

ORDINANCE NO. G-1445

AN ORDINANCE OF THE CITY OF EL DORADO, KANSAS, ESTABLISHING CERTAIN NEW SECTIONS OF THE CITY CODE CONCERNING A POLICY FOR THE DISCRETIONARY WAIVER OF PERMIT FEES IN RESPONSE TO DAMAGE FROM NATURAL EVENTS OR OTHER CIRCUMSTANCES IMPACTING COMMUNITY WELFARE

WHEREAS, the City of El Dorado recognizes that residents and businesses may be impacted by unforeseen events and other conditions that necessitate emergency repairs or reconstruction; and

WHEREAS, the City desires to maintain flexibility to respond to such circumstances in a manner that supports public welfare, community recovery, and administrative efficiency; and

WHEREAS, the relief from payment of permit fees in certain circumstances may aid in community recovery, assist vulnerable property owners, or support broader public interests when carefully and responsibly applied;

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

Section 1. Purpose. The purpose of this ordinance is to authorize the City Manager to waive the provisions of Section 15.04.050 of the City Code of the City of El Dorado, Kansas, concerning building permit fees, in whole or in part, when such action is determined by the City Manager, or designee to be in the best interest of the community, promotes public safety and welfare, or supports equitable recovery efforts in response to property damage caused by unforeseen or widespread events.

Section 2. Section 15.04.051 of the Municipal Code is hereby established to read as follows:

15.04.051 Definitions:

- a. **Unforeseen Event** means any sudden, unplanned, or extraordinary occurrence not caused by the property owner, tenant, or any person in control of the property, which results in the need for immediate repair or reconstruction to preserve the integrity, safety, or habitability of one or more structures within the City. An Unforeseen Event may impact a limited area or be more widespread and does not require a formal emergency declaration.
- b. **Permit Fee Relief** means the full or partial, selective, or complete suspension of building permit fees that would otherwise be required under the City Code, as authorized solely by the City Manager or designee, in accordance with the criteria outlined in this Ordinance.
- c. **Eligible Property** means any legally established residential, commercial, or industrial property located within the corporate boundaries located within the City of El Dorado for which the repair, replacement, or reconstruction is directly related to an Unforeseen Event or other qualifying circumstance determined by the City Manager to warrant Permit Fee Relief.
- d. **Best Interest of the Community** means a finding by the City Manager, or designee, that Permit Fee Relief will serve a clear public benefit, such as accelerating disaster recovery, preventing deterioration of affected areas, supporting community stability, or addressing significant hardship where other recovery resources are inadequate.

Section 3. Section 15.04.052 of the Municipal Code is hereby established to read as follows:

15.04.052 Authority to Waive Fees.

The City Manager, or designee, shall have the authority to grant Permit Fee Relief of building permit fees otherwise required under the City Code when such a waiver:

1. Promotes public health, safety, and general welfare;

2. Supports timely repair and restoration of properties affected by an Unforeseen Event; or
3. Serves the Best Interest of the Community, as defined in this Ordinance.

Section 4. Section 15.04.053 of the Municipal Code is hereby established to read as follows:

Section 15.04.053 Discretionary Criteria.

In exercising the authority over an Eligible Property granted in Section 3, the City Manager, or designee, may consider the following non-exclusive factors:

- a. Whether the damage was sudden and unpreventable;
- b. Whether insurance proceeds or other financial recovery is reasonably available to cover repair costs of the Eligible Property;
- c. Whether Permit Fee Relief would materially benefit property owners or expedite public recovery efforts;
- d. Whether waiving fees would create an unfair advantage or disproportionately benefit commercial operators or contractors;
- e. The administrative burden and cost to the City of collecting and processing permit fees in the given circumstance;
- f. Whether the action supports broader neighborhood reinvestment, public safety upgrades, or quality-of-life improvements.

The City Manager, or designee, may limit the Permit Fee Relief to specific types of permits, property classifications, geographic areas, or time periods, as deemed appropriate by the City Manager, or designee, in his or her sole discretion.

Section 5. Section 15.04.054 of the Municipal Code is hereby established to read as follows:

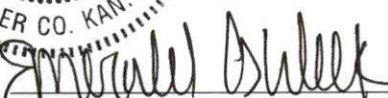
Section 15.04.054 Limitations.

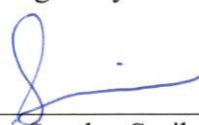
- a. All permits issued with approved Permit Fee Relief remain subject to the full requirements of the applicable Building and Zoning Regulations.
- b. This ordinance does not obligate the City Manager to waive any fees, nor shall it be construed to create a right or entitlement to a waiver.

Section 6. Severability. If any section, clause, sentence, or phrase of this Ordinance is determined to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

PASSED and APPROVED by the Governing Body of the City of El Dorado, Kansas, on July 21, 2025.




Emerald Ashlock, City Clerk



Syndee Scribner, Vice-Mayor