

ORDINANCE NO. 100

AN ORDINANCE ESTABLISHING A BUILDING CODE, PROVIDING REGULATIONS FOR THE CONSTRUCTION OF BUILDINGS IN THE CITY OF ANDOVER, KANSAS, OBTAINING PERMITS AND PROVIDING FOR PENALTIES.

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

SECTION 1. That no one shall erect, construct, remodel (where remodeling requires added foundation) or move any structure (including mobile homes) into or within the City of Andover, Kansas, without first making application for a permit therefor from the City Building Inspector and presenting plans and specifications of the structure to be erected or moved into or within the City of Andover, Kansas; provided, however, it shall not be necessary to submit plans and specifications with respect to mobile homes located in mobile home parks.

SECTION 2. The City Building Inspector shall base his approval or disapproval for building upon the following considerations:

(a) A minimum of six (6) feet shall be allowed on either side of a structure used or a dwelling and the boundary line of the lot or tract on which such structure is to be built or moved shall be not less than six (6) feet from alley or any public utility easement.

(b) A minimum of twelve (12) feet shall be allowed between separated structures.

(c) Any garage, tool shed or other structure attached to the dwelling shall not be closer to the lot or tract line than six (6) feet.

(d) A minimum set back of thirty (30) feet shall be allowed and required from the lot or tract line toward which the structure shall face.

(e) Any building or buildings erected or constructed adjacent to or between other buildings or dwellings shall be in line with the side facing the street.

(f) No building, dwelling, or mobile home shall be erected, constructed or moved into the City that will decrease the value of adjacent property or properties.

(g) Any structure attached to an existing structure used as a dwelling house shall become a part of such dwelling.

(h) All mobile homes shall be located in mobile home parks approved by the Council, except for emergency situations in which the City Council may allow temporary parking on other property if all utilities and sewer facilities are presently available.

(i) Detached structures shall in all respects comply with set back minimum distances above prescribed.

(j) The aforementioned structures, where such are dwellings, shall conform to all FHA building requirements and standards and to the current restrictions of the City of Andover, Kansas, until such time as a comprehensive plan and building code has been duly enacted.

SECTION 3. In the event of doubtful or borderline cases the Building Inspector may request review and assistance by the City Council in arriving at a final determination. All cases shall be acted upon and approved or disapproved within sixty days after application for the permit.

SECTION 4. All applications for such permits shall be accompanied by a fee of One Dollar for each One Thousand Dollars of cost of construction, erection or value of structure being moved into the City, provided, however, the minimum fee for such permit shall be \$5.00.

SECTION 5. No mobile home parks shall be established within the City of Andover, Kansas, without first obtaining a permit therefor from the City Clerk. Applications for such permit shall be presented to the City Council, together with plans and specifications thereof.

SECTION 6. For the purpose of this ordinance a mobile home park shall mean land used or intended to be used by three or more mobile homes.

SECTION 7. Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00) and each day of violation shall constitute a separate offense. Provided, however, that nothing herein contained shall impose a limit or deprive the City of any other remedy which might be available to it.

Passed and approved this 14th day of December, 1968.

ATTEST:

Charles E. Clay
CITY CLERK
(SEAL)

Ual Baker
MAYOR