

11 - BASIC REQUIREMENTS (PRIVATE DEVELOPMENT)

11.1 SCOPE

This Section deals with basic requirements for the construction of all projects within the City of Overland Park.

11.2 GENERAL

a. Right of Entry for Inspection.

Whenever it is necessary to make an inspection to enforce any ordinance or resolution, or whenever there is reasonable cause to believe there exists an ordinance or resolution violation in any building or upon any premises within the jurisdiction of the City, any authorized official of the City may, upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him by ordinance; provided that, except in emergency situations or when consent of the owner and/or occupant to the inspection has been otherwise obtained, he shall give the owner and/or occupant, if they can be located after reasonable effort, twenty-four hours written notice of the authorized official's intention to inspect. The notice transmitted to the owner and/or occupant shall state that the property owner has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of a search warrant duly authorized by law. In the event the owner and/or occupant refuses entry after such request has been made, the official is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

b. General Regulations.

(1) General.

All public improvement constructed within the City shall be in accordance with the current Standard Details (hereinafter, the "Standard Details") and the minimum design standards and specifications set forth in these specifications. The Standard Details shall be adopted and amended by the City Engineer and shall be on file in the office of the City Engineer. The provisions of the Standard Specifications for State Road and Bridge Construction, Kansas Department of Transportation, current edition (hereinafter "Standard Specifications") are incorporated, except as hereinafter specified.

(2) Approval of Construction.

Any person or entity proposing to construct any street improvement within the City shall apply to the City Engineer for approval of the location, dimensions, design and construction methods and materials of such street; the application shall be in writing, or plans submitted for approval, and shall contain such information including maps, plats, diagrams, detailed drawings, and specifications as the City Engineer may require. No street shall be constructed within the City without approval of the City Engineer or, in the case of an appeal, without approval of the City Council.

(3) Property Corners and Monumentation.

It shall be the responsibility of the Contractor to protect all property lot corners and land survey corners and accessories. Should it be necessary to disturb any such monument, whether stake, pin, bar, disk, box, or other, it remains the responsibility of the contractor to reference such markers prior to removal, reset them, and file such relocations or monumentation documents as the law may require. Any such references, removal, replacement and certification of monuments shall be performed by a land surveyor registered in the state of Kansas.

c. Cleaning.

All catch basins, manholes, inlets and outlets and roadway surface shall be thoroughly cleaned of any accumulations of silt, debris or foreign matter of any kind, and shall be free from such accumulations at the time of final inspection.

d. Dumping Material on Streets.

No person shall dump, deposit, wash or spill, or cause to be dumped, deposited, washed or spilled, in or on any street, sidewalk, bike-hike trail, right-of-way, gutter, storm sewer, water course, drainage course or other public utility facility, any leaves, debris, rubbish, snow, or any other material that damages, causes an obstruction to, or interferes with the operation of that facility. It shall also be

unlawful for any such person to allow such material to remain in or on such facility. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.