

ORDINANCE NO. 050465

Implementing the next phase of departmental consolidation by abolishing the Codes Administration, Housing and Community Development, and Environmental Management Departments and assigning codes and housing functions to the City Development Department, assigning solid waste and recycling responsibilities to the Public Works Department, and assigning other environmental duties to the City Manager by amending Chapters 2 and 18, Code of Ordinances; recognizing the continued existence of the Human Relations Department on May 1, 2005; and declaring an emergency.

WHEREAS, On March 31, 2005, the City Council adopted the fiscal year 2005-2006 annual budget; and

WHEREAS, that annual budget provided for a change in the structure of the City government through the process of appropriation; and

WHEREAS, no appropriation of funds was made for the codes administration department, environmental management department, housing and community development department, and the human relations department; and

WHEREAS, through a phased-in transfer of duties of these departments the City will complete this stage of the efforts to consolidate functions and thus operate in a more cost efficient and effective manner; and

WHEREAS, on May 1, 2005, it is required by law that the duties of these former departments be officially assigned to enable the work of the City to continue uninterrupted; and

WHEREAS, the continuation of these functions is essential for the protection for the public peace, property, health, safety or morals; and

WHEREAS, the next phase of consolidation includes the abolition of the Codes Administration, Housing and Community Development and Environmental Management Departments; and

WHEREAS, it is the intention of the City Manager and the Council to retain the current Human Relations Department during this stage of consolidation, to be part of a following phase of departmental consolidation; and

WHEREAS, pursuant to City Charter section 15(a)(2) the situation requiring immediate transfer of the duties of the departments eliminated by the City Council in the annual budget is declared an emergency; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

ORDINANCE NO. 050465

Section 1. Consolidation of departments. That sections 2-394, 2-631 through 2-636, 2-661 through 2-666, 2-671, and 18-1, Code of Ordinances, are repealed and new sections 2-394, 2-397, 2-468, 2-631, 2-661, 2-671 and 18-1 are enacted to abolish the codes administration, housing and community development, and environmental management departments and assign codes and housing functions to the City Development Department, solid waste and recycling responsibilities to the Public Works Department, and all other environmental duties to the City Manager, to read as follows:

Sec. 2-394. Officials succeeded by director; duties of director.

(a) The director of the city development department hereby succeeds to the duties and responsibilities of the city planning department, the codes administration department, and the housing and community development department, heretofore existing, and shall be responsible for the management and operation of the department in the administration of city development. The director shall act as technical adviser to the city plan commission and the board of zoning adjustment. The director shall have such other duties as may from time to time be imposed by ordinance or assigned by the city manager.

(b) The director of city development or the director's designee hereby succeeds to the duties and responsibilities of the director of public works and the codes administrator heretofore existing concerning enforcement and administration of the building and zoning codes and ordinances, and any other duties and responsibilities given to the director of codes administration. The director of city development or the director's designee is declared to also be the successor to the superintendent of buildings, the gas inspector, the city electrician, the supervisor of plumbing, the boiler inspector and the elevator inspector, and hereby succeeds to the duties of such offices and officials as such offices have heretofore existed and as such duties are now authorized under existing ordinances.

Sec. 2-397. Housing.

There shall be within the department of city development a division to address matters of housing. The responsibilities of this division will be assigned by the director of the department of city development, and will include the development and administration of an active program to increase new housing construction and to expand and improve the rehabilitation of existing housing within the city; the development and administration of an active program for expanding and improving minority entrepreneurship through implementation of a community enterprise program; the planning and preparation of the grant application for the city's participation in the federal community development block grant program and the implementation and maintenance of administrative procedures for the management and monitoring of program operations conducted with funds received through the community development block grant program; serving as the principal contact with the federal government for all matters pertaining to planning and implementation of the community development block grant program. Within the division, there shall be a section 3 certification office to monitor and enforce projects implementing section 3 of the Housing and Community Development Act of 1968 (as amended).

Sec. 2-631. Elimination of department.

The department formerly established as the codes administration department is abolished effective May 1, 2005, and its duties and responsibilities will be assumed by the department of city development as of that date. Any reference in the resolutions, ordinances or rules and regulations of this city to the director of codes administration shall be construed to mean the director of city development.

Sec. 2-468. Solid waste and recycling.

The director of public works hereby succeeds to the duties and responsibilities of the environmental management department regarding solid waste and recycling.

Sec. 2-661. Elimination of department.

The housing and community development department is abolished effective May 1, 2005, and its duties and responsibilities will be assumed as of that date by the director of city development.

Sec. 2-671. Elimination of department.

The department formerly established as the environmental management department is abolished effective May 1, 2005. Its duties and responsibilities regarding solid waste and recycling will be assumed by the department of public works as of that date. All other duties will be assumed by the city manager or the city manager designee or designees. Any reference in the resolutions, ordinances or rules and regulations of this city to the director of environmental management shall be construed to mean the director of public works regarding solid waste and recycling, and the city manager or the city manager's designee or designees for all other matters.

Sec. 18-1. Title of chapter; designation of building official.

(a) This chapter shall also be known as the building and rehabilitation code. Unless otherwise indicated by its use and context, the term "this code" shall refer to this chapter.

(b) The building official shall be known as the director of city development, and such term shall include his authorized representatives. Further, whenever the term or title "administrative authority," "code enforcement officer," "responsible official," "building official," "director" or other similar designation is used in any of the codes adopted by reference by this chapter, it shall be construed to mean the director of city development.

Section 2. Continued recognition of the Human Relations Department. The Council recognizes the continued existence and operation of the Human Relations Department on and following May 1, 2005, until the City Manager implements the phase

ORDINANCE NO. 050465

of consolidation represented in the fiscal year 2005-2006 budget. The Budget Officer, Director of Human Relations, and any other necessary official will take the administrative actions necessary to provide for the separate continued functioning of the Human Relations Department on and after May 1, 2005.

Section 3. Effective date of consolidation. The repeal and enactment of provisions of the Code of Ordinances provided in section 1 of this ordinance will be effective May 1, 2005.

Section 4. Emergency declared. Pursuant to City Charter section 15(a)(2) this ordinance is declared an emergency.

Approved as to form and legality:

William Geary
Assistant City Attorney