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ORDINANCE NO. 49-807

AN ORDINANCE CREATING ARTICLE 1 (G) AND REPEALING ARTICLE 1, SECTIONS 2, 3 AND 4 AND REPLACING WITH THE AMENDED ARTICLE 1, SECTIONS 2, 3 AND 4, ALL PERTAINING TO THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE.

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

SECTION 1. Article 1 (G) of the Wichita-Sedgwick County Unified Building and Trade Code, is hereby created to read as follows:

G. Non-issuance of licenses and certificates.

- (a) In addition to the testing requirements, continuing education units requirements, and all other requirements for individuals to obtain any types of licenses and certificates issued by the MABCD under this Unified Building and Trade Code, the Director of the MABCD (with the term “Director” in this Section including any person(s) so designated by the Director of the MABCD and including the Assistant Director of the MABCD in the event of the absence or unavailability of the Director) may elect not to issue a license or certificate for any reason or reasons specific to each applicant including:
 - (1) A demonstrated pattern of abandonment of contracts without legal causes;
 - (2) A demonstrated pattern of diversion of funds or property received for performance or completion of a specific contract, or for a specified purpose in the performance or completion of any contract, and their application or use for any other contract, obligation or purpose, or the failure, neglect or refusal to use such funds or property for the performance or completion of such contract;

- (3) A demonstrated pattern of fraudulent departures from or disregard of plans or specifications in any material respect, without consent of the owner or the owner's duly authorized representative;
 - (4) A demonstrated pattern of willful and deliberate disregard and violation of the provisions of this Code, any other ordinance of the City, any resolution of the County, or failure to comply with any lawful order of any lawful court order within the United States, any board of appeals of the MABCD, or the Director of the MABCD;
 - (5) A demonstrated pattern of failures to keep records showing all receipts and disbursements of the applicant in all of applicants transactions as a contractor as the term is defined in this Article;
 - (6) Any misrepresentation of a material fact discovered within any application for a license, certificate or permit;
 - (7) Any previous fraudulent act by the applicant as a contractor in consequence of which another suffers harm or injury;
 - (8) Any previous fraudulent use of a license or certificate to obtain building permits for another;
 - (9) A demonstrated pattern of carelessness or negligence in providing reasonable safety measures for the protection of workmen and the public;
 - (10) A demonstrated pattern of failures to obtain permits as required in this Code; and
 - (11) Any felony conviction which indicates that the applicant is not fit to be licensed and/or issued a certificate.
- (b) When the MABCD Director elects not to issue a license or certificate to an applicant for one of the reasons indicated above in subsection (a), the Director shall provide notice of the decision in writing to the applicant's last known address, including a statement as to the specific misconduct supporting the decision and which reason(s) indicated within subsection (a) said misconduct fits within. The Director's notice to the license or certificate applicant must mention the applicant's right to appeal and the appeal procedure indicated below.
- (1) Upon receipt of the notice, which shall be deemed to have occurred three (3) days after said notice is mailed, the applicant shall have ten (10) days to request a hearing before the applicable MABCD board of appeals. The applicant's notice to

appeal must be provided in writing to the Director. If and when a timely appeal has been received by the Director, the matter shall be placed on the applicable MABCD board of appeals agenda during the next meeting not less than fourteen (14) days after the date said appeal is received by the Director.

- (2) The applicable MABCD board of appeals shall then hold a de novo appeal hearing on the matter within which it will determine whether or not to grant a license or certificate to the applicant based upon the criteria indicated within the Unified Building and Trade Code, including but not limited to those reasons stated within subsection (a). Both the Director and the applicant shall have an opportunity to be heard and present evidence. The MABCD boards of appeals shall have the authority to develop their own procedures for these hearings.
- (3) Within thirty (30) days of the final decision of the applicable board, any person aggrieved thereby may appeal and maintain an action in the District Court of Sedgwick County. Any such appeal shall not be a *de novo* appeal, but would instead be an appeal under which the reasonableness of the board’s decision would be adjudicated.

SECTION 2. Article 1, Section 2, 3 and 4 of the Wichita-Sedgwick County Unified Building and Trade Code, Kansas, is hereby amended to read as follows:

ARTICLE 1, SECTION 2 – LICENSING AND PERMIT FEES

**TABLE A
MABCD LICENSE FEES**

MABCD LICENSE FEES	2YRS	MABCD LICENSE FEES	2YRS
CLASS A	\$1,000.00	ROOFING	\$360.00
CLASS B	\$600.00	ROOFING & SIDING	\$360.00
CLASS C- RESIDENTIAL	\$450.00	SIDING	\$360.00
*CLASS D – RESIDENTIAL MAINT.	\$360.00	SIGN	\$360.00
CELL TOWER	\$360.00	SWIMMING POOL	\$360.00
FIRE ALARM SYSTEM	\$360.00	WRECKING	\$360.00
FIRE SPRINKLER	\$360.00	NOT OTHERWISE CLASSIFIED	\$360.00

FIRE SUPPRESSION SYS	\$360.00		
MOBILE HOME	\$360.00		

* Wichita Jurisdiction Only

ELECTRICAL LICENSES

LICENSE	2 YR. FEE
Electrical	\$360.00
Elevator	\$360.00
Handicapped Accessibility	\$360.00

MECHANICAL LICENSES

LICENSE	2 YR. FEE
Air Conditioning & Heating	\$360.00
Fire Suppression System Installer	\$360.00
Refrigeration	\$360.00
Solid Fuel	\$360.00
Sheet Metal	\$360.00
Solar Heat	\$360.00

PLUMBING LICENSES

LICENSE	2 YR. FEE
Drain Cleaner	\$360.00
Drain Layer	\$360.00
Fire Sprinkler	\$360.00
Gas Fitter	\$360.00
Lawn Irrigation	\$360.00
Plumbing	\$360.00
Water Conditioner	\$360.00

TABLE B

BUILDING PERMIT FEES

1. Residential – New Build:

On Residential New Build, the building permit shall be 38 cents for each square foot of finished space and 30 cents for each square foot of unfinished space.

2. Commercial – New Build:

Total Valuation	Fee
\$1.00 to \$1,000.00	\$40.00
\$1,001.00 to \$2,000.00	\$40.00 for the first \$1,000.00 plus \$3.00 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$40,000.00	\$70.00 for the first \$2,000.00 plus \$11.00 for each additional \$1,000.00, or fraction thereof, to and including \$40,000.00
\$40,001.00 to \$100,000.00	\$488.00 for the first \$40,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,028.00 for the first \$100,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,828.00 for the first \$500,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 to \$5,000,000.00	\$6,328.00 for the first \$1,000,000.00 plus \$3.00 for each additional \$1,000.00, or fraction thereof to and including \$5,000,000.00.
\$5,000,001.00 and up	\$18,328.00 for the first \$5,000,000.00 plus \$2.25 for each additional \$1,000.00 or fraction thereof.

3. For all remodels or rebuilds for both residential and commercial, the building permit shall be based upon the amounts specified in paragraph 2 above.

Note: The Table B fee structure may be adjusted from time to time per the provisions of the City of Wichita Resolution No. R-95-560, adopted by the Wichita City Council on December 12, 1995.

**TABLE C
Other Inspections and Fees:**

1.	Inspections outside of normal business hours (Minimum charge—two hours)	\$60.00 per hour
2.	Reinspection fees	\$50.00
3.	Inspections for which no fee is specifically indicated (Minimum charge—one-half hour)	\$40.00 per hour
4.	Plan review	60% of the building permit fee
5.	Additional plan review required by significant floor plan modifications or other major changes to the plans (Minimum charge—one-half hour)	\$40.00 per hour
6.	For use of outside consultants for plan checking and inspections, or both	Actual Costs (Actual costs include administrative and overhead costs)
7.	Conditional building permit issuance (Minimum charge: \$50.00)	Additional 25% of plan review fee

8.	Progress print submittal fee (No additional charge for conditional permit)	Additional 50% of plan review fee
9.	Change of Contractor (Minimum charge \$40.00)	10% of original building permit fee
10.	Replacement of Inspection Record Card	\$15.00
11.	Certification of Occupancy letters—charge for research with a \$20.00 per address minimum	\$40.00 per hour
12.	Change of Address Processing Fee	\$35.00
13.	Federal Flood Plain Application Processing Fee	\$15.00
14.	Location permit	\$50.00
15.	Roofing permit	\$.05 per sq. ft. based upon structure footprint. Min. - \$50, Max. - \$1,500
16.	Siding permit	Based upon valuation stated in Table B (2) above
17.	Wrecking Permit	\$50.00

**TABLE D
WICHITA JURISDICTION ONLY
GRADING PLAN REVIEW FEES**

50 cubic yards (38.2 m ³) or less	No Fee
51 to 100 cubic yards (40 m ³ to 76 m ³)	\$25.00
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³)	\$40.00
1,001 to 10,000 cubic yards (765.3 m ³ to 7,645.5 m ³)	\$50.00
10,001 to 100,000 cubic yards (7,646.3 m ³ to 76,455 m ³)	\$50.00 for the first 10,000 cubic yards (7,645.5 m ³), plus \$25.00 for each additional 10,000 cubic yards (7,645.5 m ³) or fraction thereof.
100,001 to 200,000 cubic yards (76,456 m ³ to 152,911 m ³)	\$275.00 for the first 100,000 cubic yards (76,455 m ³), plus \$13.00 for each additional 10,000 cubic yards (7,645.5 m ³) or fraction thereof.
200,001 cubic yards (152,912 m ³) or more	\$405.00 for the first 200,000 cubic yards (152,911 m ³), plus \$7.00 for each additional 10,000 cubic yards (7,645.5 m ³) or fraction thereof.
Other Fees:	
Additional plan review required by significant changes to the approved plans	\$40.00 per hour.

**TABLE E
WICHITA JURISDICTION ONLY
GRADING PERMIT FEES**

50 cubic yards (38.2 m ³) or less	\$25.00
51 to 100 cubic yards (40 m ³ to 76.5 m ³)	\$40.00
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³)	\$40.00 for the first 100 cubic yards (76.5 m ³) plus \$18.00 for each additional 100 cubic yards (76.5 m ³) or fraction thereof.
1,001 to 10,000 cubic yards (765.3 m ³ to 7,645.5 m ³)	\$202.00 for the first 1,000 cubic yards (746.6 m ³), plus \$15.00 for each additional 1,000 cubic yards (746.6 m ³) or fraction thereof.
10,001 to 100,000 cubic yards (7,646.3 m ³ to 76,455 m ³)	\$337.00 for the first 10,000 cubic yards (7,645.5 m ³), plus \$66.00 for each additional 10,000 cubic yards (7,645.5 m ³) or fraction thereof.
100,001 cubic yards (76,456 m ³) or more	\$931.00 for the first 100,000 cubic yards (76,455 m ³), plus \$37.00 for each additional 10,000 cubic yards (7,645.5 m ³) or fraction thereof.
Other Inspections and Fees:	
See Table C or D above.	

**TABLE F
FIRE SPRINKLER**

Wichita Jurisdiction: Valuation per thousand or increments thereof: \$18.00

Permit issuance Fee: \$25.00

Fire Sprinkler permit shall be issued as a plumbing permit.

Sedgwick County Jurisdiction – See Table 105.1.4 of the Sedgwick County Fire Code and Section 105 of the 2012 International Fire Code for applicable information, with a link to the former included below:

http://www.sedgwickcounty.org/fire/fire_sprinklers.asp

TABLE G—MISCELLANEOUS

Air Supported Structures	
1,000 square feet or less in floor area	\$ 85.00
For each additional 1,000 square feet or fraction thereof	\$ 10.00

Tents*: (No building permit is required for tents of 200 square feet or less in size)	
201 - 1,000 square feet or fraction thereof	\$ 85.00
For each additional 1,000 square feet or fraction thereof	\$ 10.00
Parking Lots: (Plan review fee assessed per Table C Other Inspections and Fees)	
Each permit issuance	\$ 50.00

*Tent permit fees indicated in Table G apply within the Wichita Jurisdiction only. Within the Sedgwick County Jurisdiction, see Table 105.1.4 of the Sedgwick County Fire Code and Section 105.7 of the 2012 International Fire Code for applicable information, with a link to the former included in Table F above.

Towers, tanks, communications structures, wind generators and structures not specified above shall be taken on a valuation basis for issuance of the building permit.

Article 1, Sec. 2 (a) - Re-inspections.

Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when any portion of the work for which the inspection is called for is not complete or when corrections called for are not made. This section is not to be interpreted to require fees the first time a job is rejected for failure to comply with this code. However, fees may be assessed for inspections called before the job is ready for such inspections.

Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the required construction documents are not readily available to the inspector or for failing to provide access at the time, when the inspection was requested. In order to obtain a re-inspection, the applicant shall pay a fee of \$50.00 and request re-inspection of the job. When re-inspection fees have been assessed, no additional inspection of the job will be performed until the required fees have been paid.

Article 1, Sec. 2 (b) - Substantiation of valuation.

The building official may, when deemed necessary, require reasonable substantiation of valuation stated in any application for permit or any other form that may be prescribed.

Permit fees required by other sections of this Code for mechanical, plumbing and electrical installations necessary to the proper function of the building shall be in addition to the fees required by this section.

Article 1, Sec. 2 (c) - Change of contractor.

In the event a contractor does not complete work for which a valid permit has been issued and he no longer holds a valid contract for the work, a second permit must be obtained by a

contractor to complete the balance of the work. A fee shall be charged for the second permit that is ten percent (10%) of the original permit fee, but in no case less than the minimum fee for a building permit. Building permits are nontransferable.

Article 1, Sec. 2 (d) - Special approval for permits required in certain hydrogeologic areas.

This section only applies in the Wichita Jurisdiction.

In those areas of the city having a high ground water table, which areas are not served by an approved water course or storm sewer for surface water disposal, building permit applications require a special approval by the building official.

The application, in addition to providing the information required on the standard application form, shall indicate the lowest floor elevation of the proposed building, whether groundwater may be required to be pumped as a matter of waterproofing below-grade structure and, if so, the manner of water disposal.

Topographic and groundwater elevations for reference purposes are shown on the most current Hydrogeologic Map of Sedgwick County, Kansas, prepared by the State Geological Survey of Kansas.

Article 1, Sec. 2(e) – Civil Penalty for failure to obtain permit.

This section only applies in the Wichita Jurisdiction.

1. Building:

Any person or entity that commences work without first obtaining the necessary permit(s) shall be subject to a civil penalty of twice the amount of the applicable permit(s), but not to exceed a maximum fine of \$5,000. Any person or entity that violates this section may be required to appear before the Board of Code Standards and Appeals at the discretion of the Director of MABCD.

2. Trades:

Any person or entity that commences work without first obtaining the necessary permit shall be subject to a one hundred fifty dollars (\$150) civil penalty in addition to the required permit fee. If the same person or entity has a second violation within twelve (12) months from the first violation, the civil penalty for the second violation shall be three hundred dollars (\$300) in addition to the required permit fee. If a third violation occurs within a twelve (12) month period, the civil penalty shall be six hundred dollars (\$600) plus the required permit fee. Any person or entity that violates this section may be required to appear before the appropriate trade board at the discretion of the Director of the MABCD.

Any person or entity who wishes to appeal the assessment of the above-stated civil penalties can request in writing within 10 days of such assessment to the appropriate Advisory Board.

TABLE H
Uniform Plumbing Code – Permit Fees

	ITEMS	QTY	Each
1	Waste Openings		\$ 4.50
2	Reconnect Moved Building		\$ 11.00
3	Interior Rainwater Drain		\$ 4.00
4	Gas Meter Loop / Pressure Test		\$ 9.00
5	Gas Opening / Pressure Test		\$ 9.00
6	Medical Gas Openings		\$ 5.00
7	Water Service New or Replacement		\$ 5.00
8	Mobile Home Water Service		\$ 5.00
9	Water Heater New or Replacement		\$ 9.00
10	Backflow Device		\$ 5.00
11	Lawn Sprinklers		\$ 10.00
12	Water Conditioning		\$ 4.50
13	Standpipes (Number of Risers)		\$ 36.00
14	Miscellaneous		\$ 9.00
15	Investigation Fee		\$
16	Permit Issuance Fee	1	\$ 25.00

Provided also that plumbing work done in conjunction with a building project covered by a building permit for a one- or two-family dwelling new construction, repair, remodel or addition is covered and permitted under the authority granted by the building permit and does not require a separate plumbing permit.

A separate plumbing permit is required if work requiring a permit and inspection as defined in this Code is begun more than one hundred and eighty days from the date of the issuance of the building permit.

Expiration of Permit: Every permit issued by the Director of the MABCD under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days, or one hundred eighty (180) days have expired since an inspection was requested and such inspection was approved by the building official. Provided, that the building official may authorize the refunding of any fee paid

hereunder which was erroneously paid or collected and may authorize the refunding of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. No refund shall be paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

Table I
Electrical permit required—Fees listed.

		AUTHORIZED WORK		QTY	EA
CIRCUITS	1	120 volt Circuit			\$ 2.00
	2	277 volt Circuit			\$ 2.00
HEATING APPLIANCES	3	Heating Appliance less than 4500 watt			\$ 3.00
	4	Range or Heat Device 4500 watt or over			\$ 8.00
	5	Clothes Dryer			\$ 8.00
SPECIAL CIRCUITS AND ADDITIONS	6	Feeder			\$ 9.00
	7	Hot tub / Sauna or Jacuzzi			\$ 14.00
	8	Special Power Circuit			\$ 9.00
	9	Generator			\$ 9.00
	10	Sign Per Circuit			\$ 7.00
	11	Outlets Added to Existing Circuit			\$ 0.75
	12	Smoke Detectors			\$ 0.75
Fixtures	13	Light Fixture or Lampholding Device (also retrofits of fixtures)			\$ 0.75
MOTORS AND AIR COND.	14	1 HP or less			\$ 5.00
	15	Over 1 HP			\$ 7.00
	16	Water Well Motor			\$ 7.00
SERVICE (New/Change)	17a	480 volts or less	Per Meter (100 Amps or less)		\$ 11.00
	17b		Each Additional Amp		\$ 0.06
	18	Over 480 volts	Each Service Entrance		\$ 71.00
	19	Construction Service (480 volts or less)			\$ 14.00
	20	Construction Service (Over 480 volts)			\$ 28.00
Miscellaneous	21	Reinspection of discont. service (meter reset - only one meter per permit)			\$ 11.00
	22	Transformer			\$ 11.00
	23	Miscellaneous			\$ 14.00
	24	Investigation Fee			\$
	25	Permit Issuance Fee		1	\$ 25.00

Provided also that electrical work done in conjunction with a building project covered by a building permit for a one- or two-family dwelling new construction, repair, remodel or addition is covered and permitted under the authority granted by the building permit and does not require

a separate electrical permit. A separate electrical permit is required if a water well motor is installed or will be installed.

A separate electrical permit is required if work requiring a permit and inspection as defined in this Code is begun more than one hundred eighty (180) days from the date of the issuance of the building permit.

A separate electrical permit shall be required for each building or structure, or each tenant space with an electric meter, and anytime a separate electric meter is installed.

Exception: One- and two-family dwellings or multi-family dwellings when such dwelling units are not individually owned.

Expiration of Permit: Every permit issued by the Director of the MABCD under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days, or one hundred eighty (180) days have expired since an inspection was requested and such inspection was approved by the building official. Provided, that the building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected and may authorize the refunding of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. No refund shall be paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**TABLE J
Elevator Fee Permits.**

New Installations:	
Passenger or Freight Elevator, Escalator, or Moving Walk	
Up to and including \$40,000.00 valuation	\$125.00
Over \$40,000.00 valuation	\$125.00 plus \$2.00 for each \$1,000.00 or fraction thereof over \$40,000.00
Dumbwaiter, Private Residence Elevator, and Handicap Lifting Equipment	
Up to and including \$10,000.00 valuation	\$50.00
Over \$10,000.00 valuation	\$50.00 plus \$1.50 for each \$1,000.00 or fraction thereof over \$10,000.00
Alterations & Repairs:	
Total Valuation	Fee
\$1.00 to \$500.00	\$25.00

\$501.00 to \$2,000.00	\$25.00 for the first \$500.00 plus \$2.00 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$55.00 for the first \$2,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$262.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,000.00 to \$100,000.00	\$424.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$649.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,049.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$3,549.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof
Annual Inspection Fees:	
Fees for annual inspections as required by Article 4 of this Code.	
Routine:	
Each Elevator, Escalator and Moving Walk	\$50.00
Each Commercial Dumbwaiter	\$25.00
Each Commercial Handicap Lifting Equipment	\$25.00
Safety Load Test:	
Annual (per Elevator or Escalator)	\$50.00
Five Year (per Traction Elevator)	\$200.00 includes the annual fee for that year.

Expiration of Permit: Every permit issued by the Director of the MABCD under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is

commenced for a period of one hundred eighty (180) days, or one hundred eighty (180) days have expired since an inspection was requested and such inspection was approved by the building official. Provided, that the building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected and may authorize the refunding of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. No refund shall be paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

**TABLE K
International Mechanical Code - Permit fees.**

The fees for mechanical work shall be as indicated in the following schedule.

		BTU'S/HP		
HEATING APPLIANCES		CFM/KW	QUANTITY	UNIT FEE
1	Forced Air Furnace (2,000 cfm or less)			\$ 14.00
2	Forced Air Furnace (over 2,000 cfm)			\$ 19.00
3	Air Handler (2,000 cfm or less)			\$ 14.00
4	Air Handler (over 2,000 cfm)			\$ 19.00
5	Floor Furnace			\$ 14.00
6	Wall Heater			\$ 14.00
7	Room Heater			\$ 14.00
8	Infrared Heaters			\$ 14.00
9	Unit Heaters			\$ 14.00
10	Tube Heaters			\$ 14.00
AIR CONDITIONING/ CIRCLE ONE		TONS/OR HP	QUANTITY	UNIT FEE
11	5 Ton or less (without coil)			\$ 11.00
12	5 Ton or less (with coil)			\$ 11.00
13	Over 5 Tons (without coil)			\$ 17.00
14	Over 5 Tons (with coil)			\$ 17.00
15	Cooling coil (only)			\$ 8.00
REFRIGERATION		TONS/OR HP	QUANTITY	UNIT FEE
16	Refrigeration (50 hp or less)			\$ 14.00
17	Refrigeration (greater than 50 hp)			\$ 19.00
		BTU'S/HP/TON		
ROOF TOPS		S/CFM	QUANTITY	UNIT FEE
18	Combination (2,000 cfm or less)			\$ 26.00
19	Heat only (2,000 cfm or less)			\$ 14.00
20	Cooling only (2,000 cfm or less)			\$ 14.00
21	Combination (over 2,000 cfm)			\$ 36.00
22	Heat only (over 2,000 cfm)			\$ 19.00

23	Cooling only (over 2,000 cfm)			\$ 17.00
MISCELLANEOUS EQUIPMENT		BTU'S/HP CFM/KW	QUANTITY	UNIT FEE
24	Chiller/Water Tower			\$ 33.00
25	Boiler (Residential only)			\$ 19.00
26	VAV Boxes/FTU's/FCU's			\$ 7.00
27	Heat Recovery Unit			\$ 33.00
28	Incinerator/Crematory			\$ 33.00
29	Any equipment/appliance not listed			\$ 7.00
FIREPLACES		BTU'S/HP/TON S/CFM	QUANTITY	UNIT FEE
30	Gas			\$ 14.00
31	Solid Fuel			\$ 14.00
32	Pellet Stove			\$ 14.00
33	Gas Logs/Inserts			\$ 14.00
34	Chimney liners			\$ 9.00
HOODS SYSTEMS		BTU'S/HP/TON S/CFM	QUANTITY	UNIT FEE
35	Type one hood system			\$ 38.00
36	Type two hood system			\$ 19.00
37	Fume hood system			\$ 19.00
38	Paint booth system			\$ 19.00
39	Spray booth system			\$ 19.00
EXHAUST/DRYERS/VENTILATION		BTU'S/HP/TON S/CFM	QUANTITY	
40	Exhaust fan @ duct (under 500 cfm)			\$ 8.00
41	Exhaust fan @ duct (over 500 cfm)			\$ 15.00
42	Exhaust systems			\$ 33.00
43	Ventilation systems			\$ 33.00
44	Residential dryer vent			\$ 14.00
45	Commercial dryer vent			\$ 28.00
MISCELLANEOUS		BTU'S/HP/TON S/CFM	QUANTITY	
46	Fire damper			\$ 1.00
47	Fire and Smoke damper			\$ 2.50
48	Hydronic piping			\$ 14.00
49	Flue and/or Vent connector			\$ 8.00
50	Fire suppression			\$ 14.00
51	Repairs/alterations			\$ 18.00
	Investigation Fee			
	Permit Issuance		1	\$ 25.00

Provided also that mechanical work done in conjunction with a building project covered by a building permit for a one- or two-family dwelling new construction, repair, remodel or addition is covered and permitted under the authority granted by the building permit and does not require a separate mechanical permit.

A separate heating and air-conditioning permit is required if work requiring a permit and inspection as defined in this Code is begun more than one hundred eighty (180) days from the date of the issuance of the building permit.

Expiration of Permit: Every permit issued by the Director of the MABCD under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days, or one hundred eighty (180) days have expired since an inspection was requested and such inspection was approved by the building official. Provided, that the building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected and may authorize the refunding of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. No refund shall be paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

ARTICLE 1, SECTION 3 – ENFORCEMENT

Violations.

- (a) Any person or entity violating any provisions of this Code shall be deemed guilty of an unclassified misdemeanor and upon conviction of each violation thereof, shall be assessed a fine according to the Schedule of Fines set forth herein.
- (b) “Violation of this Code” shall mean:
 - (1) Doing any act that is prohibited or made or declared unlawful, an offense or a violation of this Code or by rule or regulation authorized by ordinance or resolution.
 - (2) Failure to perform an act that is required to be performed by this Code or by rule or regulation authorized by ordinance or resolution.
 - (3) Failure to perform an act if the failure is declared unlawful, an offense or a violation of this Code or by rule or regulation authorized by ordinance or resolution.

- (c) The imposition of a fine does not prevent revocation or suspension of a license, certificate, permit or franchise.
- (d) Violations of this Code that are continuous with respect to time may be abated by injunctive relief or other equitable relief. The imposition of a fine does not prevent equitable relief.
- (e) Violations of this Code that are continuous with respect to time shall be considered a separate violation for each day the violation continues.

Schedule of Fines. The following Schedule of Fines for violations of this Code or by rule or regulation authorized by ordinance or resolution, shall apply:

- (a) Not more than \$500.00 nor less than \$100.00 for each count upon a first conviction.
- (b) Not more than \$1,000.00 nor less than \$200.00 for each count upon a second conviction that occurs within a 12-month period of the first conviction.
- (c) Not more than \$2,000.00 nor less than \$500.00 for each count upon a third conviction that occurs within a 12-month period of the second conviction.
- (d) Not more than \$2,000.00 nor less than \$500.00 for each count upon each conviction that occurs within a 12-month period of the third conviction.

Article 1, Section 4 – CONTRACTORS – GENERAL

Sec. 1.4(a) Licensed Contractors – Established Place of Business Required.

Every Licensed Contractor who has obtained a license as set forth in this Code shall have and maintain an established place of business at a definite address and with his/her registered company name and license number displayed as it appears on his/her license. Licensed Contractors operating out of their home must conform to the requirements set forth in Sec. IV-E of the Wichita-Sedgwick County Unified Zoning Code.

Sec. 1.4(b) Licensed Contractors – Marking of Vehicles.

Any person, firm, or other legal entity required by this Code to obtain a Contractor's license shall be subject to the following:

- (a) Vehicles used in performance of installations or service regulated under this Code shall display contractors' permanent vehicle permit numbers. Such numbers shall be assigned by the Metropolitan Area Building and Construction Department to a contractor duly licensed under the provisions of this Code;

- (b) Permanent vehicle permit numbers must be affixed to both sides of vehicle(s), in a conspicuous place, either by paint of a contrasting color or by the use of a permanent decal;
- (c) Permanent vehicle permit numbers must be a minimum of two (2) inches high with a one-half (1/2) inch wide stroke per character;
- (d) A contractor's employee(s) using their personal vehicles as transportation to or from the job site must display the permanent vehicle permit marking;
- (e) The contractor shall be responsible for removing the permanent vehicle permit number at the time any vehicle is taken out of service.

Violation of any provision of this Section may result in a hearing before the appropriate Board. Said Board may order any or all of the following:

1. No further permits shall be issued to the contractor until such time as the violation is abated;
2. All inspections of further work performed by the contractor will be suspended until such time as the violation is abated, excepting extreme hazard or life safety inspection; or
3. A license review, subjecting the contractor to possible suspension, recall or cancellation of the master certificate and/or license, in accordance with the specific provisions of this Code.

Exception: If the contractor chooses to advertise his or her business on their vehicles and abides with Art. 1.4(d), Truth in Advertising Requirements, then the above Section 1.4(b), Marking of Vehicles, does not apply.

Sec. 1.4(c). Insurance Requirements.

Every contractor under this Code shall procure and maintain a policy of general liability insurance covering the activities of the contractor while engaged in contracting hereunder. Such insurance policy shall be written with an insurance company licensed to do business in the state and shall have minimum limits of coverage of three hundred thousand dollars (\$300,000.00) per occurrence. In addition, every such contractor shall procure and maintain worker's compensation insurance as required by Kansas law and automobile liability insurance as required by Kansas law. Every contractor licensed under this Code shall, prior to the issuance of a license, file with the MABCD certificates of insurance evidencing the insurance coverage specified herein. All such certificates shall indicate that the MABCD shall be given at least thirty (30) days advance written notice of any cancellation or material change in coverage of such insurance. Failure of a Licensed Contractor to either procure or maintain such insurance shall be a violation of law and shall be grounds for suspension or revocation of the Licensed Contractor's license and/or the Qualified Master's certificate.

Sec. 1.4(d) Truth in Advertising Requirements.

(a) It is unlawful for any such person, firm or legal entity to advertise as a Licensed Contractor unless, at the time such advertisement occurs, such person, firm or legal entity has a then valid contractor's license issued under the provisions of this Code;

(b) Any advertisement by such person, firm or legal entity as a Licensed Contractor which is placed or published in any publication or other print medium circulated, displayed or distributed within the jurisdiction of the MABCD or which is broadcast by radio or television or any internet posting/publication, electronic billboard, or any electronic or telephonic transmission of information, or any other means to persons within the jurisdiction of the MABCD shall include the full name of the licensed person, firm or legal entity and the license number assigned by the MABCD to such person, firm or legal entity;

(c) As used herein, the words "advertise" or "advertisement" shall mean and include, but not be limited to, a business card, contract bid proposal form, printed letterhead, any other printed or written material, or any internet posting/publication, electronic billboard, or telephonic transmission of information, designed to inform persons of the services offered by the advertising person, firm or legal entity and to solicit business from such persons, or any broadcast statement designed to inform persons of the services offered by the advertising person, firm or legal entity and to solicit business from such persons. Such words are intended to include telephone directory display ads but not basic white and yellow page listings.

Sec. 1.4(e) Interfering with an inspector or code enforcement officer; violation.

(a) No person shall interfere with or hinder an MABCD inspector or code enforcement officer in the lawful discharge of that person's duties.

(b) It shall be a violation of this Code for any person to interfere with or hinder a MABCD inspector or code enforcement officer in the lawful discharge of that person's duties. Interference with a MABCD inspector or code enforcement officer within the Wichita Jurisdiction is a misdemeanor and within the Sedgwick County Jurisdiction is a class H violation.

SECTION 4. The originals of Article 1, Sections 2, 3 and 4 of the Wichita-Sedgwick County Unified Building and Trade Code, are hereby repealed.

SECTION 5. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 12th day of August,
2014.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Sharon Dickgrafe
Interim Director of Law