

City of Glen Elder
213 S. Market, P.O. Box 55
Glen Elder, KS 67446
Phone 785-545-3322 / Fax 785-545-3342
Official web site: www.glenelder.com

Building Permit Application

Permit No. _____ Date of Application _____ Permit Fee _____

Name: _____ Address: _____

Phone No: _____ Work Site Address: _____

Legal description of the work site location: Lot _____ Blk _____
In _____ Addition to the City of Glen Elder, KS.

Application is hereby made for a permit to: (Erect, Remodel, Enlarge, Move In or Out,
Relocate, Etc.) _____

Proposed Improvement Description

Outside dimensions of basement (if applicable) _____

Class of occupancy (if applicable) _____

Class of Construction: _____

Kinds of materials to be used for: Walls _____ Floors _____

Ceilings _____ Roof _____ Foundation _____

Estimated cost of materials and labor: _____

Date work will start: _____ Expected date of completion: _____

Name and Address of Contractor(s) doing work: _____

Other information pertinent to issuance of required permit: _____

(Must submit blueprint drawing of project, including dimensions.)

This structure will be built according to Ordinance #665 specifications, on file in the
Office of the City Clerk, at City Hall, Glen Elder, Kansas.

Signature

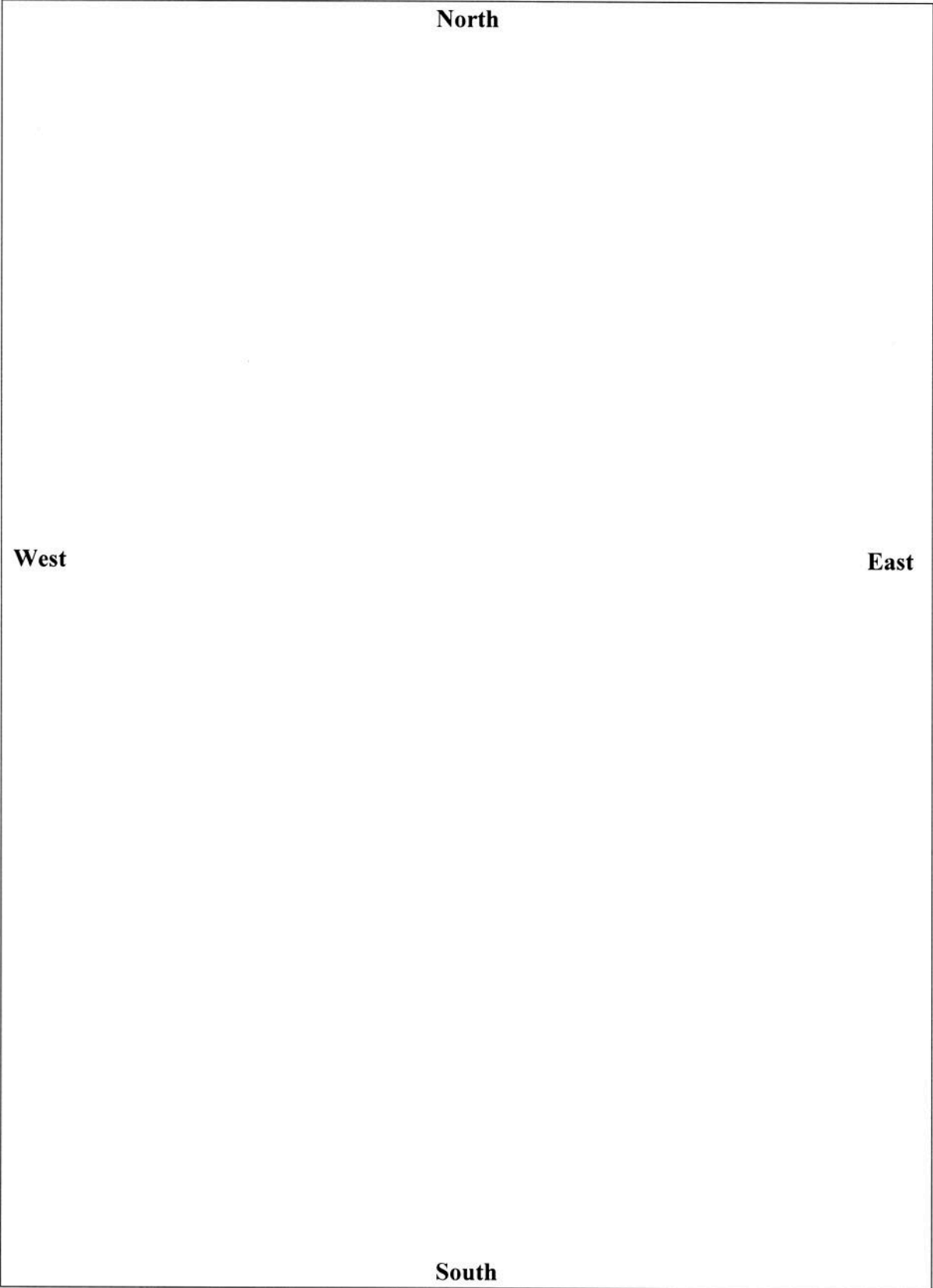
Address

Witnessed by _____, City Clerk, This _____ day of _____ 20__.

Application (Approved / Refused), This _____ day of _____ 20__.

Reason for Refusal: _____

BUILDING PERMIT BLUE PRINT SITE PLAN



(Published in the Cawker City Ledger on _____, 2012)

ORDINANCE NO. 665

AN ORDINANCE regulating improvement or relocation of structure in the City of Glen Elder, Kansas, (hereinafter, "City") and providing for building permits and other details of such regulation; and repealing existing Ordinance No. 518 of said City.

BE IT ORDAINED by the Governing Body of the City of Glen Elder, Kansas:

SECTION 1. Definitions: For purposes of this ordinance, the following words shall have the following meanings:

- a. "Structure" means any building, shed, fence, garage, concrete slab, swimming pool or hot tub, deck, patio, trailers or campers with wheels removed, and similar constructs, whether fixtures or not. A structure shall not include unimproved real estate or travel trailers or recreational vehicles governed by other provisions, resolutions or ordinances.
- b. "Person" means any individual, corporation, joint venture, partnership, or other entity recognized by law.
- c. "Improve" means to construct, reconstruct, substantially alter, maintain, repair, increase or reduce any structure.
- d. "Relocate" means to move a structure to or from any location in the City of Glen Elder, Kansas, whether from outside the city limits or from point to point within the city limits.
- e. "Improvement Site" means any platted lot or lots, or fraction thereof, or any other tract or parcel or tracts or parcels of real estate situated in the City, upon which a structure is to be improved, or to which a structure is to be relocated.
- f. "Building Permit" means a written permit issued by the City Clerk of said City to improve or relocate a structure to an improvement site.
- g. "Applicant" means a person applying for a building permit under this ordinance, and need not be the owner of an improvement site.
- h. "Notice to Proceed" means a written notice issued to avoid undue hardship, after a complete building permit application has been filed, but before a building permit has been issued, which authorizes a limited and restricted right to relocate or improve a structure, pending formal consideration of granting a building permit, all as more specifically provided in Section 6 of this ordinance.

SECTION 2. Prohibited Acts:

No person shall relocate or improve a structure on any improvement site in the City of Glen Elder, Kansas, without securing and paying for a building permit.

SECTION 3. Responsibility for Building Permit; Permit Inspection.

- a. If the owner, tenant or person in charge of the improvement site does not secure and pay for a building permit, the contractor, employee or laborer improving or relocating the structure shall obtain and pay for a building permit, and so do prior to beginning any work on any improvement or relocation.
- b. The building permit, or Notice to Proceed, or a legible copy of either shall be available at the improvement site for inspection by any city employee charged with enforcement of the provisions of this ordinance.

SECTION 4. Information Required:

- a. An applicant shall apply for a building permit from the City Clerk, City Hall, PO Box 55, Glen Elder, Kansas 67446, on application forms provided by the City. An applicant shall provide, among other things, the following information:
 - (1) The name and address of the owner of the improvement site;
 - (2) The location and description of the structure and the improvement site;
 - (3) The improvement or relocation proposed;
 - (4) The outside dimensions of the basement (if any);
 - (5) The class of occupancy (if applicable);
 - (6) The class of construction (if applicable);
 - (7) The kinds of materials to be used for walls, floors, ceilings, roofs and foundations;
 - (8) The estimated cost of the labor and materials for the improvement or relocation of the structure;
 - (9) The date work will commence;
 - (10) Expected date of completion;
 - (11) Name and address of contractor or contractors doing the improvement or relocation of the structure.
 - (12) Such other information as may be pertinent to the issuance of the building permit.

- b. If a Notice to Proceed is requested, the applicant shall provide any additional information required by this ordinance.
- c. If the applicant is not the improvement site owner, the applicant shall warrant, in writing, on the building permit application that the applicant has full authority to request the building permit on behalf of the owner.

SECTION 5. Permit Issuance:

- a. When an applicant submits a complete application, and the governing body determines that a building permit should issue, the City Clerk, at the direction of the governing body, may issue a building permit authorizing the improvement or relocation of the structure onto the improvement site described in the application.
- b. The governing body may refuse to act upon an incomplete application. The governing body may also issue conditional or limited building permits. Any conditions or limitation shall be stated in detail in the minutes, and shall be written on the face of the building permit.
- c. Any building permit shall be valid for a period of not more than six (6) months from the date of approval by the governing body unless extended in writing, for good cause shown.
- d. Good cause shown to warrant extension of the building permit shall include substantial physical efforts to begin improvement construction work or relocation efforts. It shall not be sufficient, without a showing of such substantial physical efforts, merely that written plans, specifications or drawings have been prepared and that improvement site has been staked out and a construction contract has been let.
- e. No building permit shall issue for any structure which is a dangerous structure, or nuisance, or which violates any set-back lines as provided in this ordinance or other land use or other regulatory ordinance, resolutions or statutes.

SECTION 6. Notice to Proceed:

- a. After an applicant files a completed building permit application has been filed, but before governing body consideration of granting the building permit, the Chairperson of the Building Permit Committee may issue a Notice to Proceed, upon the applicant's showing of undue hardship.
- b. The conditions of issuing a Notice to Proceed shall be as follows:
 - 1) No Notice to Proceed shall be issued if a regular City Council meeting will be conducted within ONE (1) day; and
 - 2) The applicant must state, on the written license application, the conditions which mount to undue hardship, and the Building Permit Committee Chairperson must find that undue hardship, in fact, exists; and

(Published in the Cawker City Ledger on May 16, 2013)

ORDINANCE NO. 667

AN ORDINANCE AMENDING THE BUILDING PERMIT APPLICATION FEES IN THE CITY OF GLEN ELDER, KANSAS; REPEALING SECTION #8 OF ORDINANCE NO. 665 AND ALL OTHERS IN CONFLICT THEREOF:

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

SECTION ONE: Section 8 of Ordinance No. 665 is hereby repealed.

SECTION TWO: The City of Glen Elder hereby adopts the following Building Permit Application Fees:

Fees. The fee for a building permit shall be a minimum of TWENTY FIVE DOLLARS (\$25.00) OR A QUARTER OF A PERCENT (.25%) of the total cost of the project; whichever is greater. This fee shall be paid to the City Clerk upon filing an application for a building permit and the same shall be credited to the General Operating Fund of the City, provided, however, that in the event a Notice to Proceed is issued, or the improvement or relocation of any structure is commenced before issuance of a permit or under this ordinance, and a building permit is subsequently issued, the fee for a building permit in such instance shall be \$25.00 or .25% of total project cost – whichever is greater. No fee hereunder shall be refundable if a permit is denied, limited or conditioned.

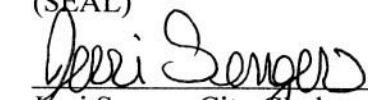
SECTION THREE: This Ordinance shall take effect and be in full force from and after its passage and one publication in the official city newspaper.

PASSED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR
THIS 6th DAY OF MAY, 2013.



Ryan Duskie, Mayor

ATTEST:
(SEAL)



Terri Senger, City Clerk

- 3) A copy of the Notice to Proceed must be filed with the Office of the City Clerk, indicating the date delivered to the applicant. The City Clerk shall promptly thereafter notify the Mayor of such filings; and
- 4) The applicant shall warrant in writing on the building permit license application that the applicant and the owner have actual knowledge that the building permit has not yet been formally issued, and that a building permit may be denied, or conditioned or limited by the governing body, which may require removal or substantial changes in the structure at the sole expense of the owner.

SECTION 7. Effect of Issuance of Building Permit or Notice to Proceed on Other Regulations.

Granting a building permit or Notice to Proceed constitutes no waiver of the City's duty and right to enforce any other licensing permit, unsafe structure, nuisance, lot line or setbacks or other land use control or other applicable ordinance, resolution, or statute.

SECTION 8. Fees

The fee for a building permit shall be FIVE DOLLARS (\$5.00); and shall be paid to the City Clerk upon filling an application for a building permit and the same shall be credit to the General Operating Fund of the City, provided, however, that in the event the improvement or Notice to Proceed relocation of any structure is commenced before issuance of a permit or under this ordinance, and a building permit is subsequently issued, the fee for a building permit in such instance shall be \$ 5.00 . No fee hereunder shall be refundable if a permit is denied, limited or conditioned.

SECTION 9. Building Lines:

Distance from Street and from Adjoining Property. Distances from a street to the building line of any building or structure shall be subjected to the approval of the governing body, having regard to the building lines of existing buildings or structure, the intended use or occupancy of the building or structure and to consideration relating to health and fire safety, provided that the building lines of any structure shall not be less than ten (10 feet from the property line, as established by city plat or legal description of owner's property, provided further, that the distance between a structure and the line of adjoining property shall not be less than five (5) feet, and provided further, that for good cause shown, the govern body may modify these minimum differences. The City is not responsible for determining property lines not established by survey and marked accordingly, but will rely on measurements from the center of platted city streets. Any dispute with interpreted property line can be resolved by property owner acquiring a survey of their property at their expense.

SECTION 10. Fences:

Distances from Sidewalks and Adjoining Property. Distances from a street to the

building line of any fence shall be subjected to the approval of the governing body, having regard to the building lines of existing buildings, structures or fences, the intended use or occupancy of the building or structure and to consideration relating to health and fire safety, provided that the fence to be erected shall be at least one (1) foot inside of the existing sidewalk. If no sidewalk exists the fence shall be no less than five (5) feet from the property line adjoining any city street or alley. Fences between adjoining properties can be placed on the property line, subject to written consent of both property owners and a Property Line Agreement being executed by all parties and being filed of record with the Register of Deeds of Mitchell County, Kansas. Otherwise, a fence shall be placed no less than one (1) foot from any adjoining property line. The City is not responsible for determining property lines not established by survey and marked accordingly, but will rely on measurements from the center of platted city streets. Any dispute with interpreted property line can be resolved by property owner acquiring a survey of their property at their expense.

SECTION 11. Penalties.

Any person who shall improve or relocate any structure to any improvement site without a permit or without a Notice to Proceed, or who, having secured a Notice to Proceed or building permit, improves or relocate a structure in violation of the provisions of this ordinance, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500.00.

SECTION 12. Prior Ordinances Repealed; Implied Repeal.

Ordinance No. 484, and prior ordinances or parts of ordinances in conflict hereto are hereby repealed. It is the intent of this ordinance to complement and supplement provisions of other ordinances or resolutions of said City regulating the use of land within the city limits of said City, and to extent that any such ordinance or resolution can be read in harmony with this ordinance, no implied repeal or any prior ordinance or resolution is intended.

SECTION 13. Governing Law, Separability and Alternative Enforcement.


This ordinance shall be governed by the laws of the State of Kansas, and each provision hereof may be separately enforced. As a complete alternative to any penalty provision of this ordinance, the governing body may, in its discretion, authorize appropriate action in the District Court or Mitchell County, Kansas, to seek injunctive, declaratory, or other relief necessary to enforce the provisions of this ordinance. Should any provisions hereof be found by a court of competent jurisdiction to be invalid or unenforceable for any reason, then and in that event, the remaining provisions hereof shall remain in full force and effect, with the offending provision or provisions deemed excised.

SECTION 13. Effective Date.

This Ordinance shall be in full force and effect from and after its passage and publication in the official city newspaper.

PASSED, by the Governing Body and signed by the Mayor this 3rd day of Dec., 2012.

(SEAL)


Ryan Duskie, Mayor

ATTEST:


Jerri Senger, City Clerk

Notice to Proceed

Date: _____ To: _____ From: Chairman, Building Permit Committee, City of Glen Elder, Kansas.

You have filed a building permit application for the following structure: _____

To be improved or relocated to the following improvement site: _____

You have requested a Notice to Proceed, prior to the City Council's formal approval of a building permit, based on the application you have filed. A Notice to Proceed can be issued only upon showing undue hardship. I have determined that the following circumstances constitute an undue hardship: _____

Accordingly, you may proceed with the improvement or relocation of the structure at the improvement site noted above, SUBJECT TO THE FOLLOWING: You have warranted in writing that both the applicant and the owner of the improvement site have actual knowledge that the building permit has not yet been formally issued, and that a building permit may be denied, conditioned, or limited by the governing body at the time it considers whether to approve the building permit, which may require removal or substantial changes in the structure at the sole expense of the owner.

Signature, Building Permit Chairman

State of Kansas
County of Mitchell

The undersigned, being the duly appointed, qualified and acting Chairman of the Building Permit Committee of the City of Glen Elder, Kansas, hereby certifies that he/she hand delivered a true copy of the foregoing Notice to Proceed, to the following named person and address: _____

_____, and that the original of the Notice to Proceed was filed with the office of the City Clerk, City Hall, P.O. Box 55, Glen Elder, Kansas 67446.

Signature, Building Permit Chairman

Notice to Proceed Information:

Is applicant requesting a Notice to Proceed prior to approval of a building permit by the City Council?

a. If so, please identify circumstances causing undue hardship: _____

b. By signing this application below, you are acknowledging the following:

1. No Notice to Proceed shall be issued if a regular City Council Meeting will be conducted within one (1) day.
2. The applicant must state the conditions which amount to undue hardship, and the Building Permit Chairperson must find that undue hardship, in fact, exists to grant a Notice to Proceed.
3. A copy of the Notice to Proceed must be filed with the Office of the City Clerk, indicating the date delivered to the applicant. The City Clerk shall promptly thereafter notify the Mayor of such filing.
4. You, the applicant, hereby warrant that both you and the owner have actual knowledge that the building permit has not yet been formally issued, and that a building permit may be denied, conditioned, or limited by the governing body, which may require removal or substantial changes in the structure at the sole expense of the owner.

Signature of Applicant