CHAPTER 153

BUILDING CODE

153.01 Adoption of Building Code
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153.01 ADOPTION OF BUILDING CODE. That certain document, one copy of which is on file in the office of the Clerk, being marked and designated as the *International Building Code*, 2006 edition, as published by the International Code Council, is hereby adopted as the Building Code of the City, 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 Clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 153.02.

153.02 SECTIONS REVISED. The following sections of the Building Code are hereby revised:

1. Section 101.1. Insert: "the City of Kelley".

2. Section 103.1. Replace the section as it appears in the Building Code with the following:

> **103.1 Enforcement.** All references to the "building official" in this code shall mean either the Clerk of the City of Kelley or the building inspector(s) appointed by the Kelley City Council, as appropriate.

3. Section 103.2. Replace the section as it appears in the Building Code with the following:

> **103.2 Appointment.** The building official or building officials shall be appointed by the Kelley City Council.

4. Section 103.3. Delete this entire section as it appears in the Building Code.

5. Section 104.2. Replace the section as it appears in the Building Code with the following:

> **104.2 Applications and Permits.** After receiving approval from the building inspectors and payment, the Clerk of the City of Kelley shall issue permits for the erection, alteration, demolition and moving of buildings and structures. The building inspectors shall inspect the premises for which such permits have been issued and shall enforce compliance with the provisions of this code.

6. Section 105.1. Replace the section as it appears in the Building Code with the following:

> **1.05.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building

or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Clerk of the City of Kelley, receive approval from the building inspectors, make payment to the Clerk of the City of Kelley, and obtain the required permit.

7. Section 105.2. Strike Subparagraph 2. Permits are required for all fences.

8. Section 1612.3. Insert: "the City of Kelley."

9. Section 1612.3. Insert: "date not applicable."

10. Section 3410.2. Insert: "May 8, 2007."

153.03 CONFLICTS. All other current and future City ordinances or parts of ordinances in conflict herewith are hereby specifically retained and declared to be controlling in case of conflict with the Building Code adopted under this chapter.

153.04 PRESERVATION OF RIGHTS. Nothing in this chapter or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding pending 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 under Section 153.03; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.

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