

City of St. Marys. All other provisions of the zoning regulation are not amended and remain as published and adopted. No fewer than three copies of the zoning regulations shall be filed with the city clerk to be open for inspection and available to the public at all reasonable business hours. (ORD799 Sec 1,3; ORD1023 Sec 1,3/111693; ORD1172/032106; ORD 1245/110111; ORD 1272/091614)

18-302 DISTRICT MAP. (a) The map setting forth the boundaries of zones or districts as submitted by the Planning Commission is herewith adopted, and shall be marked "Official Copy 2012 #1 of zoning district map incorporated into zoning regulations by adoption of an ordinance by the governing body of the city on the 4th day of December, 2012," as provided by law.

Sections 18-302 (b) (1) and (b) (2) are hereby repealed. (ORD799,Sec.4;ORD1023Sec4/111693;ORD1177/041806;ORD1178/062006; ORD 1255/112012)

18-303 AMENDMENTS. The procedure for amendment or changes in zoning shall be as provided in K.S.A. 12-707 and any amendments thereto. (ORD 799, Sec. 5;ORD1023 Sec 5/111693)

18-304 FEES. The following fees are hereby established:

- a) REZONING FEES
 - All Districts \$100.00
- b) SPECIAL PURPOSE OVERLAYS
 - IO Institutional Overlay 100.00
 - NSSP Non-Specific Special 100.00
 - GEO General Events Overlay 100.00
 - SDZO Special Development Overlay 100.00
 - X "X" Overlay District 125.00
- c) SIGNS
 - All new sign permits 15.00
 - Permit to alter 15.00
 - Non-conforming permit 15.00
 - Temporary sign permit 15.00
- d) TEMPORARY CONSTRUCTION PERMITS
 - All Districts 50.00
- e) CONDITIONAL USE
 - All Districts 100.00
- f) VARIANCE AND EXCEPTIONS
 - All Districts 25.00
 - Appeals to BZA NC
- g) SUBDIVISION APPLICATION
 - All Districts 50.00
 - (Also they are to pay the recording costs and any engineering fees from evaluating the subdivision)
- h) BUILDING PERMIT FEES

RESIDENTIAL

- Residential Buildings New 100.00
(Includes garage and accessory buildings when constructed at the same time as the principal structure)
- Residential Buildings Additions 50.00
- Replacement Type 1 Manufactured Home 100.00
- Residential Accessories 10.00
- Fences NC

COMMERCIAL

Commercial Buildings	New	200.00
Commercial Buildings	Addition	100.00
Commercial Buildings Internal Remodeling		NC
Commercial Accessories		100.00
Commercial Fences		NC

INDUSTRIAL

Industrial Buildings	New	400.00
Industrial Buildings	Addition	200.00
Industrial Accessories		200.00

INSTITUTIONAL BUILDINGS

Institutional Buildings	New	100.00
Institutional Buildings	Addition	100.00
Institutional Accessories		50.00

(Institutional buildings include churches, private schools, care homes, housing authority, senior citizen center, charitable or philanthropic organizations)

TEMPORARY PERMITS 100.00

ZONING OR SUBDIVISION REPROCESSING 20.00

COMMERCIAL TOP SOIL REMOVAL PERMIT 150.00

i) MISC FEES

Duplicate Tape of Record Hearing	15.00
Copy of Unified Development Ordinance	15.00
Copy of Comprehensive Plan	15.00
City Map (Regular) *	NC
City Map (Large)	2.00

* One copy per person, more than one copy 25 cents each

j) Copies of the Unified Development Ordinance and all City Plans are supplied free of charge to official governmental agencies, local contractors, real estate office and the Chamber of Commerce by order of this ordinance.

k) The City of St. Marys City Commission may, by separate ordinance, waive the fee on any permit issued by the Zoning Administrator. The Planning Commission may, by motion, pay for any and all costs of title search. (ORD800, Sec 1; ORD1026/120793; ORD1043/70595)

18-305

PENALTY.

a) Every person convicted of a violation of any of the provisions of this ordinance for which another penalty is not provided, or who shall build in violation of any specifications or plans submitted and approved, or any certificate or permit issued thereunder, shall for each and every violation and noncompliance respectively be deemed guilty of a misdemeanor, and upon conviction therefore be fined not less than \$50 nor more than \$500 for each offense. Each and every day a violation is permitted to exist shall be deemed a separate offense.

b) In case any building or structure is or is proposed to be erected,

constructed, altered, converted, or maintained, or any building, structure, or land is or is proposed to be used in violation of this ordinance, the zoning administrator, city manager, city attorney, or other appropriate authority of the city, may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation, or to prevent the occupancy of the building, structure, or land. The city shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing the provision of this ordinance and to abate nuisances maintained in violation thereof. (ORD 799, Sec. 7; ORD1023 Sec 6/111693)

ARTICLE 4. BOARD OF APPEALS

18-401

BOARD OF APPEALS. That pursuant to Section 204 of the 1991 Uniform Building Code of the City of St. Marys, Kansas, a "Board of Appeals" is hereby created, subject to the following: Section 204:

- a) **General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the jurisdiction of the City of St. Marys. The building official shall be an ex-officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the Mayor with approval of the City Commission of the City of St. Marys and shall hold office at the City Commission's pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.
- b) **Limitations of Authority.** The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive the requirements of this code.
- c) **Confirmation of the Board.** The board of appeals shall consist of up to five (5) members and shall represent the construction trades of: builder, electrical, plumbing, HVAC and engineers/architect. The terms of the positions appointed by the Mayor shall be on rotating terms of three years, initially appointments shall be staggered. (ORD 1168/071905)