

## Chapter 510

### UNIFIED BUILDING AND TRADE CODE

**Section 510.010. Wichita/Sedgwick County Unified Building And Trade Code.** [Ord. No. 1478 § 1, 10-3-2016<sup>1</sup>]

- A. A certain document, three (3) copies of which are on file in the office of the City Clerk of the City being marked and designated as the Wichita/Sedgwick County Unified Building and Trade Code, Latest Changes — Adopted Resolution #106-2015, May 20, 2015, Enforcement Date July 1, 2015, as modified below ("UBTC"), is hereby adopted by the City, with certain exceptions set forth below, for regulating and governing the conditions and maintenance of all property, buildings, and structures within the corporate boundaries of the City, and each and all of the regulations, provisions, licenses, permits, penalties, conditions and terms of said UBTC, including those incorporated by reference in the UBTC, are hereby referred to, adopted and made a part hereof by reference, as if fully set out in this Section, with the exception of the following:

Article 1, Section 3

Article 1, Section 5

Article 1, Section 6

Article 2, Section 2.A.010

Article 2, Section 2.A.020

Article 3, Section 3.A.010

Article 3, Section 3.A.020

Article 3, Section 3.A.030

Article 4, Section 4.A.010

Article 4, Section 4.A.020

Article 4, Section 4.A.030

Article 5, Section 5.A.010

Article 5, Section 5.A.020

Article 5, Section 5.A.030

- B. The City hereby "opts-in" to the UBTC and shall be included in the definition of the Sedgwick County Jurisdiction as provided therein.

**Section 510.020. Enforcement/Violations.** [Ord. No. 1478 § 1, 10-3-2016]

- A. Any person or entity violating any provisions of the Building Code shall be deemed guilty of any unclassified misdemeanor and upon conviction of each violation thereof, shall be

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1. Editor's Note: See Editor's Note regarding repeal of this Chapter set out on Title V, Notes: 1 page at the beginning of this Title.

assessed a fine according to the Schedule of Fines set forth in the UBTC.

- B. "Violation of the Building Code" shall mean:
  - 1. Doing any act that is prohibited or made or declared unlawful, an offense or a violation of this Building Code or by rule or regulation authorized by ordinance or resolution.
  - 2. Failure to perform an act that is required to be performed by this Building Code or by rule or regulation authorized by ordinance or resolution.
- C. The imposition of a fine does not prevent revocation or suspension of a license, certificate, permit or franchise.
- D. Violations of this Building Code that are continuous with respect to time may be abated by injunctive relief or other equitable relief. The imposition of a fine does not prevent equitable relief.
- E. Violations of this Building Code that are continuous with respect to time shall be considered a separate violation for each day the violation continues.

**Section 510.030. Schedule Of Fines.** [Ord. No. 1478 § 1, 10-3-2016]

The following Schedule of Fines for violations of this Building Code or by rule or regulation authorized by ordinance or resolution, shall apply:

- A. Not more than five hundred dollars (\$500.00) nor less than one hundred dollars (\$100.00) for each count upon a first conviction.
- B. Not more than one thousand dollars (\$1,000.00) nor less than two hundred dollars (\$200.00) for each count upon a second conviction that occurs within a twelve-month period of the first conviction.
- C. Not more than two thousand dollars (\$2,000.00) nor less than five hundred dollars (\$500.00) for each count upon a third conviction that occurs within a twelve-month period of the second conviction.
- D. Not more than two thousand dollars (\$2,000.00) nor less than five hundred dollars (\$500.00) for each count upon each conviction that occurs within a twelve-month period of the third conviction.

**Section 510.040. Third Party Inspection/Licensing.** [Ord. No. 1478 § 1, 10-3-2016]

The City may delegate, by contract approved from time to time by the Governing Body, the function and authority of the Board and the Building Official to inspect buildings, structures, and premises for compliance with, and issue licenses pursuant to, the Building Code.