CITY OF FAIRWAY, KANSAS
ORDINANCE NO. 1636

AN ORDINANCE OF THE CITY OF FAIRWAY, KANSAS, AMENDING AND REPEALING SECTION 15-852 ENTITLED "APPLICATION PROCEDURE" OF THE CODE OF THE CITY OF FAIRWAY, KANSAS.

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

SECTION 1. That existing Section 15-852 entitled "Application Procedures" of the Code of the City of Fairway, Kansas, be amended to read as follows:

Sec. 15-852. - Application procedure.
Applications for building permits shall be filed with the City Clerk or his designated representative on a form furnished by the City for such purpose. The application shall be accompanied by any applicable fee. A building permit for a proposed project may be issued by the City if the application sets forth in reasonable detail all information required to determine that the construction, erection, alteration, restoration, remodeling or improvement shall in all respect conform with the provisions of this chapter.

(1) Expiration of building permit. Every building permit issued by the City shall expire by limitation and become null and void if the project authorized by the building permit is not completed within one hundred and eighty (180) days from the date of issuance of the building permit. Before any such project can recommence after the building permit has expired, a renewal permit shall be first obtained. The renewal fee shall be one half (½) the amount required for a new building permit for the project; provided that no change has been or will be made to the original plans and specifications for the project. The renewal permit is valid for one hundred and eighty (180) days.

(2) New residential construction permits will be issued for three hundred and sixty (360) days from the date of issuance.

(3) Extension. The City may extend the permit up to an additional one hundred and eighty (180) days if it is determined that the project will require more than three hundred and sixty (360) days to complete, given reasonably diligent pursuit of construction of the project and extenuating circumstances. The fee to extend up to an additional one hundred and eighty (180) days is based on one-half (½) the amount of the original permit fee for the project. No building permit shall be renewed more than one hundred and eighty (180) days beyond the initial three hundred and sixty (360) day permit without the expressed authorization and approval of the City Council.

(4) Appeal. In the event of the refusal of the City to issue a building permit, the applicant upon request shall have the right to appeal such decision to the Board of Zoning Appeals in accordance with the provisions of this chapter and State statutes.

SECTION 2. That existing Section 15-852 of the Code of the City of Fairway is hereby repealed.

SECTION 3. That the repeal of any ordinance or parts of an ordinance by this Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding under or by virtue of the repealed ordinance.

SECTION 4. That this ordinance shall take effect upon its publication in an official City newspaper.

PASSED by the City Council this 10th day of October, 2016. **APPROVED** by the Mayor.

CITY OF FAIRWAY CORPORATE SEAL JOHNSON COUNTY JUNE 21 1949 STATE OF KANSAS

Jerry Wiley, Mayor

ATTEST:

Kathy Axelson, City Administrator/City Clerk

APPROVED AS TO FORM:

Stephen P. Chinn, City Attorney