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News Release

Building Trades Board vets final changes to building regulations

Class D licenses planned for backflow prevention, tree trimming contractors

ARKANSAS CITY, Kan. (November 17, 2017) — The Arkansas City Building Trades Advisory Board voted 5-0 on Thursday night to approve final changes and recommend the passage of a new ordinance.

The ordinance, which makes quite a few adjustments throughout Municipal Code Chapter 14, would amend building regulations, licensing and permitting of contractors, and the board's composition.

Among its recommendations are the creation of new definitions and Class D licensing requirements — but not testing requirements — for backflow prevention contractors and tree trimming contractors.

This is the same class of license given to “handymen” and other limited contractors who do not engage in structural changes to buildings. Anyone applying for such a license has to pay a \$150 fee.

If the proposal is approved, either contractor would have to present proof of insurance in the amount of \$300,000, but no specialized testing would be required. Permits would be required on individual jobs.

Homeowners or renters trimming trees in their own yards are exempted from the new requirements because their homeowners insurance should pay for any damages. It is only for commercial work.

The ordinance now will proceed to the City Commission for consideration, probably at a meeting in December. It must be approved by a majority of the commissioners before it can become law.

Other changes

Other changes proposed in the ordinance include requiring each trade to pull its own permits on construction projects that have multiple trades involved, rather than a single “contractor of responsibility.”

Staff said this change would increase accountability and better match current administrative practice.

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“So we’re going back?” asked board chair Carl Bowman. “We used to be that way. It was a fiasco on a couple of big remodels that I was on. I agree, changing it back this way. I think that’s a good thing.”

“I had brought that up. I had a contractor pull a permit for me and I didn’t even know he had done it,” said board member Brian Mayfield. “Yeah, it was confusing,” Bowman agreed.

Along with establishing licensing for backflow prevention contractors, the ordinance also complies with Kansas regulations by requiring annual testing of any backflow prevention devices installed on lawn irrigation systems. The City will send owners reminders each year and allow a 60-day grace period.

If proof of the maintenance is not supplied within that 60-day time frame, the ordinance allows the City to hire its own backflow prevention contractor to do the work and then charge the homeowner for it.

Exceptions were introduced into the 2014 National Electrical Code to not require ground-fault circuit-interrupter protection for garage door openers or refrigerators, and to only require arc-fault circuit-interrupter protection in dwelling unit bedrooms, closets, laundry areas and similar rooms or areas.

These are cost-saving measures that staff and the board agreed are not necessary for life safety.

The ordinance also clarifies the role of Quick Problem Resolution meetings in the appeals process.

In other business Thursday, the board unanimously approved the minutes of the July 20 special meeting and Aug. 17 regular meeting.

Board members Mark Bartlett, Leonard Mumford, Chris Rains and Randy Smith were absent.

About the Building Trades Advisory Board

The Building Trades Board was established for the purpose of establishing criteria for licensing and regulating persons, firms or corporations desiring to engage in any of the defined building trades.

It also serves as a review board to which decisions of the code enforcement official may be appealed by citizens. If the board rules against them, they can appeal its decisions in district court.

The board has specific membership requirements to ensure representative cross-sections of trades:

- Two members must be electricians, and one of them must be a master electrician. The current electrical members are Bartlett, of Bartlett Electric, and Mayfield, of Mayfield Electric.

- Two members must be plumbers, and one of them must be a master plumber. The current plumbing representatives are David Billings, of Billings Plumbing, and Bowman, of Bowman's Plumbing, Heating & Air, who has served as chairman of the board for several years.
- Two members must represent heating, air-conditioning or refrigeration contractors. The current HVAC members are Brian Lawrence, of Ark City Service, and Ken Miller, of Tickel Refrigeration.
- Two members must be general contractors doing business in Arkansas City — those members are Mumford, of Mumford Contracting, and Smith, of Randy Smith Construction — and one member must be a citizen or “layman” familiar with the requirements of the Arkansas City building code. This position currently is held by Rains, of Ace Construction. Under the proposed ordinance, all three positions would become “at large” positions open to any general, building, residential or limited contractors and/or citizens or laymen familiar with code requirements.

All nine terms are for two years each. The Arkansas City fire-EMS chief and code enforcement official both serve as ex officio members of the board without voting privileges.

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