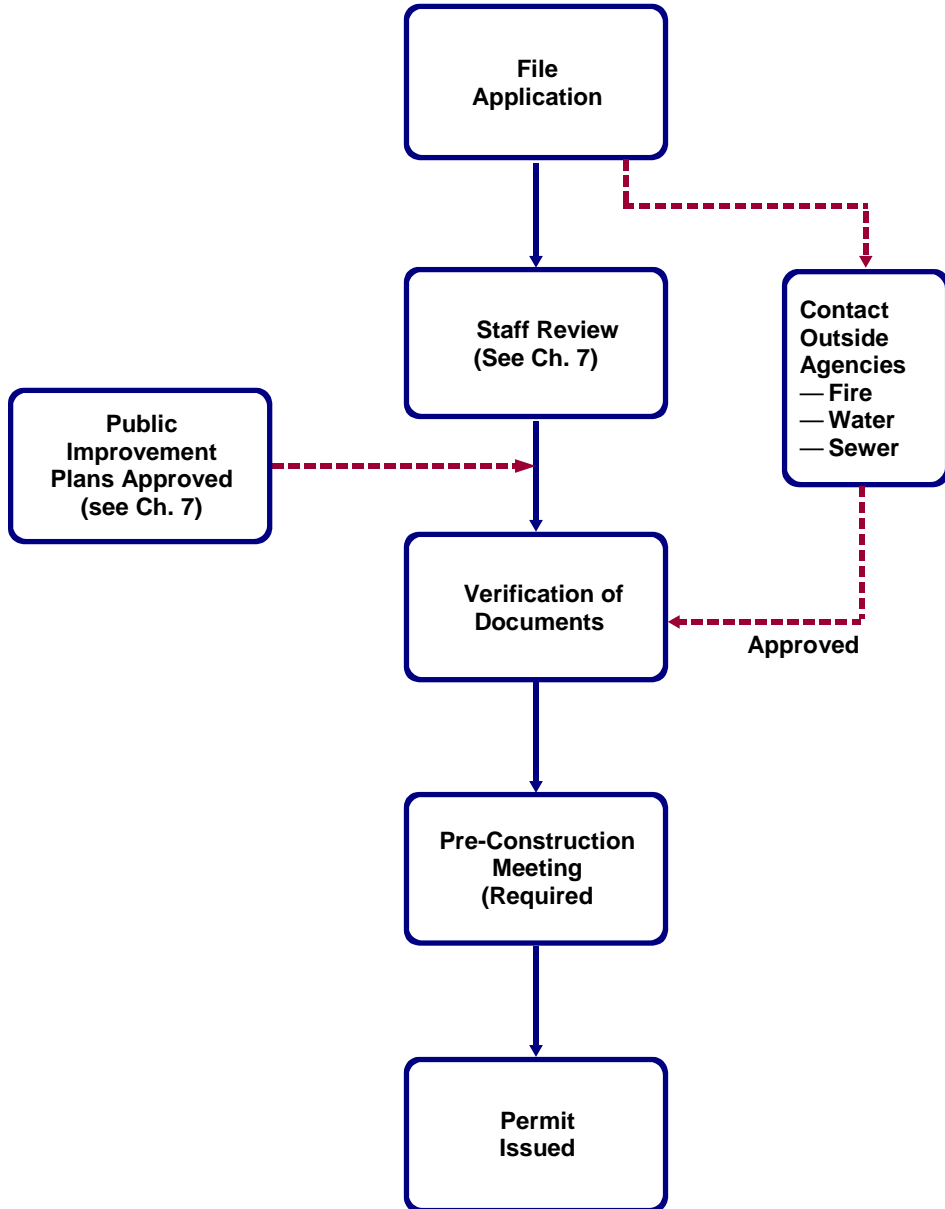


PERMITS

Chapter 6



LEGEND

Required 

Optional 

Chapter 6 - Permits

Purpose of this Step

This chapter will help applicants understand the process of applying for permits from the City of Overland Park. Included is information about permit applications, plan review and permit fees, the steps involved when phasing building projects and other information necessary to obtain permits.

What Requires a Permit?

Building Permits - the following requires a building permit:

- constructing, enlarging, altering or demolishing a structure or space including new structures, additions, sign support systems, decks, fences, pools, etc.
- changing the use of a building or space regardless of construction operations
- installing or replacing any building wiring or equipment, including, but not limited to branch circuits, electrical panels, water heaters, furnaces, air conditioners, etc.

Permit Exceptions - A building permit is not required for routine maintenance such as replacing plumbing and lighting fixtures, carpeting, painting, installing cabinets and shelving.

Land Disturbance Permit - the following requires a land disturbance permit:

- clearing and earthmoving on private property (no work in the public right-of-way)
- activities not associated with a specific development plan, such as fill in FEMA floodplain, stockpiling, earth/topsoil removal, dredging
- construction activity associated with a public

improvement permit (Usually)

- major utility construction

Site Development Permit - the following requires a site development permit:

- Any site work not authorized by a full building permit, foot and foundation or shell permit, such as grading, pavement, curbs, sidewalks, storm sewers, retaining walls, bank stabilization, parking lot lighting and similar items.

Suspension of Permit - A permit may be suspended if no activity has been recorded or substantial progress has not been made for six months. The permit can be suspended and the structure deemed as unsafe if the Certificate of Occupancy has not been obtained within 19 months from the date of the permit issuance. Where land disturbance activities have temporarily or permanently ceased on a portion of a project site for more than 21 days, the disturbed areas shall be protected from erosion by stabilizing the area.

Applications for a Building, Land Disturbance, and Site Development Permits are obtained through the Building Safety Division.

If seeking a residential building permit application that does NOT require plans to be submitted, you can also apply on the Online Development Center by accessing our Web site at www.opkansas.org. Click on the "Business" tab at the top of the page and then click on "Online Development Center." Finally, click on apply for "New Building Permit."

If you submit your residential permit application online, it will be reviewed by our staff and you will be notified when your permit has been issued. If an e-mail address is given, you will be contacted by e-mail when your permit is approved. If no e-mail address is entered, you will be contacted by the primary phone number entered. Your credit card will not be charged until the permit has been issued.

Right-of-Way Work Permits - The Public Works Department issues right-of-way work permits.

Right-of-way work permits are required for all work in the public right-of-way, with two exceptions:

- contractors working on the construction or reconstruction of public improvements
- right-of-way users performing routine service operations that do not require excavation in the right-of-way and do not disrupt traffic for more than four hours

Installations of irrigation systems in the right-of-way **do** require right-of-way work permits.

Public Improvements Permits - Permits for public improvements are obtained through the Engineering Services Division.

Public Improvement Permits are required for the following:

- new public street
- public street widening
- turn lane or median modification
- traffic signal installation/modification
- new public storm sewer or improvements to existing storm sewers

Signs - Applications for sign permits are obtained through the Current Planning Division.

Permits are required for the following:

- installing a new sign or changing the type, wording

or location of an existing sign

Special Events and Banners - Permits for special events and banners are obtained through the Current Planning Division. Special events are short-term, temporary uses of property not otherwise permitted by the zoning regulations. Permits may be approved to allow one or more of the following types of activities: promotional banners, searchlights, tent sales, fund-raising events, festivals and parking lot sales. A separate temporary food service permit from Community Services is required if food is to be served at the special event.

Food Service Establishments - Permits for the operation of a food service establishment are obtained through Community Services. In addition to the review conducted by the Divisions of Current Planning, Engineering Services and Building Safety to check for compliance with stipulations and codes, a review is conducted by Community Services to check for compliance with the adopted food code. Questions regarding compliance with the city's food code should be directed to Community Services employees at 913/895-6270. Operators of food service establishments are also required to obtain a Kansas State health permit. Information regarding plan reviews and permit fees for the state health permit may be obtained by calling the Johnson County Environmental Department at 913/715-6900.

Blasting Operations - Applications for permits relating to blasting or storage of blasting agents are obtained through the Engineering Services Division and the Overland Park Fire Department.

A permit is required for the following:

- any blasting on public or private property
- transportation or storage of blasting agents

Open Burning - Permits for open burning are obtained through the Overland Park Fire Department.

Permits are required for the following:

- any open burning

Swimming Pools and Aquatic Facilities - In addition to plan reviews and inspections conducted by the department for code compliance, Community Services issues a health permit. Periodic inspections and an annual permit fee for the operation of all aquatic facilities other than those installed at single-family residences is also required. Pools built for single-family subdivisions (usually a homes association) also require a health permit.

Adopted Codes

All ordinances and requirements of the city are contained in the Overland Park Municipal Code (OPMC). The OPMC adopts by reference nationally recognized construction codes with any amendments. The following is a short summary of relevant chapters of the OPMC regulating development activity and related codes adopted by reference:

OPMC Chapter 7 - Health and Sanitation

OPMC Chapter 11 - Peace, Morals and Safety (Smoking)

OPMC Chapter 13 - Street and Sidewalk Construction, Material Testing and Inspection

OPMC Chapter 15 - Storm Water Management

OPMC Chapter 16 - Buildings and Construction (adopted code amendments)

Most current editions of:

- International Building Code
- International Existing Building Code
- International Fuel Gas Code
- International Energy Conservation Code
- International Residential Code
- International Property Maintenance Code
- International Mechanical Code
- International Plumbing Code
- International Fire Code
- National Electrical Code

OPMC Chapter 18 - Subdivision/Zoning (Unified Development Ordinance)

Note: the OPMC and amendments are available

Online at www.opkansas.org.

Licensing/Bonding Requirements

Effective February 1, 2002, permit applicants must obtain a Johnson County Contractor License prior to issuance of a building permit in the City of Overland Park. Please contact Johnson County Contractor Licensing, 913/715-2233, 111 South Cherry, Suite 1051, Olathe, Kansas 66061, or visit their Web site, contractorlicensing.jocogov.org, for more information.

Bonds and insurance are required for public improvements. Bond amounts are based on construction cost. Engineering Services employees coordinate the insurance and bonds for public improvements.

FEES AND ASSOCIATED COSTS

- **Building, Site Development and Land Disturbance Permits** - A plan review fee is collected when plans are submitted for a permit. An additional permit fee is collected when the permit is issued. Separate fees are charged for phased permits. Building Permit fees are based on square footage of new buildings or additions. Site Development and Land Disturbance permit fees are based on the cost of construction. Plan review fees are 50 percent of the permit fee. A surety, in the form of a Letter of Credit or Cash Deposit, is required for Land Disturbance Permit associated with projects disturbing an area of one acre or greater. The surety amount is based on the cost of grading and erosion and sediment control.
- **Public Improvement Permits** - A permit fee is not charged for public improvements when plans are submitted for review. A plan review and inspection fee of four percent of the Performance and Maintenance Bond amount is collected prior to the permit issuance (fee will increase to five percent in 2008).
- **Right-of-Way Work Permits** - The fee for a Right-of-Way work permit is \$50. There is an additional fee for street cuts.

- **Signs** - Fees are based on the sign area and type of sign.
- **Special Events and Banners** - The fee for special event banners is \$35. The fee for other types of special events is \$125.
- **Food Service** - A fee is required for food service establishment health licenses from the Community Services section and the State of Kansas through the Johnson County Environmental Department.
- **Blasting** - A fee is not charged for blasting permits.
- **Open Burning** - A fee is not charged for open burning permits.
- **Swimming Pools and Aquatic Facilities** - Annual fees are charged for an Operating Permit for pools, wading pools and spas associated with commercial and multifamily development. A fee is also charged for pools built for single-family subdivisions (usually homes association pools). Pool permit renewal fees can be paid on the Online Development Center.
- **Unspecified Traffic Improvements** - Many non-residential projects are subject to a rezoning or special use permit stipulation requiring unspecified transportation improvement. Payment is based on building gross leasable area.
- **Off-Site Costs** - Additional costs may be stipulated by the Planning Commission and/or City Council. Examples might include turn lanes, ramp construction, intersection improvements, traffic signals, storm sewer/drainage work, etc.

Building Permits

Step 1 - Application

Applications for permits are obtained from the Building Safety Division, Permit Services Section.

The following information must be submitted with the application for a permit:

- commercial application form
- commercial - Phased Permit Submittal Checklist for New Buildings

Process Improvement Points

If Planning Commission approval is required, the final development plans must be approved prior to submitting an application for a building permit.

- construction plans - six separate sets of plans are required for any new building or addition
- plan review fee

Permit Phasing - Partial Permits

For new buildings and additions, the applicant must determine the permit type when the application and plans are submitted. Permit phases are explained in the “Phased Permit Submittal Checklist for New Buildings and Site Development” (See Appendix). The requirements for each phase must be satisfied prior to proceeding to a higher phase. Project phases are:

- Land Disturbance - Clearing and earthmoving on private property (no work in the public right-of-way)
- Site Development - All site work up to footings and foundation
- Footings and Foundation - All site work including footings and foundation and base floor slab. Underslab utilities may be included if specific approval is given.
- Shell - All site work and the building structural frame, envelope, core, and main plumbing, mechanical and electrical systems
- Full Building Permit - All work for the project

Step 2 - Construction Plan Review

The plan review process is summarized in Chapter 7 of this handbook.

Step 3 - Permit Issuance

After the plans have been approved, the files are checked to ensure all required information has been obtained. The permit applicant is notified by phone or e-mail that the permit may be issued and informed of any administrative items needed for permit issuance.

Process Improvement Points

Plan review fees are paid at the time of plan submittal. Prior to preparing a check, contact the Permit Services staff at 913/895-6205 to ensure the plan review fee amount is correct. Some credit cards are accepted (maximum charge \$1,000).

It is to your advantage to submit for a full building permit if plans are complete. This can save overall review time. Partial permits for any lower phase may be issued as plan requirements are satisfied.

Permits will not be issued without satisfying the requirements of Johnson County Unified Wastewater District and the Johnson County Water District No. 1. **Failure to contact utility companies early in the construction planning process may cause delays in permit issuance.**

Right-of-way Work Permits

Step 1 - Application

A permit is required prior to performing any work in the public right-of-way. The application form is submitted to the Public Works Department with the following information:

- Certificate of Insurance
- Surety Bond
- Traffic Control Plan, if applicable
- Construction plans, if applicable
- Fee(s)
- Application form
- Sign drawings showing the size, color, construction details for the sign and the location of the sign on the site or building facade.

Step 2 - Permit Approval

The plan approval process is summarized in Chapter 7 - Plan Review, Step 3A.

Step 3 - Permit Issuance

Permits are issued to the contractor by Engineering Services after all the requirements of plan approval have been met.

Public Improvement Permits

Step 1 - Application

Plans for public improvements and detention basins are submitted directly to the Engineering Services Division. Four complete sets of plans are required initially. Nine complete sets of plans are required when approved. If you submit nine plan sets, the city will keep five and return four to you.

Process Improvement Points

Work in the right-of-way included in the approved plans for general building permits (such as new buildings, additions, tenant finish or remodel permits) is NOT included as part of the building permit and a separate permit for work in the right-of-way IS required for excavations in City ROW.

Copies of applications can be obtained by calling 913/895-6040. Applications can be pre-approved by faxing them to 913/895-5055.

If you have right-of-way questions, call 913/894-6189 and a Public Works Department employee will help you.

A copy of the Certificate of Insurance and surety bond will be retained on file.

A copy of the Certificate of Insurance and surety bond will be retained on file.

Detailed requirements for public improvements are found in the Unified Development Ordinance (UDO) or the Overland Park Municipal Code (OPMC).

Submit public and detention improvement plans early. Site Development or higher level permits will not be issued until these improvement plans are approved.

Step 2 - Plan Review and Approval

The plan approval process is summarized in Chapter 7 - Plan Review, Step 3A.

Step 3 - Permit

Permits are issued to the contractor by Engineering Services after all the requirements have been met. As noted in Chapter 7, Step 3A, usually a public improvement permit will require a Land Disturbance permit also.

Sign Permits

Step 1 - Application

Sign permit application forms are available at the Current Planning counter at City Hall. A complete application consists of:

- Application form
- Sign drawings showing the size, color, construction details for the sign and the location of the sign on the site or building facade.

Step 2 - Sign Permit Review

Sign permit applications are reviewed by the Current Planning Division for compliance with the sign regulations for the zoning district in which the sign is located. Specific sign restrictions that apply to the development in which the sign will be placed (private sign criteria) are also checked.

Step 3 - Permit Issuance

Once a sign application is approved, the applicant will be notified of the sign permit fee and the permit may be issued. A sign inspection will be performed after the sign is installed to check for compliance with the approved permit.

Process Improvement Points

Submit right-of-way/easement documents and associated legal descriptions for review with construction plans.

Detention basins will require certification upon completion and on an annual basis.

Sign permits are generally obtained after the building permit has been issued. A separate application and permit are required.

Special Events and Banners

Applications may be taken over the counter for special events and banners. A fee will be assessed at the time of application.

Food Service Permits

Step 1 - Application

The information submitted with your application to the Building Safety Division for building plan review will be forwarded to Community Planning and Services.

Step 2 - Plan Review

The plan review process is summarized in Chapter 7 of this handbook.

Step 3 - Permit Issuance

Call Community Planning and Services at 913/895-6270 to request an opening inspection and as application form for a Food Service Establishment Permit. Complete the form and submit a fee to Community Planning and Services. After a successful inspection, the staff approves your application and the Food Service Establishment Permit is delivered or mailed to the establishment.

Permits are renewed annually based on the date of issuance. A letter will be sent six weeks in advance of your renewal date.

Blasting Permits

Step 1 - Application

Blasting / Explosive Storage /Transportation Permits are handled directly by the Overland Park Fire Department. Applications for permits are made directly to the Fire Department. Permits are then issued by the Fire Department when all requirements are met. The Fire Department coordinates with the Engineering Services

Process Improvement Points

Some event applications can be approved over the counter. Events with large crowds and/or potentially disruptive activities may require additional review or Council approval. Requests for events beyond number and duration allowed by ordinance require Council approval.

Contact Community Services two to three weeks prior to your anticipated opening. At your request, they will visit the site and point out any missed requirements that might cause you to fail your final inspection.

You may call 913/895-6270 to request an application form be mailed, faxed or e-mailed to you.

If occupied structures are within 500 feet of the blast site, a pre-blast survey will be required.

Division and the Overland Park Police Department to verify that their individual department requirements are being met before a blasting permit will be issued.

A blasting plan, including any storage locations, is required with the application to the Fire Department.

Step 2 - Plan Review

Blasting which occurs in conjunction with construction activities associated with development projects (e.g., installation of sanitary sewers, storm sewers, and building foundations, etc.) require approval of the development construction plans prior to the issuance of blasting permits. The plans must be at least to a stage where city staff is comfortable with the plan layout. Also, a Land Disturbance Plan must be submitted to Planning and Development Services for review and approval prior to issuance of a blasting permit by the Fire Department.

Step 3- Permit Issuance

Planning and Development Services will issue permits related to general construction including the Land Disturbance permit. The Fire Department will then issue the Blasting Permit when all city conditions are met. No fees are charged for Blasting Permits.

Open Burning

Step 1 - Application

Applications are obtained from the Overland Park Fire Department.

Step 2 - Approval

Open burning shall comply with the International Fire Code.

Step 3 - Permits

Permits are issued without a fee.

Process Improvement Points

Swimming Pools

Step 1 - Application

Applications for swimming pools/spas are obtained from the Building Safety Division, Permit Services Section.

Step 2 - Plan Review

The plan review process is summarized in Chapter 7 of this handbook.

Step 3 - Opening

Prior to opening the pool, call Community Planning and Services at 913/895-6270 to request a swimming pool/spa operating permit application and schedule an opening inspection.

Process Improvement Points

Contact Community Services for information regarding depth markings, step markings and pool transition lines.

Information regarding pool signage requirements is also available from Community Services.