

THE INTERNATIONAL BUILDING CODE
ORDINANCE NO. 1872

An ordinance of the City of Russell adopting the 2012 edition of the *International Building Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Russell; providing for the issuance of permits and collection of fees therefor; and amending the existing Sections 4-101, 4-102 and 4-103 of the City Code.

BE IT ORDAINED BY The Governing Body of the City of Russell, Kansas:

SECTION 1. Section 4-101 of the Code of the City of Russell is hereby amended to read as follows:

4-101. Building code incorporated. That a certain model code, three (3) copies of which are on file in the office of the City Clerk of the City of Russell, being marked and designated as the *International Building Code*, 2012 edition, including Appendix Chapters B,C,D,E,F,G,H,I,J,K (see *International Building Code* Section 101.2.1, 2012 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Russell, Kansas; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Russell are hereby referred to, adopted, and incorporated herein by reference and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Sections 4-102 and 4-103, and as may herein be amended, revised or deleted in the manner prescribed by the Statutes of the State of Kansas. The code shall be made available for inspection by the public at all reasonable business hours. The filed copies of the code shall be marked or stamped "Official Copy as adopted by Ordinance No. 1872." All sections or portions of the filed copies of the code shall be clearly marked to show deletions, amendments and revisions of the code.

SECTION 2. Same; deletions. Section 4-102 of the Code of the City of Russell is hereby amended to read as follows: Deletions to the *International Building Code*, 2012 edition, incorporated by Section 4-101 are as follows:

- a. Section 105.5 Expiration of Permit. – See City Code Section 4-106
- b. Appendix A and Appendix B.

SECTION 3. Same, revisions. Section 4-103 of the Code of the City of Russell is hereby amended to read as follows: Revisions to the *International Building Code*, 2012 edition, incorporated by Section 4-101 are as follows:

- a. Section 101.1 Insert: City of Russell, Kansas for name of Jurisdiction.
- b. Section 1612.3. Insert: City of Russell, Kansas for name of Jurisdiction and December 18, 2001 as date of the Flood Insurance Study.
- c. Section 3412.2. Insert: October 20, 2015
- d. Section 903.2.1.3 Group A-3. Insert exception as follows:

A fire sprinkler system is not required for areas used primarily for religious purposes, where the exit discharge of the main floor area is located at the same level as the level of exit discharge of the main entrance and exit, regardless of the size of the fire area and the number of occupants, as long as the entire building where the space is located in is equipped throughout with a fully automatic fire alarm system.

e. Section 113. Board of Appeals is amended to read in full as follows:

The City governing body shall be the board of appeals. Any reference in the International Building Code to a board of appeals shall be construed to refer to the governing body. The governing body shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provision of the code do not fully apply or an equally good or better form of construction is proposed. The governing body shall have no authority to waive requirements of the code.

SECTION 4. That the existing Sections 4-101, 4-102 and 4-103 of the Code are hereby repealed and replaced as stated above.

SECTION 5. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Governing Body hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 6. That nothing in this legislation or in the Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 7. That the City Clerk is hereby ordered and directed to cause this ordinance to be published in the official city newspaper.

SECTION 8. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and publication as provided by law.

PASSED this 20th day of October, 2015 by the City of Russell, Kansas Governing Body.

APPROVED this 20th day of October, 2015 by the Mayor of the City of Russell, Kansas.


Raymond C. Mader, Mayor

ATTEST:



Katrina Woelk, City Clerk

