

(FIRST PUBLISHED IN THE *South Haven New Era*
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ORDINANCE NO. 274

AN ORDINANCE requiring building and sign permits, establishing application procedures and fees therefor; and repealing South Haven Ordinance No. 266.

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

Section 1. BUILDING AND SIGN PERMITS; APPLICATION AND APPROVAL.

It shall be unlawful for any person to hereafter erect or cause to be erected within the City of South Haven any building, sign or structure of any kind, or enlarge or add to the outside dimension thereof, or relocate any building, sign or structure already erected, or which may hereafter be erected, or remodel any building, sign or structure, without first obtaining a building or sign permit from the City Clerk, after approval by the City Council or its duly authorized City official.

The application for such permit shall be submitted to the City and the permit obtained from the City before work is commenced on any building, sign or structure, or the foundation thereof, or before removal of any building, sign or structure begins.

Section 2. APPLICATION INFORMATION REQUIRED.

(A) A building or structure permit shall be issued upon approval by the City Council or its duly authorized representative, after the submission to the City Clerk of an application in writing, on a form or forms to be provided by the City Clerk to the applicant for such purpose.

This application shall, among other things, fully disclose each and all of the following matters:

- (1) The name of the owner of the lot or tract of ground on which the building or structure is or shall be located.
- (2) The location of the building or structure, including the street address and legal description of the premises.

- (3) The building work proposed.
- (4) The outside dimensions of the building or structure by floors, and, if applicable, the dimensions of the basement.
- (5) The class of occupancy for the building or structure.
- (6) The class of construction.
- (7) The kind of materials to be used for walls, floors, ceilings, roofs and foundations.
- (8) The estimated cost of the work to be performed.
- (9) The date work will commence.
- (10) The expected date of completion of construction.
- (11) The name, address and telephone number of the contractor or contractors who will be doing the construction work.
- (12) Such other information as may be pertinent to the issuance of the required permit.

(B) A sign permit shall be issued upon approval by the City Council or its authorized City official upon the submission to the City Clerk of an application in writing, on a form or forms to be provided by the City Clerk to the applicant for such purpose.

This application shall, among other things, fully disclose each of the following matters:

- (1) The name of the owner of the lot or tract of ground on which the sign is or shall be located.
- (2) The location of the sign, including the street address and legal description of the premises.
- (3) The size dimensions of the sign. All signs shall be smaller in dimension than Four feet (4') by Eight feet (8') in dimension.
- (4) The kind of materials to be used.
- (5) The estimated cost of the work.
- (6) The date the work will commence.
- (7) The expected date of completion of construction.

(8) The name and address of the contractor or contractors who will be doing the work.

(9) Such other information as may be pertinent to the issuance of the required permit.

(C) An application for a building, sign or structure shall be signed by the owner of the premises or the owner's duly authorized agent, or a building contractor licensed by the City of South Haven. If the applicant is made by the owner or the owner's agent, it shall contain the name or names of the licensed contractor or contractors who will perform the work described on the application; or a building, sign or structure permit may be issued to the owner of the premises if the owner's application discloses satisfactory evidence that the proposed work will be performed by the owner, and not by a licensed contractor, and likewise subject to the final approval by the building inspector for the City of South Haven, of all work performed.

(D) Upon approval of the completed application and a determination that a permit shall be issued, a permit shall be issued by the City to the owner or contractor, which such permit authorizing the work covered by the application.

(E) Any permit issued under this section shall be valid and subsisting for a period of not more than Six (6) months from the date of issuance, unless the permit holder shall have commenced, within such six (6) month period, the building work authorized by such permit. The commencement of work on a building, sign or structure, for purposes of this section, shall mean the beginning of work, other than the preparation of the plans, the staking out of the building or sign location, or the letting of a construction contract.

Section 4. PLANS AND SPECIFICATIONS.

Whenever an application for a building, sign or structure permit is submitted to the City of South Haven, the City Council or its duly authorized City official may, if they, he or she finds it necessary to determine whether building work described in the application will comply with the laws pertaining to such work, require that the applicant file, as a part of the application, a written description or drawing of the proposed building, sign or structure, as may be prepared for any such work.

If such drawing or description is insufficient for the purpose of determining whether a permit should be issued, the authorized City official may require the applicant to file complete architectural and engineering plans and specifications for such building or structure, or any part thereof, such as may be necessary for the

authorized City official to determine compliance with this Ordinance and all other applicable laws and ordinances. The filing of such plans and specifications, and approval thereof in connection with an application for a permit, shall in no way affect the authority of the City to issue or to deny issuance of a permit, or to inspect any building work for conformity with this Ordinance or for conformity with any other applicable laws or ordinances.

Section 5. FEE SCHEDULES.

Fees to be assessed for building permits shall be established from time to time by Resolution of the South Haven City Council.

Section 6. POSTING OF PERMIT.

A copy of the building or sign permit shall be kept and posted in a conspicuous place on the premises, and shall be available for public inspection, from commencement of the work and until completion of the same. The authorized City official may require a certified copy of the approved plans to be kept on the premises at all times from the commencement of the work authorized by the permit until the completion thereof.

Section 7. PENALTY FOR VIOLATION.

Any person, firm or corporation found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of One Hundred (\$100.00) Dollars. Each day a violation of this Ordinance continues shall constitute a separate and distinct offense.

Section 8. REPEAL OF ORDINANCE NO. 266.

Ordinance No. 266 of the City of South Haven, Kansas, and all other Ordinances or parts of Ordinances in conflict with this Ordinance, are hereby repealed.

Section 9. SAVING CLAUSE.

If any section, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council of the City of South Haven, Kansas hereby declares that it would have passed this Ordinance, and each section, clause or phrase hereof, irrespective of the fact that any one or more of sections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 10. EFFECTIVE DATE.

This Ordinance shall take effect and be in full force after its publication in the official City newspaper.

Passed by the City Council on the 3 day of March, 2003.

Approved and signed by the Mayor this 3 day of March 2003.

Chris Brownlee
Mayor

ATTEST:



Amy Brown
City Clerk

RESOLUTION No. 1-2003

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SOUTH HAVEN, KANSAS:

WHEREAS, the governing body of the City of South Haven, Kansas, has passed and enacted South Haven Ordinance No. 274, regarding building and sign permits, and has provided in Section 5 of said Ordinance No. 274, that fees to be assessed for building and sign permits should be established from time to time by resolution of the governing body of the City of South Haven.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of South Haven, Kansas, that:

The governing body of the City of South Haven, Kansas, does hereby establish the building and sign permit fees to be assessed pursuant to the provisions of South Haven Ordinance No. 274, as follows:

1. The fee for a building permit shall be Five (\$5.00) Dollars; and

The fee for a sign permit shall be Fifteen (\$15.00) Dollars.

2. The aforesaid fees shall be in full force and effect from the date of passage of this Resolution and until changed or modified by subsequent Ordinance or Resolution of this governing body.

PASSED AND APPROVED this 3 day of March, 2003.

Chris Brownlee
Mayor

ATTEST:



Amy Brown
City Clerk