; uniform mechanical code, 1997 edition, as amended; uniform fire
62 code, 1997 edition, as amended; and life safety code, 1991 edition, as amended, ~~for~~
63 ~~those areas outside the City's boundaries and within the City's municipal service area~~
64 ~~as defined in Chapter 134. All permit and inspection requirements as contained in the~~
65 ~~above-referenced codes, as may be amended from time to time, shall apply to the areas~~
66 ~~outside the City's boundaries and within the City's municipal service area as defined in~~
67 ~~Chapter 134.~~

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

70 **Section 107, Fees of the Uniform Building Code, 1997 Edition.**

71 Building permit fees and plan review fees as required by City of Topeka Code
72 section 26-139.2, Plan review fees, for building projects with a total valuation of five

73 million dollars (\$5,000,000.00) or more may be modified by the city manager to a lesser
74 amount, such modification not to exceed twenty-five percent (25%) of the scheduled
75 fees provided the city manager determines the building project encourages economic
76 development and creation of jobs. Modifications of building permit fees and plan review
77 fees which exceed twenty-five percent (25%) of the scheduled fees shall be approved
78 by the city council. However, no modification of building permit fees and plan review
79 fees shall be made if: 1) the applicant utilizes other available tax incentives and/or 2) the
80 subject property is exempt from real estate taxation.

81 ~~107.2 of the Uniform Building Code is hereby amended to read as follows:~~

82 *Permit fees.*

83 *107.2 a.* The fee for each permit issued for work to be commenced within the City
84 of Topeka boundaries shall be as set forth in Table 1-A, except that commencing
85 January 1, 2004, all such fees in areas identified by the City Council shall be waived
86 provided the Joint Economic Development Organization reimburses the City of Topeka
87 for all such fees.

88 ~~*107.2 b.* An additional fee of twenty-five percent (25%) of the building permit fee~~
89 ~~as shown in Table 1-A shall be imposed for each permit issued for work to be~~
90 ~~commenced within these areas outside the City's boundaries and within the City's~~
91 ~~municipal service area as defined in Chapter 134.~~

92 *107.2 eb* The determination of value or valuation under any of the provisions of
93 this code shall be made by the building official. The value to be used in computing the
94 building permit and building plan review fees shall be the total value of all construction
95 work for which the permit is issued, as well as all finish work, painting, roofing, electrical,

96 plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other
97 permanent equipment.

98 *107.7 Elevators, dumbwaiters, escalators and moving walks inspection and*
99 *administrative fees.*

100 The following fees shall apply to inspections or certificates of elevators,
101 dumbwaiters, escalators and moving walks:

102 Annual passenger elevator certificate per unit: \$50.00

103 Annual freight elevator certificate per unit: \$50.00

104 Annual escalator certificate per unit: \$35.00

105 Annual dumbwaiter certificate per unit: \$20.00

106 Annual access lift certificate per unit: \$20.00

107 Full load test: \$200.00

108 Reinspection fee: \$50.00

109 *107.8 Administrative fees.* In addition to the permitting and other fees permitted
110 in this section, the following fees and charges for services shall also apply.

111 Certification of occupancy--Duplicate: \$50.00

112 Compliance letter: \$100.00

113 Flood plain verifications: \$30.00

114 Technology improvement for each permit or license: \$3.00

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

117 **Schedule of permit fees.**

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

119 A. On buildings, structures, electrical, gas, mechanical, and plumbing
 120 systems or alterations requiring a permit, a fee for each permit shall be paid as required,
 121 in accordance with the following schedule:

122 New construction (this includes all permit fees):

Type construction	Fee
Single-family and duplex	
0--1,500	\$480.00
1,501--3,000	\$660.00
3,001 and over	\$830.00

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124 Room additions (this includes all fees):

Area (sq. ft.)	Fee
0--100	\$ 40.00
101--250	\$75.00
251--500	\$125.00
501--750	\$200.00
751--1,000	\$275.00
1,001 or more	\$325.00

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126 Garage additions (this includes all fees):

Type	Fee
Single	\$50.00
Double	\$75.00

Triple	\$75.00
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128 Accessory structure: Only building fee: \$30.00.

129 Interior alteration (building fee only):

Cost	Fee
\$0.00--\$500.00	\$ 30.00
\$501.00--\$5,000.00	\$45.00
\$5,001.00--\$10,000.00	\$60.00
\$10,001.00 and over	\$100.00

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131 ~~B. An additional fee of twenty-five percent (25%) of the permit fee as shown~~
 132 ~~in subsection 108.2(A) shall be imposed for work to be commenced outside the city's~~
 133 ~~boundaries and within the city's municipal service area as defined in chapter 134.~~

134 GB. Working without permit. Whenever work that requires a permit has
 135 commenced without a permit, an additional investigation fee equal to the permit fee
 136 shall be collected.

137 Section 5. That City of Topeka Code §§ 26-58, 26-116, 26-139.1.5, and 26-
 138 298 are hereby specifically repealed.

139 Section 6. This ordinance shall take effect and be in force from and after its
 140 passage, approval and publication in the official City newspaper.

141 PASSED AND APPROVED by the City Council August 22, 2006.

142 CITY OF TOPEKA, KANSAS

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ATTEST:

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Iris E. Walker, City Clerk

William W. Bunten, Mayor