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Sedgwick County

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Legislation Details (With Text)

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Title: RESOLUTION TO AMEND THE WICHITA/SEDGWICK COUNTY UNIFIED BUILDING TRADE CODE REGARDING EXEMPTIONS FROM BUILDING PERMITS AND REQUIRING LOCATION PERMITS. Presented by: Kortney D. Capello, Interim Director, Metropolitan Area Building and Construction Department (MABCD).

RECOMMENDED ACTION: Approve the resolution.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Redline for 400 Feet in Unincorporated and Location Permits, 2. Resolution to modify the work exempt from permit portion of the residential and building codes

Date	Ver.	Action By	Action	Result
4/12/2017	1	Board of Sedgwick County Commissioners	Approved As Amended	Pass

RESOLUTION TO AMEND THE WICHITA/SEDGWICK COUNTY UNIFIED BUILDING TRADE CODE REGARDING EXEMPTIONS FROM BUILDING PERMITS AND REQUIRING LOCATION PERMITS.

Presented by: Kortney D. Capello, Interim Director, Metropolitan Area Building and Construction Department (MABCD).

RECOMMENDED ACTION: Approve the resolution.

In 2016, pursuant to Resolution No. 49-2016, the Board of County Commissioners (BOCC) adopted the 2012 International Building Code ("IBC") and generally exempted buildings below 400 square feet from being required to have building permits pulled within the Sedgwick County Jurisdiction (which includes the unincorporated area of Sedgwick County and the second- and third-class cities who contract with Sedgwick County). The City of Wichita Jurisdiction (which includes the city limits of the City of Wichita) maintained an exemption for buildings below 200 square feet.

However, there is inconsistency in the Sedgwick County Jurisdiction between the IBC and the International Residential Code ("IRC"). In 2015, pursuant to Resolution No. 106-2015, the BOCC adopted the 2012 IRC and generally exempted buildings below 200 square feet from being required to have building permits. The same standard has been utilized within the City of Wichita Jurisdiction.

The IRC applies to certain accessory structures. The recommended action regarding the exemption is to approve the resolution for two (2) key reasons: (1) it would be consistent with the most recent code adoption by the BOCC on this item, which is to allow smaller buildings built in the unincorporated area not to have required building permits and inspections; and (2) in order to have a consistent application within the Sedgwick County Jurisdiction, regardless of whether a building fits

under the IRC (homes and accessory structures) or the IBC (commercial use structures).

The resolution also proposes that when buildings less than 400 square feet would be constructed within the unincorporated area of Sedgwick County, a location permit would be required. The location permit would be for purposes of ensuring that the structure's proposed location would not be impermissible due to floodplain, floodway, setback, easement, or property line restrictions. The applicant would merely provide a site plan and, presuming none of those restrictions would apply, the permit to build the structure would be granted. The location permit in the unincorporated area would not cost anything. The primary reason to require the location permit would be to prevent potential future problems that could easily be discovered regarding structures that may later need to be removed or modified as a matter of law due to being constructed in the floodplain or over an easement.

Alternatives: To not approve the resolution.

Financial Considerations: N/A

Legal Considerations: The authority for this resolution is K.S.A. 19-101 et seq. Approval is by simple majority vote.

Policy Considerations: N/A