

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 4, ARTICLE 8 OF THE CODE OF THE CITY OF LEAWOOD, 2000, INCORPORATING BY REFERENCE THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION, SAVE AND EXCEPT SUCH ARTICLES, SECTIONS, PARTS OR PORTIONS WHICH ARE OMITTED, DELETED, MODIFIED, CHANGED, OR ADDED, AND REPEALING EXISTING ARTICLE 8, AND OTHER SECTIONS IN CONFLICT HEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That Section 4-801 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-801. INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED. There is hereby incorporated by reference that certain code known as the International Energy Conservation Code, 2018 edition, ["IECC"] prepared and published in book form by the International Code Council, Inc., excluding appendices and IECC Residential Provisions, Sections R101 through R505 and RA101-103, and any other articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, or added thereto, such incorporation being authorized by K.S.A. § 12-3009 through 12-3012, as amended. At least one copy of said Code shall be marked or stamped "Official copy as incorporated by Ordinance No. _____" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

(Ord. 2296C; 02-04-08)

(Ord. 1935C; 01-22-02)

SECTION TWO: That Section 4-802 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-802. INTERNATIONAL ENERGY CONSERVATION CODE, SECTION 101.1. TITLE. Section 101.1 of the IECC is hereby amended to read as follows: **Title.** This code shall be known and referred to as this code, the IECC, or the Energy Conservation Code of the City of Leawood, Kansas.

(Ord. 2598C; 12-03-12)

(Ord. 2296C; 02-04-08)

(Ord. 1935C; 01-22-02)

SECTION THREE: That Section 4-803 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-803. INTERNATIONAL ENERGY CONSERVATION CODE, DELETED SECTIONS. The following sections of the IECC are hereby deleted and omitted. The administration of the following provisions shall be governed as provided in Article 2 of this Chapter.

(a) Section C104 Fees

(b) Section C108 Stop Work Order

(c) Section C109 Board of Appeals

(Ord. 2598C; 12-03-12)
(Ord. 2296C; 02-04-08)
(Ord. 1935C; 01-22-02)

SECTION FOUR: That Section 4-804 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-804. INTERNATIONAL ENERGY CONSERVATION CODE, SECTION R401.2. COMPLIANCE. *Repealed.*

(Ord. 2598C; 12-03-12)
(Ord. 2296C; 02-04-08)
(Ord. 1935C; 01-22-02)

SECTION FIVE: That Section 4-805 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-805. INTERNATIONAL ENERGY CONSERVATION CODE, TABLE R402.1.1. *Repealed.*

(Ord. 2598C; 12-03-12)

SECTION SIX: That Section 4-806 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-806. INTERNATIONAL ENERGY CONSERVATION CODE, SECTION R402.4.1.2. TESTING. *Repealed.*

(Ord. 2598C; 12-03-12)

SECTION SEVEN: That Section 4-807 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-807. INTERNATIONAL ENERGY CONSERVATION CODE, SECTION R403.2.2. SEALING (MANDATORY). *Repealed.*

(Ord. 2598C; 12-03-12)

SECTION EIGHT: That Section 4-808 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-808. INTERNATIONAL ENERGY CONSERVATION CODE, SECTION R403.2.3. BUILDING CAVITIES (MANDATORY). *Repealed.*

(Ord. 2598C; 12-03-12)

SECTION NINE: That Section 4-809 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-809. INTERNATIONAL ENERGY CONSERVATION CODE, SECTION R403.4.2. HOT WATER PIPE INSULATION (PRESCRIPTIVE). *Repealed.*

(Ord. 2598C; 12-03-12)

SECTION TEN: That Section 4-810 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-810. INTERNATIONAL ENERGY CONSERVATION CODE, SECTION 404.1. LIGHTING EQUIPMENT (MANDATORY). *Repealed.* (Ord. 2598C; 12-03-12)

SECTION ELEVEN: That Section 4-811 of the Code of the City of Leawood, Kansas, 2000, is hereby repealed.

4-811. INTERNATIONAL ENERGY CONSERVATION CODE, PENALTIES. *Repealed.* (Ord. 2598C; 12-03-12)

SECTION TWELVE: This ordinance shall be construed as follows:

A. Liberal Construction. The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

B. Savings Clause. The repeal of articles and sections, as provided herein below shall not affect any rights acquired, fees, fines, penalties, forfeitures or liabilities incurred there under, or actions involving any of the provisions of said Ordinances or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fees, fines, penalties, forfeitures, liabilities and actions therefore.

C. Invalidity. If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out herein, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code or other Ordinances.

SECTION THIRTEEN: That existing Article 8 of Chapter 4 and any provisions in conflict herewith are hereby repealed.

SECTION FOURTEEN: This ordinance shall become effective on May 1, 2020, following adoption and publication in accordance with K.S.A. 12-3007 and amendments thereto.

PASSED by the Governing Body this 21st day of January, 2020.

APPROVED by the Mayor this 21st day of January, 2020.

[SEAL]

Peggy Dunn, Mayor

ATTEST:

Kelly L. Varner, City Clerk

APPROVED AS TO FORM:

Patricia A. Bennett, City Attorney