ORDINANCE NO. 639

AN ORDINANCE AMENDING CHAPTER IV, SECTION 101(b)(1) OF THE ROSE HILL MUNICIPAL CODE, PROVIDING FOR ADOPTION BY REFERENCE OF THE DERBY BUILDING CODE, WITH CERTAIN AMENDMENTS THERETO, ALL PERTAINING TO THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, AND USE OR MAINTENANCE OF STRUCTURES WITHIN ROSE HILL, KANSAS; AND REPEALING ORIGINAL CHAPTER IV, SECTION 101(b)(1) OF THE ROSE HILL MUNICIPAL CODE AND FURTHER REPEALING ALL CONFLICTING ORDINANCES OR PARTS THEREOF

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

Section 1. Chapter IV, Section 101(b)(1) – International Building Code (2002 Edition) as published by the International Code Council, Inc. and Amendments of the Rose Hill Municipal Code is hereby amended to read as follows:

"Chapter IV, Section 101(b)(1) – Building Code"

Sections:
4-101(b)(1) - Adoption of Building Code by reference.

A. It is hereby adopted and incorporated by reference for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and use or maintenance of structures within the corporate limits of the City of Rose Hill, Kansas, that certain standard code known as the "Derby Building Code", as adopted by Ordinance No. 2258 of the City of Derby, Kansas, and contained in Chapter 15.12 of the Derby Municipal Code, as amended, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, amended, or changed; provided, that all references therein to the City of Derby shall be deemed amended to refer to the City of Rose Hill, said code being adopted and incorporated as fully as if set out herein at length, such incorporation by reference being authorized pursuant to K.S.A. 12-3009 through 12-3012, inclusive, as amended.

B. It is hereby adopted and incorporated by reference for the purpose of amending the Derby Building Code, in the form of omissions, amendments, modifications, changes, and deletions thereto, that certain Ordinance No. 2258 of the City of Derby, Kansas, as adopted by the Derby City Council on December 8, 2015, and

published on December 16, 2015, in the official city newspaper, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended.

C. One or more copies of said code shall be marked or stamped "Official Copy," with all deleted or amended sections or portions thereof clearly marked, and to which shall be attached a copy of this ordinance. Such copy or copies shall be open and available for public inspection at all reasonable hours in the office of the city clerk.

Section 2. Invalidity of a Part

Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

Section 3. Repeal

The original of Chapter IV, Section 101(b)(1) of the Rose Hill Municipal Code is hereby repealed. All other provisions of the Municipal Code of the City of Rose Hill, Kansas shall remain in full force and effect except as specifically amended herein. All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 4. Effective Date

This Ordinance shall take effect and be in force from and after its passage and publication of the ordinance or a summary thereof once in the City's official newspaper as provided by State law.

PASSED by the City Council on the 16th day of February, 2016, and

SIGNED by the Mayor.

CITY OF ROSE HILL CORPORATE Seal KANSAS

Jason Jones, Mayor

ATTEST:

Kelly Mendoza, City Clerk

Approved as to form:

Andrew Marino, City Attorney