

(Published at www.mcpcity.com beginning on November 8, 2022)

ORDINANCE NO. 3384

AN ORDINANCE OF THE CITY OF MCPHERSON, KANSAS ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING 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, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF MCPHERSON, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AMENDING SECTION 18-101 OF THE MCPHERSON CITY CODE, AS AMENDED, AND ALL OTHER ORDINANCES, PARTS OF ORDINANCES AND MCPHERSON CITY CODE SECTIONS IN CONFLICT HERewith.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS:

Section 1. Section 18-101 of the Code is hereby deleted in its entirety and in its place the following is inserted:

That a certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as the *International Building Code*, 2018 edition, [including Appendix Chapter C, entitled "Group U – Agricultural Buildings" (see *International Building Code* Section 101.2.1, 2009 edition)], as published by the International Code Council, be and is hereby adopted as the Building Code of the City of McPherson, Kansas for 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, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said

Building Code on file in the office of the City of McPherson, Kansas are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Sections 2 and 3 of this ordinance.

Section 2. Section 18-103 is hereby deleted in its entirety and in its place the following is inserted:

Section 18-103. *Amendments.* The following sections of the International Building Code 2018 Edition are hereby revised:

Section 101.1. Insert: The City of McPherson for [Name of Jurisdiction]

Section 1612.3. Insert: The City of McPherson for [Name of Jurisdiction]

Section 1612.3. Insert: September 16, 1982 for [Date of Issuance]

Section 3. The following Sections of the International Building Code, 2018 Edition, are hereby modified for application within the corporate limits of the City as follows:

(a) Section 105.1 shall be amended to read as follows:

Section 105.1. *Permits required.* It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by this code or any electrical, mechanical, plumbing or fire prevention or suppression system device or feature regulated by any city ordinance or regulation, or cause such work to be done without first obtaining a separate permit for each building or structure from the building official.

(b) Section 1807.1 is hereby amended to read as follows:

Section 1805.1. *General.* Footings, foundations and foundation walls, unless otherwise specifically provided, shall be constructed of reinforced concrete and shall extend below the ground surface outside the building a minimum depth of 30 inches. Foundations supporting wood shall extend at least six inches above the adjacent finished grade.

(c) The expansive and relatively weak soil conditions existing within the entire city is determined by the governing body and the building inspector to require a spread footing 24 inches wide and 12 inches deep or as provided in other sections of this

code, whichever is greater. All footings shall have three no. 4 longitudinal reinforcing bars unless more are required under other sections of this code.

- (d) All continuous foundation wall sections that exceed the following length per wall thickness shall be reinforced laterally with buttress/deadman and/or double row of concrete reinforcing steel:

Wall Thickness (inches)	Length (feet)
8	20
10	32
12	42

- (e) Section 1805.5 is hereby amended to read as follows:

Section 1805.5. *Bearing walls.* Bearing walls shall be supported on concrete foundations or piles, or other approved foundation systems, which shall be sufficient in size to support all loads. Where a design is not provided, the minimum requirements for stud bearing walls shall be the greater of those set forth in section 1805.1 or table 1805.4.2.

Exceptions:

1. A one-story wood or metal frame building, not used for human occupancy and not over 400 square feet in floor area, may be constructed, with walls supported on a wood foundation plate that is anchored to the ground, when approved by the building official.
2. The support of buildings by posts embedded in earth shall be designed as specified in section 1805.7. Wood posts or poles embedded in earth shall be pressure treated with an approved preservative.

Section 4. All other ordinances, parts of ordinances or City Code sections in conflict herewith are hereby repealed.

Section 5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The governing body of the City of McPherson hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired,


or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Sections 2 or 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. This ordinance shall also be effective for all land laying outside of the city limits of McPherson, Kansas, but inside the extraterritorial limits subject to city control as granted by state statute and/or county action, as amended from time to time.

Section 8. This ordinance shall take effect and be in full force and effect from and after its passage, signature and publication and posting of the full text of the ordinance on the City's website which has been designated as the office city newspaper.

ADOPTED by the governing body this 8th day of November, 2022.

CITY OF McPHERSON, KANSAS

By 
THOMAS A. BROWN, Mayor



Attest:


BRITTA ERKELENZ, City Clerk