

(Ordinance published at www.andoverks.gov on May 17, 2025)

ORDINANCE NO. 1957

AN ORDINANCE OF THE CITY OF ANDOVER, KANSAS REPEALING AND DELETING CHAPTER IV, ARTICLE 1, SECTION 4-106.14 AND AMENDING CHAPTER IV, ARTICLE 3 OF THE CODE OF THE CITY OF ANDOVER, KANSAS AND ADOPTING AND INCORPORATING BY REFERENCE THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE AND FIT FOR HUMAN OCCUPATION AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE CITY OF ANDOVER, KANSAS.

WHEREAS, the City of Andover, Kansas (the “City”) has previously adopted Chapter IV, Article 3 of the Code of the City (the “Code”), regulating and governing the conditions and maintenance of all property, buildings, and structures by providing the standards for supplied utilities and facilities and other physical things and condition essential to ensure that structures are safe and fit for human occupation and use;

WHEREAS, the City has previously adopted Chapter IV, Article 1, Section 4-106.14 providing for certain penalties regarding the regulation and governing of the conditions and maintenance of all property, buildings, and structures;

WHEREAS, The City of Wichita, Kansas and Sedgwick County have adopted the and Wichita-Sedgwick County Unified Building and Trade Code, as amended from time to time (the “UBTC”) to establish the minimum requirements to safeguard the public health, safety and general welfare through regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of the various buildings and trade processes in their jurisdictions;

WHEREAS, the UBTC provides for incorporated cities other than the City of Wichita to “opt-in” and have the provisions of the UBTC applicable to its jurisdiction; and

WHEREAS, the governing body of the City desires, and finds it necessary and advisable, to amend Chapter IV, Article 3 and delete Chapter IV, Article 1, Section 4-106.14 of the Code and adopt and incorporate by reference the UBTC, officially “opting-in” to the provisions of the UBTC.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS AS FOLLOWS:

SECTION 1. Chapter IV, Article 1, Section 1-106.14 of the Code of the City is repealed and deleted.

SECTION 2. Chapter IV, Article 3 of the Code of the City is deleted in its entirety and replaced with the following:

4-301. Incorporation of Wichita-Sedgwick County Unified Building and Trade Code.

Pursuant to the provisions of K.S.A. 12-3009 *et seq.*, and K.S.A. 12-3301 *et seq.*, the Wichita-Sedgwick County Unified Building and Trade Code (the “UBTC”) is hereby adopted by reference, as if said model or standard code were set out in full herein, save and except such sections, parts, or portions as may be omitted or deleted, modified, or changed elsewhere within the Code of the City of Andover, Kansas, including but not limited to Section 4-301.2 and 4-301.3 hereof.

4-301.2. Deletions.

The following Sections of the UBTC, incorporated by reference in Section 4-301 herein, are repealed and deleted:

(a) “Article 1, Section 2 – Licensing and Permit Fees Table B – Building Permit Fees” of the UBTC is hereby repealed.

(b) “Article 1, Section 2 – Licensing and Permit Fees Table G - Miscellaneous” of the UBTC is hereby repealed.

(c) “Article 1, Section 2 – Licensing and Permit Fees Table H – MABCD Plumbing Code – Permit Fees” of the UBTC is hereby repealed.

(d) “Article 1, Section 2 – Licensing and Permit Fees Table I – Electrical Permit Required – Fees Listed” of the UBTC is hereby repealed.

(e) “Article 1, Section 2 – Licensing and Permit Fees Table K – International Mechanical Code – Permit Fees” of the UBTC is hereby repealed.

(f) “Article 1, Section 3 – Enforcement” of the UBTC is hereby repealed.

(g) “Article 2, Section 2.2.0400. – Section 903.2.1.2 – Group A-2.” of the UBTC is hereby repealed.

(h) “Article 2, Section 2.2.0430. – Section 903.2.9 – Group S-1.” of the UBTC is hereby repealed.

(i) “Article 2, Section 2.2.0440. – Section 903.2.10. – Group S-2 Parking Garages.” of the UBTC is hereby repealed.

(j) “Article 2, Section 2.2.1070. – Section 1502.1 – General.” of the UBTC is hereby repealed.

(k) “Article 2, Section 2.4.100. – Final Inspection.” of the UBTC is hereby repealed.

(l) “Article 2, Section 2.4.320. – Single-and multiple-station smoke alarms.” of the UBTC is hereby repealed.

(m) “Article 3, Section 3.1.520. – Fire prevention.” of the UBTC is hereby repealed.

(n) “Article 4, Section 4.2.100. – Smoke detector requirements” of the UBTC is hereby repealed.

4-301.3. Amendments.

The UBTC, incorporated by reference in Section 4-301 herein, shall be amended as follows:

(a) “Article I: General Provisions; Section D: Jurisdiction” of the UBTC shall be amended to add the following:

This City of Andover, Kansas hereby elects to opt-in to the UBTC pursuant to terms applicable to the “Wichita Jurisdiction.”

“Wichita Jurisdiction” is hereby defined to include the incorporated limits of the City of Andover, Kansas.

(b) “Article 2, Section 2.2.050 – Section 101.4.4 – Property maintenance” of the UBTC shall be amended to read as follows:

Section 101.4.4 of the International Building Code is amended to read as follows:

[A] 101.4.4 Property maintenance. Whenever used in the International Building Code, the term “International Property Maintenance Code” shall be construed to mean the current City of Andover Property Maintenance Code.

(c) “Article 2, Section 2.2.060 – Section 101.4.5. – Fire prevention.” of the UBTC shall be amended to read as follows:

Section 101.4.5 of the International Building Code is amended to read as follows:

[A] 101.4.5 Fire prevention. Whenever used in the International Building Code, the term “International Fire Code” shall be construed to mean the current City of Andover Fire Code.

(d) “Article 2, Section 2.2.210. – Section 109.2. – Schedule of permit fees.” of the

UBTC shall be amended to read as follows:

Section 109.2 of the International Building Code is amended to read as follows:

[A] 109.2 Schedule of permit fees. Building or other permit fees, supplemental inspection or reinspection fees and other administrative fees are established in Chapter IV, Article 1 of the Code of the City of Andover.

(e) “Article 2, Section 2.2.220 – Section 109.5.1. – Plan review fees.” of the UBTC shall be amended to read as follows:

Section 109.5.1 of the International Building Code is amended to read as follows:

[A] 109.5.1 Plan review fees. Plan review fees are established in Chapter IV, Article 1 of the Code of the City of Andover, Kansas.

(f) “Article 2, Section 2.2.1100. – Section 1612.1 – General.” of the UBTC shall be amended to read as follows:

Section 1612.1 of the International Building Code is amended to read as follows:

City of Wichita Jurisdiction

1612.1 General. The provisions of this chapter shall apply to all areas of special flood hazard within the incorporated areas of Andover, Kansas.

(g) “Article 2, Section 2.3.360. – Section 401.3. Flood hazard areas.” of the UBTC shall be amended to read as follows:

Section 401.3 of the International Existing Building Code is amended to read as follows:

[BS] 401.3 Flood hazard areas. In flood hazard areas, repairs that constitute substantial improvement shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

(h) “Article 2, Section 2.3.380. – Section 405.2.6. – Flood hazard areas.” of the UBTC shall be amended to read as follows:

Section 405.2.6 of the International Existing Building Code is amended to read as follows:

[BS] 405.2.6 Flood hazard areas. In flood hazard areas, buildings that have sustained substantial damage shall be brought into compliance with the current Floodplain Management Regulations of the City Andover, Kansas.

(i) “Article 2, Section 2.3.400. – Section 502.2 – Flood hazard areas.” of the UBTC shall be amended to read as follows:

Section 502.2 of the International Existing Building Code is amended to read as follows:

[BS] 502.2 Flood hazard areas. Buildings and structures in flood hazard areas shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

Sec. 2.3.410.- Section 502.6 deleted.

Section 502.6 of the International Existing Building Code, is deleted.

(j) “Article 2, Section 2.3.420. – Section 503.2 – Flood hazard areas.” of the UBTC shall be amended to read as follows:

Section 503.2 of the International Existing Building Code is amended to read as follows:

[BS] 503.2 Flood hazard areas. Buildings and structures in flood hazard areas shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

Sec. 2.3.430.- Section 503.18 deleted.

Section 503.18 of the International Existing Building Code, is deleted.

(k) “Article 2, Section 2.3.390. – Section 701.3 amended.” of the UBTC shall be amended to read as follows:

Section 701.3 of the International Building Code is amended to read as follows:

[BS] 701.3 Flood hazard areas. Alterations in flood hazard areas shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

(l) “Article 2, Section 2.3.750. – Section 1103.3. Flood hazard areas.” of the UBTC shall be amended to read as follows:

Section 1103.3 of the International Building Code is amended to read as follows:

[BS] 1103.3 Flood hazard areas. Additions and foundations in flood hazard areas shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

Sec. 2.3.760. – Section 1104.1 deleted.

Section 1104.1 of the International Existing Building Code, is deleted.

(m) “Article 2, Section 2.3.770. – Section 1201.4. Flood hazard areas.” of the UBTC

shall be amended to read as follows:

Section 1201.4 of the International Building Code is amended to read as follows:

[BS] 1201.4 Flood hazard areas. In flood hazard areas, if all proposed work, including repairs, work required because of a change in occupancy, and alterations, constitutes substantial improvement, then the existing building shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

(n) “Article 2, Section 2.3.800. – Section 1303.1.3. – Compliance with flood hazard provisions.” of the UBTC shall be amended to read as follows:

Section 1303.1.3 of the International Existing Building Code is amended to read as follows:

[BS] 1303.1.3 Compliance with flood hazard provisions. In flood hazard areas, buildings that are evaluated in accordance with this section shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

(o) “Article 2, Section 2.3.820. – Section 1402.6. – Flood hazard areas.” of the UBTC shall be amended to read as follows:

Section 1402.6 of the International Existing Building Code is amended to read as follows:

[BS] 1402.6 Flood hazard areas. If relocated or moved into a flood hazard area, structures shall comply with the current Floodplain Management Regulations of the City Andover, Kansas.

(p) “Article 3, Section 3.1.265 – Grease Interceptors.” of the UBTC shall be amended to read as follows:

Section 1014.1 of the Uniform Plumbing Code is amended to read as follows:

Grease interceptors installed within the jurisdiction of the City of Andover, Kansas shall conform to the Code of the City of Andover, Kansas.

(q) “Article 3, Section 3.1.277 – Discharge.” of the UBTC shall be amended to read as follows:

1101.6.1 Discharge. Sump pump piping, French drains and pop ups shall not discharge through a street curb unless approved by the Director of Public Works. Sump pump piping shall terminate a minimum of 7 1/2 feet from a sidewalk, 2 feet from any side lot property line or 10 feet from any front or rear property lot line and flow on the surface of the soil of the lot on which the discharge originates. Sump pump discharge shall not be directed to project flow across a property line. The installation of sump pump discharge piping in an easement is prohibited except where approved by the Director of Public Works.

4-302. Construction. Nothing in this ordinance shall be construed to abrogate or impair the powers of the courts or of any department of the city to enforce any provisions of its laws nor to prevent or punish violation thereof. The powers conferred by this ordinance shall be in addition to and supplemental to the powers conferred by the Kansas Constitution, by any other law or by ordinance.

4-303. Official copies. Not less than one (1) copy of the Wichita-Sedgwick County Unified Building and Trade Code by reference in Section 4-301 shall be filed with the City Clerk. Such copy(ies) shall be marked or stamped, "Official Copy as incorporated by Ordinance No. 1957" with all section or portions thereof intended to be omitted clearly marked to show any such omissions and all provisions changing or adding to the incorporated provisions shall be clearly marked or inserted. Such copy(ies) shall have attached a copy of this article and shall be open to inspection and available to the public during all reasonable business hours.

SECTION 2. Chapter IV, Article 4 of the Code of the City of Andover, Kansas is hereby repealed and deleted.

SECTION 3. Chapter IV, Article 6 of the Code of the City of Andover, Kansas is hereby repealed and deleted.

SECTION 4. Chapter IV, Article 14 of the Code of the City of Andover, Kansas is hereby repealed and deleted.

SECTION 5. Chapter IV, Article 16 of the Code of the City of Andover, Kansas is hereby repealed and deleted.

SECTION 6. All prior ordinances of the City of Andover, Kansas in conflict with the foregoing are hereby repealed to the extent that such conflicts exist.

SECTION 7. If any section, sub-section, sentence, clause or phrase of this Ordinance or of the Code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance and Code.

SECTION 8. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and publication once in the official newspaper of the City.

[Signature Page to Follow]


PASSED, APPROVED AND ADOPTED by the governing body of the City of Andover, Kansas, this 13th day of May, 2025.

CITY OF ANDOVER, KANSAS

[seal]



By


Ronnie Price, Mayor

ATTEST:

By



Dana Engstrom, City Clerk