

**CITY OF CHERRYVALE  
ORDINANCE INCORPORATING INTERNATIONAL CODES BY  
REFERENCE AND REGULATING THE SALARY AND DUTIES OF THE  
BUILDING INSPECTOR**

**ORDINANCE NO. 17-4679**

An ordinance regulating the construction, use, and condition of structures within the corporate limits of the City of Cherryvale, Kansas, and prescribing the salary and duties of the City of Cherryvale's building inspector; incorporating by reference the "International Building Code, 2015 Edition", "International Residential Code, 2015 Edition", "International Fire Code, 2015 Edition", "International Plumbing Code, 2015 Edition", "International Existing Building Code, 2015 Edition", "National Electric Code, 2015 Edition"; and amending sections 5-703.

**BE IT ORDAINED** by the Governing Body of the City of Cherryvale:

**5-701. BUILDING INSPECTOR; SALARY.** There is created and established for the city the office of building inspector. The City Administrator shall appoint the city building inspector, who may be terminated with or without cause by the City Administrator. The salary of the building inspector shall be annually adopted by resolution.

**5-702. BUILDING INSPECTOR; DUTIES.** The duties of the building inspector shall be to approve or disapprove all applications for building permits which may be filed; to inspect all new structures erected within the city and any established structures to which his attention may be directed, and to report to the office of the city administrator any deviations from, or violations of, the ordinances of the city relating to the location, construction, or use of same, together with his recommendations thereon.

**5-703. INTERNATIONAL CODES ADOPTED.** The following International and model codes are hereby adopted and incorporated by reference into the ordinances of the City of Cherryvale, save and except such articles, sections, parts or portions as are hereafter modified, changed, or repealed. Not less than one copy of each incorporated code shall be marked "Official Copy as incorporated by **2015 Code, Section 5-703, as Amended**". A copy of this section shall be attached to official copies of all adopted uniform and model codes. Violation of any provision contained in a code incorporated by this section shall be a class C misdemeanor. The adopted international and model codes are described by title, name of group or organization preparing it, and year or edition, as follows:

International Building Code, 2015 Edition, as published by the International Code Council

International Residential Code, 2015 Edition, as published by the International Code Council

International Fire Code, 2015 Edition, as published by the International Code Council

International Plumbing Code, 2015 Edition, as published by the International Code Council

International Existing Building Code, 2015 Edition, as published by the International Code Council

NFPA 70 National Electric Code, 2017 Edition, as published by the National Fire Protection Association

Section 1. In any conflict between the 2015 International Code and 2017 National Electric Code, the 2017 National Electric Code shall prevail.

Section 2. Any matters in the codes which are contrary to existing ordinances of the City shall prevail, and any existing ordinances to the contrary are hereby repealed in that respect only.

Section 3. The City Administrator shall designate the City Building Inspector and any other positions as required by the Code.

A. The Cherryvale Fire Chief may set appropriate limitations and regulations in addition to those in the fire code on the storage of any hazardous or dangerous substance (including propane gas, demolition and blasting supplies, and any other hazardous or dangerous substance).

B. **APPEALS:** Whenever City Staff disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may schedule a mediation session with the City Administrator within 20 days of the decision to deny the application, and if the applicant is not satisfied with the decision resulting from the mediation session, the applicant may make an appeal for a new determination to the City Council of the City of Cherryvale within 10 days of the mediation session.

C. Additions or changes to the code may be reviewed by City Staff with approval by the City Council.

D. All applicable Kansas Statutes and properly adopted Administrative Regulations, including, but not limited to K.A.R. 22-1-1 as amended; 22-1-2, as amended; and 22-3-1, Life Safety Code 101 which relate to Fire Safety are incorporated herein as if set forth in full. Any subsequent amendment of said Kansas Administrative Regulation or Kansas Statute shall be similarly incorporated as if set forth in full.

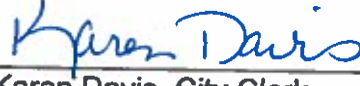
Section 4. The governing body of the City of Cherryvale hereby declares that should any section, paragraph, sentence or word of this ordinance or of any of the uniform, model or standard codes hereby adopted be declared for any reason to be invalid, it is the intent of the governing body of the City of Cherryvale that it would have passed all other portions of this ordinance independent of the elimination here from of any such portion as shall be declared invalid.

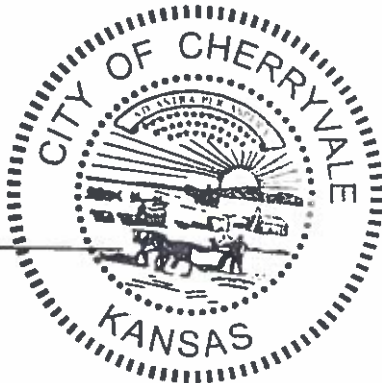
**EFFECTIVE DATE.** This ordinance shall be in full force and effect upon its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Cherryvale, Kansas, this 3rd day of July, 2017.

  
John M. Wright, Mayor

ATTEST:

  
Karen Davis, City Clerk



APPROVED TO FORM:

  
Dan Reynolds, City Attorney