

**ORDINANCE NO. 1003**

**Repeals Ordinance No. 639**

Repeals Ordinances No. 175, 230 and 409 and 639

**Prescribes Fire Limits and Relates to Construction of Buildings in the Fire Limits**

An ordinance repealing ordinances no. 175, 230, 490 and 639 and, prescribing fire limits and relating to the construction of buildings within such fire limits and providing penalties for the violation thereof and all within the City of Smith Center, Kansas.

Be it ordained by the Mayor and Councilmen of the City of Smith Center, Kansas:

Section 1. That ordinances no. 175, 230, 409 and 639 be and the same are hereby repealed.

Section 2. That the following shall be and is hereby declared to be the fire limits: All of Blocks no. 15, 16, 21, 22, 27, 28, 33 and 34, all within the original town of Smith Center, Kansas.

Section 3. Every building hereafter erected or enlarged within the fire limits shall be enclosed on all sides with walls constructed wholly of stone, brick, tile, terra cotta, concrete, or cement block, except as otherwise provided by this ordinance.

Section 4. Temporary one-story frame buildings for use of builders may be built within the fire limits, provided, however, that such buildings shall not be located within 20 feet of any other building.

Section 5. No frame building shall be moved from without to within the fire limits or from one place to another within the fire limits. For the purpose of this ordinance a building shall be classed as frame when the exterior walls or portions thereof are wood; also a building with wooden frame work veneered with brick, stone, terra cotta, tile or concrete, or covered with plaster, stucco or sheet metal shall be classed as a frame building.

Section 6. Any frame building within the fire limits which may hereafter be damaged by fire, decay or otherwise to an amount greater than 50 per cent, exclusive of its foundation, shall not be repaired or rebuilt, but shall be removed.

Section 7. All buildings hereafter erected within the fire limits shall have the roof, top and sides of all roof structures, including dormer windows and mansard roofs, covered with incombustible material. No existing wooden shingle roof within the fire limits shall be renewed or repaired with other than incombustible roof covering.

Section 8. Any party desiring to move or erect a building from materials not previously approved by this ordinance, to a location within the fire limits of Smith Center, KS, as defined in this Ordinance No. 1003, shall make their request to the City Council of Smith Center, KS to describe the proposed building. The City Council may, from time to time, allow a building not meeting the requirements of this Ordinance No. 1003, to be moved or erected within said fire limits, if the City Council finds that the same will not create a significant fire hazard to other buildings located in the fire limits after consulting with the City Fire Chief, and after considering any and all other relevant factors in making their determination. The City Council may make such requirements as it deems necessary for safety as a condition for a building not meeting the requirements of this Ordinance No. 1003, being moved or erected upon and located within said fire limits.

Section 9. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than five dollars (\$ 5.00) nor more than twenty-five dollars (\$ 25.00) for each offense. Each day that any of the provisions of this ordinance shall be violated shall constitute a separate offense.

Section 10. This ordinance shall take effect and be in force from and after its passage and publication in the official city paper.

Passed by the Council and approved by the Mayor this 11th day of September, 2014.

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Trey Joy  
Mayor

ATTEST:

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Terri Jones  
City Clerk- Pro Tem