

ORDINANCE NO. 1933

AN ORDINANCE OF THE CITY OF RUSSELL ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL BUILDING CODE* ESTABLISHING MINIMUM STANDARDS FOR BUILDING SYSTEMS USING PRESCRIPTIVE AND PERFORMANCE – RELATED PROVISIONS; PROVIDING CERTAIN PENALTIES AND AMENDING SECTIONS 4-101 THROUGH 4-103 OF THE CODE OF THE CITY OF RUSSELL, KANSAS

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

Section 1. Section 4-101. 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 Building Code 2018 edition, including Appendix Chapters C through K inclusive, as published by the International Code Council, Inc., 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. 1933”. 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. Same; Deletions. The following provisions are deleted from the International Building Code, 2018 edition, incorporated by Section 4-201:

- (a) Section 105.5 Expiration of Permit is deleted – see city code section 4-106
- (b) Chapter 13 on Energy Efficiency is deleted in its entirety
- (c) Appendix A, Appendix B, and Appendix L through N inclusive are deleted.

Section 3. Revisions. Revisions to the International Residential Code, 2018 edition, incorporated by Section 4-201 are as follows:

- (a) Section 101.1 Insert City of Russell, Kansas as the name of the Jurisdiction
- (b) Section 113 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 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 building official and shall be filed with the building 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 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 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 903.2.1.3 Group A-3. Insert the following exception: 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 1612.3. Insert. City of Russell, Kansas for name of the jurisdiction and December 8, 2001 as the date of the Flood Insurance Study.

Section 4. Sections 4-101 through 4-103 of the Code of the City of Russell are repealed and replaced as stated herein.

Section 5. 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.

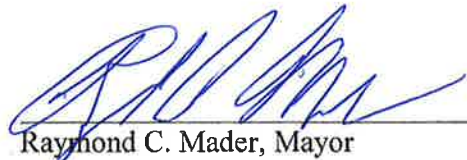
Section 6. Nothing in this ordinance or in the International Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby 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 ordinance.

Section 7. The City Clerk is hereby ordered and directed to cause this Ordinance to be published in the official city newspaper.

Section 8. 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 21st day of May, 2019, by the City of Russell, Kansas, governing body.

APPROVED this 21st day of May, 2019, by the Mayor of the City of Russell, Kansas.



Raymond C. Mader, Mayor

ATTEST:



Katrina Woelk, City Clerk

