

(Published in the Topeka Metro News February 27, 2017)

ORDINANCE NO. 20054

AN ORDINANCE introduced by Interim City Manager, Doug Gerber, concerning the structure of the building code enforcement division, amending City of Topeka Code § § 2.51.010, 2.50.040 and 2.50.060 and repealing original sections as well as repealing 2.50.050 in its entirety.

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

Section 1. That section 2.50.010, Created, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Created.

There is hereby created a building code enforcement division. This division shall be under the general supervision of the ~~public works~~planning director and as such shall be an administrative division within the ~~public works~~planning department

Section 2. That section 2.50.040, Powers and duties generally, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Powers and duties generally.

(a) The director of development services shall be the ~~superintending~~ head of the building code enforcement division and shall be responsible for the performance of the duties of the subordinate members and employees of the division. The director of development services shall be authorized and empowered to perform the duties imposed upon any inspector or assistant inspector of the building code enforcement division, any ordinance of the city to the contrary notwithstanding. In the discharge of duties, the director of development services shall be directly responsible to the ~~public works~~planning director and shall make such reports of the affairs of the building code enforcement division as may be required by the ~~public works~~planning director.

(b) The director of development services shall have such other duties as may be ~~conferred upon the director~~imposed by the further provisions of this chapter and other ordinances of the city imposing special duties upon the building code enforcement division.

Section 3. That section 2.50.050, Appointment of subordinate officers and employees, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~Appointment of subordinate officers and employees.~~

~~The code enforcement director may appoint such number of inspectors, assistant inspectors, clerks, stenographers and such other employees of the code enforcement division as are necessary for the operation thereof. All such inspectors, assistants and other employees may be removed as provided by applicable law.~~

Section 4. That section 2.50.060, Expert technical advisors, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Expert technical advisors.

The code enforcement director shall be authorized, subject to the approval of the ~~public works~~planning director, to ~~employ~~utilize expert technical advisors when deemed necessary to determine any question arising under the ordinances of the city relating to the duties of the building code enforcement division.

Section 5. That original § § 2.51.010, 2.50.040 and 2.50.060 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 6. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 7. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 8. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on February 21, 2017.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk