

ARTICLE 19  
ADMINISTRATION

SECTION 1. ADMINISTRATIVE RESPONSIBILITY: The County Manager shall have the primary responsibility for the administration and enforcement of this Code of Regulations for Buildings and Construction through the establishment of the Division of Building Codes, and the designation of the Building Code Official as the Johnson County Fire Marshal. The County Manager, pursuant to his authority, may delegate any of the administrative duties or responsibilities to any other county official as he may deem advisable and may implement with the Division of Building Codes and/or Fire Marshal any administrative procedures which are reasonably required for the effective administration of the Code and which are consistent with the provisions of the Code.

SECTION 2. ADMINISTRATIVE ACTIONS AND DECISIONS: It is the intent of this Code to establish the minimum requirements and standards for buildings and construction occurring within the unincorporated area of Johnson County in order to protect the public health and safety through the administration of uniformly adopted and accepted code provisions. All administrative actions and decisions, to the extent possible required or authorized under this Code shall be made solely in accordance with the specific standards enumerated in the separate articles and codes adopted and in accordance with interpretations made or rendered under the uniform codes. Whenever, in the course of administration of this Code, it is necessary or advisable to make an administrative decision or to take an administrative action for which specific standards are not provided, then the decision or action shall be made according to the purpose and intent of this Code as determined through the Board of Code Review.

SECTION 3. INTERPRETATION OF TERMS OR WORDS: All terms and words used in this Code and not specifically defined shall be interpreted and given meaning according to their common understanding and to provide reasonable application of the purpose and intent of the Regulations. Whenever the context requires, unless otherwise specifically defined, in the application of these Regulations, then the terms and phrases used shall be interpreted in the following manner:

- a) Words appearing in the singular number shall include the plural, and those appearing in the plural shall include the singular.
- b) Words used in the present tense shall include the past tense and future tense, and words used in the future tense shall include the present and past tense.
- c) Words appearing the masculine gender shall include the feminine and neuter genders.
- d) The term "person" does and shall include the terms "firm", "partnership", "corporation", "association", governmental body", and all other legal entities, as well as an individual.
- e) The word "shall" is mandatory, while the word "may" is permissive.

- f) The term "County" or the term "City" shall mean Johnson County, Kansas, and the term "Board" shall mean the Board of County Commissioners of Johnson County, Kansas.
- g) The phrases "these Regulations" and "this Code" shall refer to the Code of Regulations for Buildings and Construction.

SECTION 4. VESTED INTERESTS. Nothing contained in this Code shall be deemed or construed to grant any vested interest to any person beyond the express limited terms of any permit, and these Regulations are expressly declared to be subject to amendment, change or modification as may be deemed necessary for the public health, safety, or welfare. Further, neither this Code nor any specific provision, decision, or action taken under the Code shall be construed or deemed as a warranty or representation of Johnson County or its employees that any building or construction practice is acceptable or of a proper or workmanlike quality, and the provisions of this Code do not waive any immunity or defense of the County under the provisions of the Kansas Tort Claims Act nor assume any responsibility or liability for any building, construction or construction practice approved or accepted under this Code.

SECTION 5. COMPATIBILITY WITH OTHER REGULATIONS. Nothing contained in this Code shall be deemed to alter or to modify the application of the Johnson County Zoning and Subdivision Regulations to any particular use of land, and all permits issued pursuant to this Code shall be subject to all appropriate and compatible zoning regulations applicable to the land upon which the activity is to be conducted, including, but not limited to, the erection, location and use of the buildings and structures. Further, any land use or activity that is permitted, allowed, or authorized by any particular zoning classification or conditional use permit granted for a particular tract of land shall not be subject to nor affected by this Code. Moreover, nothing contained in this Code shall be deemed to alter or to modify any other provision of any Federal or State law or Regulation or any Code or Resolution of the County which may apply to any specific act or activity also regulated by this Code, and the Code shall, to the extent necessary, be interpreted and applied in conjunction with any other Code or Regulation or law which may also be applicable.