

ORDINANCE NO. 1958

AN ORDINANCE OF THE CITY OF RUSSELL ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL EXISTING BUILDING CODE* ESTABLISHING MINIMUM REQUIREMENTS FOR EXISTING BUILDING SYSTEMS USING PRESCRIPTIVE AND PERFORMANCE – RELATED PROVISIONS; PROVIDING CERTAIN PENALTIES AND ADDING ARTICLE 12 TO CHAPTER IV OF THE CODE OF THE CITY OF RUSSELL, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RUSSELL, KANSAS:

The Code of the City of Russell is hereby amended by adding Article 12 to Chapter IV which reads as follows:

Section 1. Section 12-1201. Existing Building Code incorporated. That certain model code, a copy of which is on file in the office of the city clerk of the City of Russell, being marked and designated as the International Existing Building Code 2018 edition, including all Appendix, as published by the International Code Council, Inc., 500 New Jersey Avenue, NW 6<sup>th</sup> Floor, Washington, KC 20001, be and is hereby incorporated by reference herein and made a part of this Article, save and except such portions as are hereinafter or may hereafter be amended, revised or deleted as authorized and in the manner prescribed by the statutes of the State of Kansas. No fewer than one (1) copy of the code incorporated by reference in this Article shall be kept on file in the office of the city clerk and kept available at reasonable business hours. The filed copies of the code shall be marked or stamped “official copy as Incorporated by Ordinance No. \_\_\_\_\_”. All sections or portions of the filed copies of the code shall be clearly modified to show deletions, amendments and revisions of the code.

Section 2. Section 12-1202. Same; Deletions. The following provisions are deleted from the International Existing Building Code, 2018 edition, incorporated by Section 12-1201:

(a) Section 105.5 Expiration of Permit is deleted – see City Code section 4-106

(b) Section 108.2 on Schedule of Permit Fees and Section 108.3 on Building Permit Valuations are deleted. See City Code Section 4-105 for permit fees.

Section 3. Section 12-1203. Revisions. Revisions to the International Existing Building Code, 2018 edition, incorporated by Section 12-1201 are as follows:

(a) Section 101.1 Insert “City of Russell, Kansas” as the name of the Jurisdiction

(b) Section 112 Board of Appeals is deleted in its entirety and replaced by the following:

Board of Appeals. The City governing body shall be the board of appeals. Any reference in the International Existing Building Code to the board of appeals shall be construed to refer to the City’s governing body. Applications for appeal shall be obtained from the code official and shall be filed with the code official within 20 days after Applicant’s receipt of a decision from which an appeal is taken. The governing body shall hear and decide appeals of orders, decisions or determinations made by the code 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 the requirements of this code are adequately satisfied by other means. The governing body shall have no authority to waive requirements of the code.

(c) Section 803.2 is supplemented to insert the following: “Section 803.2.5 Exception for Facilities Primarily used for religious purposes. 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 system.”

(d) Section 904.1 is supplemented to insert the following: “Section 904.1.5 Exception for Facilities Primarily used for religious purposes. 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 system.”

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance 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, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared unconstitutional.

Section 5. The City Clerk shall cause this Ordinance to be published in the official city newspaper.

Section 6. 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 publication in the official city newspaper.

PASSED this 16th day of March, 2021, by the City of Russell, Kansas, governing body.

APPROVED this 16th day of March, 2021, by the Mayor of the City of Russell, Kansas.

  
Jim Cross, Mayor

ATTEST:



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Katrina Woelk, City Clerk

