

ORDINANCE NO. G-2864

AN ORDINANCE OF THE CITY OF ANTHONY, KANSAS PROVIDING FOR A SIX (6) MONTH MORATORIUM ON THE REQUIREMENT OF INSPECTIONS FOR VERIFICATION OF BUILDING CODE COMPLIANCE AND THE REQUIREMENT TO SUBMIT CONSTRUCTION PLANS ON COMMERCIAL AND INDUSTRIAL DEVELOPMENT.

WHEREAS, in 2013, the City of Anthony adopted Ordinance G-2786 and G-2805 amending building and construction code requirements of the City of Anthony, Kansas; and

WHEREAS, a portion of Article 7-1(F) of the Unified Development Code states, “A building permit shall not be issued unless sealed construction plans are submitted for commercial and industrial construction (electrical, plumbing, construction, and mechanical)”;

WHEREAS, the City of Anthony has adopted by Ordinance G-2851 standards known as the “Building Codes” to provide 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 and demolition of buildings and structures unfit for human occupancy and use are adequately regulated for the safety of the people and property of the City; and

WHEREAS, City of Anthony is currently staffed without and has been unable to fill a position that includes a qualified building inspector to perform the inspections required in Ordinance G-2786 and G-2805; and

WHEREAS, the governing body of the City of Anthony, Kansas has become aware of the need to evaluate the building code enforcement requirements and procedures as currently adopted to determine if said requirements and procedures are still in the best interest of the citizens of the City of Anthony; and

WHEREAS, the governing body of the City of Anthony, Kansas will need sufficient time for research and consultation to ensure that an informed decision can be reached in regard to the building code enforcement requirements and procedures, and effective conclusions can be made on behalf of the City; and

WHEREAS, the absence of existing qualified staff to inspect building construction and review construction plans combined with the time needed to determine the best long term building code compliance process for the City of Anthony has demonstrated a need to place a temporary moratorium on the requirement of building code inspections and sealed construction plan submission; and

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANTHONY, KANSAS:

Section 1. Building Code Compliance Inspections Temporarily Suspended

The Governing Body of the City of Anthony, Kansas hereby temporarily suspends the requirement for building code inspections by placing a moratorium on the inspection requirements created by Ordinance G-2786 and G-2805, to ensure compliance with the Building Codes adopted in Ordinance G-2851. This moratorium shall not apply to any other compliance inspections required by the codes and ordinances of the City of Anthony, Kansas.

Section 2. Sealed Construction Plan Submittal Temporarily Suspended

The Governing Body of the City of Anthony, Kansas hereby temporarily suspends the specific requirement to submit sealed construction plans for review prior to a permit being approved as required in the Unified Development Code Article 7-1(F).

Section 3. Building Codes Compliance and Permits Still Required.

All construction, reconstruction, and or repair work performed in the City of Anthony, Kansas during the period of this moratorium must follow all requirements of the Building Codes as identified in Ordinance G-2851. All general, electrical, plumbing, mechanical, and limited contractors must still be licensed with the City of

Anthony. Permits are required to be completed and approved prior to start of any construction in which permits are required per the City Code.

Section 4. All Ordinances and City Code Requirements Still in Affect.

This moratorium herein is temporary and does not constitute a development regulation or revise or amend any existing City Codes or Ordinances. The temporary suspension of the requirement to perform building code compliance inspections as required by Ordinance G-2786 and G-2805 and to submit sealed construction plans for permit approval as required by Unified Development Code Article 7-1(F) shall not release, extinguish, alter, modify, or change, in whole or in part, any other requirements of the remaining sections of the buildings and construction codes or any other Ordinances of the City of Anthony, Kansas.

Section 5. Term.

The moratorium imposed by this ordinance shall expire six (6) months after the effective date, unless sooner repealed.

Section 6. Effective Date. This ordinance shall take effect after its passage and one publication in the official city newspaper.

Passed by the City Commission on this 16th day of August, 2022.

ATTEST
(SEAL)

Gregory Cleveland, Mayor

Cyndra Kastens, City Clerk/Administrator