

**12-310 CERTIFICATES OF OCCUPANCY AND BUILDING PERMITS**

**12-310-1 Building Permits**

**12-310-2 Certificates of Occupancy**

**12-310-1. BUILDING PERMITS**

**12-310-1.01** No building, structure, manufactured or mobile home shall be erected, constructed, altered, moved, converted, extended or enlarged, except for ordinary repairs, without the owner or owners first having obtained a building permit or an exemption in accordance with Section 106.2 of the County Code, established by Home Rule Resolution No. 07-4-3 in the case of agricultural structures, from the Director of Zoning and Codes.

A building permit is also required for a change of use. A change of use occurs when there is any change in the use of a building that could trigger a change in the code requirements that apply to the site or structure. For example, agricultural exempt structure that is requesting a change of use to residential.

**12-310-1.02 Conformity with Regulations**

Such permit shall require conformity with the provisions of the Douglas County Zoning Regulations and shall be issued in accordance with and subject to all applicable provisions of all applicable subdivision regulations, construction codes, rules and similar regulations.

**12-310-1.03 Validity**

When issued, a building permit shall be valid for the period stated in the adopted construction code.

**12-310-1.04 Fees**

Charges for building permits, inspections, and related fees shall be set and amended by the Board of County Commissioners from time to time. A fee schedule is available at the Zoning and Codes Office.

**12-310-1.05 Penalty**

Any person who fails to obtain a building permit prior to commencing construction on the property shall pay a fee as set by Section 12-310-1.04 in addition to the cost of the building permit. The fee is set by the Board of County Commissioners and is listed on the fee schedule at the Zoning and Codes Office.

**12-310-1.06 Granting of Building Permits in the Floodplain Overlay Districts**

The granting of a building permit for the erection, moving, altering, or enlarging of any building or structure in the regulatory floodplain shall not constitute a representation or warranty of any kind or nature by the Douglas County or any agency or employee thereof; of the practicability or safety of any action or improvement described by such permit and shall create no liability upon or course of action against the County or any agency or employee thereof for any damage that may result pursuant thereto.

**12-310-1.07 Building Permit Applications.**

In addition to documents and other information required pursuant to applicable building codes and other regulations, all applications for building permits shall be accompanied by the following:

- a. Two complete sets of printed construction plans; may be subject to electronic submittal per Zoning and Codes Director.
- b. A recorded deed;
- c. Evidence that a road access entrance permit has been issued by the Douglas County Public Works Department, Kansas Department of Transportation, or Township Board as appropriate;
- d. Evidence that a sewage disposal system permit and water supply permit has been issued by the Lawrence-Douglas County Health Department or other appropriate agency or that no such permits are necessary;
- e. A recorded boundary survey (prepared by a Kansas licensed land surveyor) reflecting the deeded property and a building site plan (prepared by a Kansas licensed professional) in duplicate or as required by the Director of Zoning and Codes; and,
- f. A building site plan drawn at a scale of 1 in. = 50 ft, for parcels with 1 acre or less; or a scale of 1 in. = 100 ft for parcels with more than 1 acre.
- g. The building site plan shall note or show the following:
  - 1) Location of proposed building(s) on the lot or eligible parcel.
  - 2) Required street right-of-way line, base setback line, and required yard setback line.
  - 3) All easements, public or private;
  - 4) Sewer or septic tank location;
  - 5) Source of potable water supply and location.
  - 6) The proposed use of all lands and buildings.
  - 7) Required setbacks per the zoning district.
  - 8) Title block, containing a north arrow, date, legal description of the property, and name of owner.
  - 9) Road access entrance location, culvert size, and materials, as approved by the Douglas County Public Works Department, Kansas Department of Transportation, or Township Board, as appropriate.
  - 10) Regulatory floodplain and contours if present, subject to the Zoning and Codes Director's discretion.
- h. A record of the original copy of such applications and materials shall be kept in the Zoning and Codes Office and a duplicate copy shall be kept at the building site at all times during construction.

**12-310-2      CERTIFICATES OF OCCUPANCY**

No premises shall be used, and no buildings hereafter erected or structurally altered shall be used, occupied, or changed in use, except for those agricultural uses which qualify for an agricultural exemption or uninhabited accessory structures, until a certificate of occupancy has been issued by the Director of Zoning and Codes, stating that the building or proposed use of a building or premises complies with the building laws and the provisions of these regulations.

**12-310-2.01 Application**

- a.** Certificates of occupancy are coincidental to the application for a building permit.
- b.** A certificate of occupancy shall be issued after the erection or structural alteration of such buildings that have been completed in conformity with the provisions of these regulations.
- c.** A record of all certificates of occupancy shall be kept on file in the Zoning and Codes Office.