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ORDINANCE NO. 2026-07-_____

AN ORDINANCE ADOPTING THE 2023 NEC & 2024 ICC CODE EDITIONS, MODIFYING MUNICIPAL CODE PART II, CHAPTER 14 CONCERNING BUILDINGS AND BUILDING REGULATIONS, AND REPEALING ORDINANCE NO. 2024-11-4623 TO SO REFLECT.

WHEREAS, in 2018 the city adopted the 2015 Edition of the International Code Council codes and the 2014 Edition of the National Electrical Code and these codes have become outdated and must be revised from time to time; and

WHEREAS, the International Code Council (ICC) has adopted a 2024 Edition of its codes with appropriate technological and legal changes and the city wishes to adopt them as well with local amendments; and,

WHEREAS, the National Electrical Code (NEC) has adopted a 2023 Edition of its codes with technological and legal changes and the city wishes to adopt them as well with local amendments, and,

WHEREAS, the existing Municipal Code regarding these codes has become cumbersome and the city desires to adopt said codes with a clean slate; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, desires to amend Arkansas City Municipal Code to accomplish these aforestated goals by adopting new sections of as noted below.

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

SECTION ONE: REPEAL

Ordinance 2024-11-4623 which includes Municipal Code Sections 14-40 through 14-51 are hereby repealed in full.

SECTION TWO: NEW MUNICIPAL CODE SECTION 14-40.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-40 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-40. - Adoption.

A. The city adopts by reference the following codes, as amended by this chapter:

(1) International Building Code, 2024 Edition (hereafter "International Building Code"), for regulating and governing conditions and maintenance of all property, buildings and structures, including Appendices; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure the 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, including amendments as set out in section 14-43 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

(2) International Residential Code for One- and Two-Family Dwellings, 2024 Edition, including Appendices (hereafter "International Residential Code"), for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress, including amendments as set out in section 14-44 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

i. The following is also adopted to Comply with the Kansas By-Right Housing Development Act of 2026:

International Residential Code for One- and Two-Family Dwellings, 2018 Edition, including Appendices (hereafter "International Residential Code"), for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress, including amendments as set out in section 14-44 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

(3) International Plumbing Code, 2024 Edition, including Appendices (hereafter "International Plumbing Code"), regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems, including amendments as set out in section 14-45 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

(4) International Property Maintenance Code, 2024 Edition (hereafter "International Property Maintenance Code"), regulating and governing the maintenance of existing buildings, including amendments as set out in section 14-46 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

(5) International Fuel Gas Code, 2024 Edition, including all Appendices (hereafter "International Fuel Gas Code"), regulating and governing fuel gas systems and gas-fired appliances, including amendments as set out in section 14-47 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

(6) NFPA 70: The National Electrical Code, 2023 Edition, including Informative Annex H (Article 80), (hereafter "National Electrical Code"), including amendments as set out in section 14-48 (published by the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169-7471); and the corresponding National Electrical Code Handbook, Library of Congress;

(7) International Mechanical Code, 2024 Edition, including Appendices (hereafter "International Mechanical Code"), regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, and addition to, use or maintenance of mechanical systems, including amendments as set out in section 14-49 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

(8) International Existing Building Code, 2024 Edition, including its Appendix (hereafter "International Existing Building Code"), regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, including amendments as set out in section 14-50 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795);

(9) International Private Sewage Disposal Code, 2024 Edition (hereafter "International Private Sewage Disposal Code"), regulating design, installation and inspection of private sewage disposal systems, including amendments as set out in section 14-51 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795); and

(10) International Fire Code, 2015 Edition (hereafter "International Fire Code"), including Appendices B, C, D, F and I, and also including amendments as set out in section 34-20 (published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795).

B. At least one copy of the above-referenced codes shall be maintained on file at City Hall, 118 W. Central Ave., Arkansas City, KS 67005, and may be inspected during regular business hours, the same being adopted as if set out at length herein.

SECTION THREE: NEW MUNICIPAL CODE SECTION 14-41.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-41 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-41. - Application.

A. The provisions of the adopted codes shall apply to the construction, alteration, moving of buildings, demolition, repair and use of any building or structure within the city, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated by code, and hydraulic flood control structures.

B. Master production plans, those submitted to the city for reuse on a minimum of four structures, must comply with the provisions in this code. One copy of an engineer-stamped truss design and one engineer-stamped plan set, along with one electronic copy of each, is required for all master production plans.

SECTION FOUR: NEW MUNICIPAL CODE SECTION 14-42.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-42 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-42. - Administration.

The following shall supplement the administration section in each of the following codes: International Building Code, International Residential Code for One- and Two-Family Dwellings (hereafter referred to as the International Residential Code), International Mechanical Code, International Plumbing Code, International Existing Building Code, and International Fuel Gas Code. Any reference to jurisdiction shall mean the City of Arkansas City, Kansas; any reference to the appointed authority shall mean the city manager (or his or her designee). All references to code enforcement officer, code official, or building official shall be considered the city manager's designee.

A. **Generally**.

(1) **Title.** The regulations contained herein and contained in the codes adopted under Municipal Code Section 14-40, and the other provisions of this chapter, shall be known collectively as the "city building code," may be cited as such and are referred to in this chapter as "the code."

(2) **Referenced codes and standards.** Where differences occur between stated provisions of this chapter, and codes and standards adopted by reference, the stated provisions of this chapter shall apply. The provisions of the International Plumbing Code and the International Mechanical Code shall apply to the installation of the plumbing and mechanical systems and shall be considered as the specific code. To the extent a conflict exists between the International Residential Code and the International Plumbing Code, the International Mechanical Code, and the International Fuel Gas Code, the International Residential Code as amended by the city shall apply.

Exception: When enforcement of a code provision violates the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

(3) **Electrical.** The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. To the extent a conflict exists between the International Residential Code and the National Electrical Code, the National Electrical Code as adopted and amended by the city shall apply.

(4) **Private sewage disposal.** Where provisions of the International Private Sewage Disposal Code are applicable, the same shall reference the Private Sewage Disposal section of the International Plumbing Code.

B. **Applicability; general.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. The code enforcement officer (and his or her designee), is authorized and directed to enforce the provisions of this code, render interpretations, and adopt policies and procedures in order to clarify the application of the codes' provisions. Such interpretations and policies shall not have the effect of waiving requirements specifically provided for in this code.

C. **Permits.**

(1) **Contractor of responsibility; licensing; fees.** On construction projects that have multiple trades, each permit must be applied for by and issued to each trade individually. All building, electrical, plumbing and mechanical contractors shall be licensed by the city, and identified on the permit application by name and license number. Fees shall be charged by full valuation of all work to be performed.

(2) **Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code enforcement officer is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(3) **Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any provisions of this code or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinance of the city shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the code enforcement officer from requiring the correction of errors in the construction documents and other data. The code enforcement officer also is authorized to prevent occupancy or use of the structure when it is in violation of this code or of any other ordinances of this city.

(4) **Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 consecutive days. Work shall be deemed suspended or abandoned if no inspections for work completed have occurred within such 180-day period. The code enforcement officer is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Upon expiration of such extended period, the applicant shall not proceed with any work on the site until such time as the applicant receives a new building permit, which will require the applicant to submit a new, complete building permit application, along with payment of all fees necessary. Any fee refund for the fees paid under the expired building permit shall be made pursuant to Section 108.6 of the International Building Code.

D. **Fees.**

(1) **Payment of fees.** A permit shall not be valid until the fees as set by resolution of the board of city commissioners have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

(2) **Plan review fee.** When submittal documents are required by this code, a nonrefundable plan review fee deposit shall be paid at the time of submitting those documents for plan review. Said plan review fee shall be 65 percent of the building permit fee, or actual costs for outsourced review may be charged.

i. After plan review is completed, a credit or debit shall be applied to the building permit as required.

ii. The plan review fee is separate from and is in addition to the permit fee.

iii. When submittal documents are incomplete or changed so as to require additional plan reviews, or when the project involves deferred submittal items, an additional plan review fee shall be paid.

(3) **Building permit valuations.** The building permit valuation shall be determined by the code enforcement officer based upon national valuation tables and/or other relevant documentation. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing, equipment and permanent systems. The applicant for the permit shall provide an estimated permit valuation at the time of application. If, in the opinion of the code enforcement officer, the valuation is underestimated, the permit shall be denied unless the applicant can provide detailed documentation to support such valuation.

(4) **Investigation fees; work without a permit**.

i. **Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

ii. **Fee.** An investigation fee shall be paid by the person commencing the work, whether or not a permit is issued then or subsequently.

iii. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code, such as obtaining a permit, or from any penalty prescribed by law.

(5) **Fee refunds.** The code enforcement officer may authorize refunding of any fee which was paid or collected erroneously.

i. The code enforcement officer may authorize refunding of not more than 80 percent of the building permit fee paid when no work has been done under a permit issued in accordance with this code or when the building permit has expired.

ii. The code enforcement officer may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

iii. The code enforcement officer shall not authorize a refund of any fee paid except upon written application filed by the original applicant not later than 180 days after the date of fee payment.

E. **Inspections.**

(1) **Generally.** All construction or work for which a permit is required shall be subject to inspection by the code enforcement officer, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the code enforcement officer. In addition, certain types of construction shall have continuous inspection as specified in International Building Code Chapter 17, entitled "Special Inspections and Tests."

(2) **Required inspections; rough inspections.**

i. **Temporary electric construction meter**. This inspection is to be made after all wiring installations have been made as required in National Electrical Code Article 590, entitled "Temporary Installations," including specific installation requirements of Evergy or other local electric provider.

ii. **Zoning/building code setbacks**. A location/elevation certification survey may be required prior to concrete placement. This certification from a registered design professional must be available at rough inspections.

iii. **Trenches, footings, pads and caissons.** This inspection is to be made after trenches are excavated, forms are erected and steel is in place, and prior to placement of

concrete. Except as otherwise stated herein, the code enforcement officer shall perform all inspections required by this code. In some cases, this code requires on-site observation and a stamped written report by a registered design professional when plans call for drilled piers (caisson) construction or other specialty inspections. Observation of the preparation, reinforcement and placement shall be described in detail in the written report as prepared by a registered design professional retained by the permittee.

iv. **Third-party inspections.**

1. **Foundation walls and/or grade beams steel reinforcement.** This inspection is to be made after all forms are erected and steel is in place, and prior to placement of concrete. The registered design professional of record may perform this inspection with prior approval of the code enforcement officer.
2. **Damp-proofing of footing and foundation and/or grade beams of basement walls**. The registered design professional of record may, with prior approval of the code enforcement officer, perform this inspection, which must be completed prior to backfilling.
3. **Electrical; underground.** Within a building, this inspection is to be made prior to backfilling and/or pouring concrete floor.
4. **Water service line.** This inspection is to be made prior to backfilling. Test and inspections shall be in accordance with International Plumbing Code. Water lines must be inspected by the code enforcement officer or, with his or her prior approval, third-party inspections on forms provided by the city.

v. **Inspections in geologic hazard areas.** At the completion of rough grading and/or foundation excavation, and prior to the construction of retaining walls, footings or bearing caissons, a soil engineer and/or an engineering geologist, within their respective fields of competency, shall inspect the site at the applicant's expense and render opinions, in writing, to the code enforcement officer concerning the soil and geologic conditions actually encountered, and that all known geologic hazards or constraints have been taken into account in the design of the facility.

vi. **Re-inspection.** The permittee must pay a re-inspection fee for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

1. Re-inspection fees are not required the first time a job is rejected for failure to comply with the requirements of this code, but instead shall apply to control the practice of calling for inspections before the job is ready for such inspection or re-inspection.
2. Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the code enforcement officer.
3. In instances when re-inspection fees are assessed, no additional inspection of the work will be performed until the required fees have been paid. A receipt of payment must be posted or available before receiving additional inspections.

F. **Certificate of occupancy.** No building or structure shall be used or occupied and no change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until the code enforcement officer has issued a certificate of occupancy.

G. **Temporary certificate of occupancy.**

(1) **Temporary occupancy.** The code enforcement officer is hereby authorized to issue a temporary certificate of occupancy (TCO) before completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely and there will be no danger to the public. The code enforcement officer shall set a time period during which the TCO is valid. The full certificate of occupancy (CO) must be obtained prior to the expiration of the TCO. If the conditions of the TCO are not met and a CO is not obtained, the right to occupy immediately ceases and the premises must be vacated.

(2) **Certificate of compliance.** When permitted work is not designed for occupancy, upon proper project completion, the code enforcement officer shall issue a certificate stating that materials and products meet specified standards or that work was done in compliance with approved construction documents.

SECTION FIVE: NEW MUNICIPAL CODE SECTION 14-43.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-43 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-43. - Amendments to the International Building Code.

A. The following amendments, additions and deletions are made to the International Building Code:

(1) Section 101.1 Title is amended by inserting: *City of Arkansas City, Kansas*.

(2) Section 101.4.6 Energy is deleted in its entirety.

(3) Section 105.2 is amended:

i. Item 1 is amended to read: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than ~~120 square feet (11 m^2)~~ *200 square feet (18.58 m^2).*

ii. Item 2 is deleted.

(4) Section 109.2 is amended to read: Where a permit is required, a fee for each permit shall be paid as required in accordance with the ~~schedule as established by the applicable governing authority~~ *Arkansas City Comprehensive Fee Schedule.*

(5) Section 113.1 is amended by inserting: *The Building Trades Board of the City of Arkansas City, Kansas is hereby appointed as the board of appeals to hear any appeals made of decisions of the building official or code enforcement officer.*

(6) Section 1612.3 is amended by inserting: *City of Arkansas City, Kansas* and *October 19, 2010.*

SECTION SIX: NEW MUNICIPAL CODE SECTION 14-44.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-44 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-44. - Amendments to the International Residential Code.

A. The following amendments and additions are made to the International Residential Code:

(1) Section R101.1 is amended by inserting: *City of Arkansas City, Kansas*.

(2) Section R108.2 is amended by inserting: *See Arkansas City Comprehensive Fee Schedule for applicable fee schedule.*

(3) Section R112.1 is amended by inserting: *The Building Trades Board of the City of Arkansas City, Kansas is hereby appointed as the board of appeals to hear any appeals made of decisions of the building official or code enforcement officer.*

(4) Section R301.2 Climatic and Geographic Design Criteria. Table R301.2(1) is amended to read as the following Table:

Table R301.2 Climatic and Geographic Design Criteria

Roof snow load	15 lbs./sq. ft.

Wind speed	Less than 115 MPH
Seismic design category	A
Weathering	Severe
Frost line depth	24 inches
Termite hazard	Moderate to heavy
Decay hazard	Slight to moderate
Winter design temperature	0 Degrees
Ice shield underlayment required	No
Flood hazard criteria	FIRM; October 19, 2010
Air freezing index	600
Mean annual temperature	58 degrees Fahrenheit

(5) Section R309 Automatic Fire Sprinkler Systems is amended by replacing instances of the word "shall" with the word "may" in Sections R309.1 and R309.2.

(6) Section R905.2.1 Sheathing requirements is amended to read as follows: Asphalt shingles shall be fastened to wood structural panels or solid lumber sheathing. *Solid lumber sheathing shall be defined as 4 foot by 8 foot sheets of plywood, orientated strand board (OSB) or composite panels of minimum thickness per Table R503.2.1.1(1) Allowable Spans and Loads for Wood Structural Panels for Roof and Subfloor Sheathing and Combination Subfloor Underlayment or well-seasoned tongue-and-groove boards, not over 6 inches in nominal width and shall be 1 ¼ inch nominal minimum thickness and properly spaced and nailed.*

(7) Chapter 11 Energy Efficiency is deleted in its entirety.

(8) Section M1411.5 Locking access port caps is deleted in its entirety.

(9) Section G2414.5.2 (403.5.2) Copper or copper-alloy tubing is deleted in its entirety.

(10) The last sentence in Section P2603.5.1 is amended by inserting the number "12 inches" and again "12 inches".

(11) Section P2902.5.3 Lawn irrigation systems is amended by adding the following sentence: Maintenance of any atmospheric vacuum breaker, pressure vacuum breaker assembly or reduced pressure principal backflow prevention assembly shall be performed annually by a certified backflow prevention contractor. Proof of such annual maintenance shall be provided to the city within 60 days of notice being issued to the property owner. If such proof is not provided within the specified time frame, the city shall hire a certified backflow prevention contractor to perform such maintenance to the city's satisfaction, at the owner's expense.

(12) Section P2906.4 is amended by adding a new section: Section 2906.4.2 Tracer wire: For the purpose of locating the building service lines, all new or replacement installations using non-metallic pipe or tubing shall have a #12 THHW copper conductor, or equivalent, tracer wire installed with the service line. The tracer wire shall be installed as follows: For water lines, the tracer wire shall extend six (6) inches above the meter box cover through the meter box to the point of entry into the building, where it shall be connected to a one-half (½) pound anode or larger. For yard hydrants, the tracer wire shall extend six (6) inches above the surface of the ground at the backflow device to the point of connection to the water service, where it shall be connected to an existing tracer wire or grounded to a one-half (½) pound anode or larger. For lawn sprinklers, the tracer wire shall extend six (6) inches above the surface of the ground at the backflow prevention device to the point of connection to the water service, where it shall be connected to an existing tracer wire or grounded to a one-half (½) pound anode or larger.

Exception: The tracer wire may be omitted on lawn sprinkler piping installed after the backflow prevention device located on private property.

(13) The last sentence in Section P2906.4.1 Separation of water service and building sewer is amended to read: *The required separation distance shall not apply where the bottom of the*

water service pipe that is located within 5 feet (1524 mm) of the sewer is not less than ~~12 inches (305 mm)~~ 24 inches (610 mm) above the highest point of the top of the building sewer.

(14) Section P3002.2 Building Sewer is amended by adding a new section: Section P3002.2.2 Tracer wire: For the purpose of locating building sewers, all new installation and replacements shall have a #12 THHW copper conductor or equivalent tracer wire installed with the sewer line. The tracer wire shall extend six (6) inches above the surface of the ground at the cleanout to the tap, where it shall be connected to an existing tracer wire or grounded to a one-half (½) pound anode or larger at the sewer tap or at the downstream end of the replaced sewer line.

B. In situations where new housing construction meets the definition of by-right housing development as defined by the "By-Right Housing Development Act" as adopted by Senate Bill 418 in the 2026 Session of the Kansas Legislature, the 2018 International Residential Code as cited in Municipal Code Section 14-40 shall apply. This code shall only be used in situations where it is more permissive than the 2024 International Residential Code and where it shall be required by said act.

SECTION SEVEN: NEW MUNICIPAL CODE SECTION 14-45.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-45 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-45. - Amendments to the International Plumbing Code.

A. The following amendments and additions are made to the International Plumbing Code:

(1) Section 101.1 is amended by inserting: City of Arkansas City, Kansas.

(2) Section 103.1 is amended by inserting: Community Development Division

(2) Section 108.2 is amended by inserting: See Arkansas City Comprehensive Fee Schedule for applicable fee schedule.

(3) Section 112.1 is amended to read: The Building Trades Board of the City of Arkansas City, Kansas (The Board) is hereby appointed as the appeals board to hear any appeals made of decisions of the city code official.

(4) Section 112.2 is amended to read: The Board may modify or reverse the decision of the city code official by a majority vote of a quorum.

(5) Section 114.4 is amended to read as follows: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of the code, shall subject to penalties as prescribed by law.

(6) Section 305.4.1 is amended by inserting the number "12" and again "12".

(7) Section 603 is amended by adding: Section 603.3 Tracer wire: For the purpose of locating building sewer lines, all new and replacement installations using non-metallic pipe or tubing shall have a #12 THHW copper conductor or equivalent tracer wire installed with the service line. The tracer wire shall be installed as follows:

Water line: The tracer wire shall extend from six (6) inches above the meter box cover through the meter box to the point where it enters the building, where it shall be connected to a one half (1/2) pound anode or larger.

Yard hydrant: The tracer wire shall extend six (6) inches above the surface of the ground at the yard hydrant to a point of connection to the water service, where it shall be connected to an existing tracer wire or grounded to a one half (1/2) pound anode or larger.

Lawn sprinkler: The tracer wire shall extend from six (6) inches above the surface of the ground at the backflow prevention device to a point of connection to the water service, where it shall be connected to an existing tracer wire or grounded to a one half (1/2) pound anode or larger.

Exception: The tracer wire may be omitted on the lawn sprinkler piping installed after the backflow prevention device located on private property.

(8) Section 608.1 is amended by adding: In addition to the requirements covered by this section, all water supply systems connected to a public water system shall comply with Municipal Code Chapter 62 Article II Division 2 Waterworks Cross-Connection Control Sections 62-67 through 62-72

(9) Section 608.17.5 Connection to lawn irrigation systems is amended by adding the following sentence: Maintenance of any atmospheric vacuum breaker, pressure vacuum breaker assembly or reduced pressure principal backflow prevention assembly shall be performed annually by a certified backflow prevention contractor. Proof of such annual maintenance shall be provided to the city within 60 days of notice being issued to the property owner. If such proof is not provided within the specified time frame, the city shall hire a certified backflow prevention contractor to perform such maintenance to the city's satisfaction, at the owner's expense.

(10) Section 703 is amended by adding a new section:

Section 703.7 Tracer wire: For the purpose of locating building sewers, all new installations and replacements shall have a #12 THHW or equivalent tracer wire installed with the sewer. The tracer wire shall extend from the surface of the ground at the cleanout to the tap, where it shall be connected to an existing tracer wire or grounded to a one half (1/2) pound anode or larger.

(11) Section 715.1 Sewage backflow is amended to read: All new or replacement building sewer shall include a backflow prevention device. The backflow prevention device shall be installed as close to the building as is practical and upstream of the cleanout and shall be made accessible for periodic cleaning and maintenance by the building owner.

Section 715.1.1 Existing building sewers: When repairs to an existing building include the removal or replacement of 5 feet of drain line and/or installation of a cleanout, the backflow prevention device shall be installed as close to the building as practical and upstream of the cleanout.

Exception: A backflow prevention device may only be omitted if approved by the authority having jurisdiction.

(12) Section 903.1 amended by inserting "6".

SECTION EIGHT: NEW MUNICIPAL CODE SECTION 14-46.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-46 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-46. - Amendments to the International Property Maintenance Code.

A. The following amendments and deletions are made to the International Property Maintenance Code:

(1) Section 101.1 is amended by inserting: City of Arkansas City, Kansas.

(2) Section 103.1 is amended by inserting: Community Development Division

(3) Section 109.4.1 Form is amended to comply with K.S.A. 12-1617f by inserting (7):

(7) Comply with other provisions of K.S.A. 12-1617(f), if the city intends to assess the costs of weed abatement to the parcel.

(4) Section 302.4 is amended by inserting: 8 inches.

(5) Section 304.14 is amended by inserting: January 1, December 31.

(6) Section 304.13.3 is added to read as follows:

304.13.3. Replacing or removing:

i. All window frames or other openings in the wall of a structure for a window (hereafter collectively referred to as "window frame") shall be filled, in compliance

with applicable building and housing codes, with material capable of closing and sealing the entire window frame to prevent access to the structure by pests, rodents, insects, birds or other animals.

ii. When removing or replacing material, including but not limited to glass, wood products, metal or corrugated filler, within any window frame, the material shall be replaced with a material capable of closing and sealing the entire window opening, and consisting of:

1. A rigid and transparent material, excluding Plexiglas;
2. A decorative or tinted pane or panes of glass; or
3. The same material as contained in the original construction of the structure, or a modern, improved material that has the same appearance as that used in the original construction.

iii. If otherwise in compliance with applicable building and zoning codes, in lieu of the requirements set forth above, windows may be removed permanently by closing the opening with the same material and color as the surrounding exterior of the building, so that the wall does not appear to contain the window and window frame. If the same material and color are not available, the code enforcement officer may, upon written request, approve an alternative material and/or color that meets the intent and objective of this section.

(7) Section 602.3 is amended by inserting: January 1, December 31.

(8) Section 602.4 is amended by inserting: January 1, December 31.

SECTION NINE: NEW MUNICIPAL CODE SECTION 14-47.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-47 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-47. - Amendments to the International Fuel Gas Code.

A. The following amendments and additions are made to the International Fuel Gas Code:

(1) Section 101.1 is amended by inserting: City of Arkansas City, Kansas.

(2) Section 108.2 is amended by inserting: See Arkansas City Comprehensive Fee Schedule for applicable fee schedule.

(3) Section 112.1 is amended to read: The Building Trades Board of the City of Arkansas City, Kansas (The Board) is hereby appointed as the appeals board to hear any appeals made of decisions of the city code official.

(4) Section 113.4 is amended to read as follows: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of the code, shall be subject to penalties as prescribed by law.

(5) Section 406.1.4 Section Testing is amended by deleting the sentence: A valve shall not be used as a bulkhead between gas in one section of the piping system and test medium in an adjacent section, except where a double block and bleed valve system is installed.

SECTION TEN: NEW MUNICIPAL CODE SECTION 14-48.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-48 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-48. - Amendments to the National Electrical Code.

A. The following amendments and additions are made to the National Electrical Code:

(1) Article 80 Administration and Enforcement (Annex H)

i. Article 80.15 (A) through (F) is deleted and amended to read: The Building Trades Board of the City of Arkansas City, Kansas (The Board) is hereby appointed as the appeals board to hear any appeals made of decisions of the city code official.

ii. Article 80.19 (F) (3) is amended by inserting: 2 business.

iii. Article 80.23 (B)(3) is amended by to read: Any person, firm, or corporation who shall willfully violate any of the applicable provisions of this article shall subject to penalties as prescribed by law.

iv. Article 80.25 (C) is amended by inserting: 2.

v. Article 80.27 is deleted in its entirety.

vi. Article 80.29 is amended by inserting: jurisdiction.

vii. Article 80.35 is amended by inserting: thirty, 30.

SECTION ELEVEN: NEW MUNICIPAL CODE SECTION 14-49.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-49 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-49. - Amendments to the International Mechanical Code.

A. The following amendments and additions are made to the International Mechanical Code:

(1) Section 101.1 is amended by inserting: City of Arkansas City, Kansas

(2) Section 103.1 is amended by inserting: Community Development Division

(2) Section 108.2 is amended by inserting: See Arkansas City Comprehensive Fee Schedule for applicable fee schedule.

(3) Section 112.1 is amended to read: The Building Trades Board of the City of Arkansas City, Kansas (The Board) is hereby appointed as the appeals board to hear any appeals made of decisions of the city code official.

(4) Section 114.4 Section is amended to read as follows: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of the code, shall be subject to penalties as prescribed by law.

(5) Section 1101.9 Locking-access port cap is deleted in its entirety.

SECTION TWELVE: NEW MUNICIPAL CODE SECTION 14-50.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-50 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-50. - Amendments to the International Existing Building Code.

A. The following amendments and additions are made to the International Existing Building Code:

(1) Section 101.1 is amended by inserting: City of Arkansas City, Kansas.

(2) Section 103.1 is amended by inserting: Community Development Division

(3) Section 108.2 is amended by inserting: See Arkansas City Comprehensive Fee Schedule for applicable fee schedule.

(4) Section 112.3 is amended by inserting: The Building Trades Board of the City of Arkansas City, Kansas (The Board) is hereby appointed as the appeals board to hear any appeals made of decisions of the city code official.

SECTION THIRTEEN: NEW MUNICIPAL CODE SECTION 14-51.

The Governing Body of the City of Arkansas City, Kansas, hereby inserts Section 14-51 of the Arkansas City Municipal Code to read as follows (deleted provisions struck through; new provisions in italics):

Sec. 14-51. - Amendments to the International Private Sewage Disposal Code.

A. The following amendments and additions are made to the International Private Sewage Disposal Code:

(1) Section 101.1 is amended by inserting: City of Arkansas City, Kansas.

(2) Section 101.3 is amended to read: When a private sewage disposal system fails and the public sewer is available within 300 feet, as provided in Section 62-229(d), the private disposal system shall be abandoned and an approved connection to the public sewer shall be completed, unless otherwise approved by the city engineer or his or her designee.

(3) Section 106.2 is amended by inserting: See Arkansas City Comprehensive Fee Schedule for applicable fee schedule.

(4) Section 112.2 is amended to read: The Building Trades Board of the City of Arkansas City, Kansas (The Board) is hereby appointed as the appeals board to hear any appeals made of decisions of the city code official.

SECTION FOURTEEN: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the Mayor and/or City Manager of the City of Arkansas City, Kansas, to take such further and other necessary actions that are required to effectuate the intent and purposes of this legislative enactment.

SECTION FIFTEEN: PUBLICATION; EFFECTIVE DATE. This ordinance, or a summary thereof, shall be published one time in the official City newspaper, and shall take effect and be in force from and after the date of said publication.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas, on this 7th day of July 2026.

(Seal)

_____
Tad Stover, Mayor

ATTEST:

_____
Tiffany Parsons, City Clerk

APPROVED AS TO FORM:

_____
Larry R. Schwartz, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2026-07-____ of the City of Arkansas City, Kansas, adopted by the Governing Body thereof on July 7, 2026, as the same appears of record in my office.

DATED: _____.

_____
Tiffany Parsons, City Clerk