

**CITY OF FAIRWAY, KANSAS
ORDINANCE NO. 1773**

**AN ORDINANCE AMENDING THE FAIRWAY DEVELOPMENT
ORDINANCES PERTAINING TO BUILDING PERMIT APPLICATIONS;
AMENDING AND REPEALING EXISTING SECTION 15-852 OF THE
FAIRWAY DEVELOPMENT ORDINANCES.**

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

SECTION 1. Existing Section 15-852 of the Fairway Development Ordinances is hereby amended to read as follows:

Sec. 15-852. Application procedure.

Applications for building permits shall be filed with the City Clerk or authorized designee 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 respects conform with the provisions of this chapter.

- (a) *Expiration of building permit; renewal.* 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 a period of six (6) months 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 first be obtained. The renewal fee to extend for an additional six (6) months is one half (½) the amount of the original permit fee, 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 a period of six (6) months.
- (b) *Exceptions.*
 - (1) *New single family homes.* Permits may be issued for a period of one (1) year from the date of issuance. The permit may be extended for a period of six (6) months if the project will require more than one (1) year to complete, given reasonably diligent pursuit of construction of the project and extenuating circumstances. The renewal fee to extend for an additional six (6) months is one-half (½) the amount of the original permit fee. No building permit shall be renewed more than six (6) months beyond the initial one (1) year permit without the express authorization and approval of the City Council.
 - (2) *New commercial buildings.* Permits may be issued for a period of one (1) year from the date of issuance. The permit may be renewed for a period of one (1) year if the project will require more than one (1) year to complete based upon the scope and nature of the project and approval of the Community Development Director or authorized designee at no fee. No building permit shall be renewed more than one

(1) year beyond the initial one (1) year permit without the express authorization and approval of the City Council.

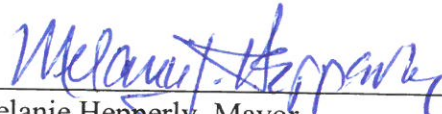
- (c) *Extension by Governing Body.* The City Council may extend permits up to an additional six (6) months if it is determined that the project will require more time than the Community Development Director or authorized designee is allowed to approve, given reasonably diligent pursuit of construction of the project and extenuating circumstances. The fee to extend up to an additional six (6) months is one-half (½) the amount of the original permit fee for the project.
- (d) *Abandoned permits.* Any project that is left unattended for a period of thirty (30) days may be considered abandoned and the permit(s) may be revoked. Any further work on the property may require issuance of a new building permit and the associated fee(s). The permit issuance may require approval by the City Council, at the discretion of the Community Development Director or authorized designee.
- (e) *Appeal.* In the event of the refusal of the City to issue a building permit, the applicant 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 4. Existing Section 15-852 of the Fairway Development Ordinances is hereby repealed.

SECTION 5. This Ordinance No. 1773 shall take effect and be in force from and after its publication, or the publication of a certified summary hereof, in the official City newspaper.

[Remainder of page intentionally left blank; signatures follow.]

PASSED by the City Council this 10th day of October, 2022. **APPROVED** by the Mayor.



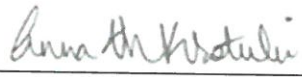
Melanie Hepperly, Mayor

ATTEST:



Kim Young, City Clerk

APPROVED AS TO FORM:



Anna M. Krstulic, City Attorney