



Neighborhood and Community Development
Standing Committee Meeting Agenda
Monday, April 4, 2022
Immediately upon adjournment of earlier committee

Location: Hybrid

We invite you to view the meeting in person in the lobby area of City Hall, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us02web.zoom.us/j/81064400742?pwd=MVVZWEtHWUlaK0h4SUplcWJZd3o1UT09>

Passcode: 877464

Description: Economic Development & Finance/Neighborhood & Community Development
Standing Committees

Or One tap mobile:

+12532158782,,81064400742# US (Tacoma)

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Or join by phone:

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Webinar ID: 810 6440 0742

International numbers available: <https://us02web.zoom.us/j/81064400742?pwd=MVVZWEtHWUlaK0h4SUplcWJZd3o1UT09>

Name

Absent

Commissioner Brian McKiernan, Chair

☐

Commissioner Tom Burroughs

☐

Commissioner Gayle Townsend

☐

Commissioner Andrew Davis

☐

Commissioner Chuck Stites

☐

- I. Call to Order/Roll Call**
- II. Revisions to April 4, 2022 Agenda**
- III. Approval of standing committee minutes from November 29, 2021**
- IV. Committee Agenda**

Item No. 1 - ORDINANCES: ADOPTION OF PROPOSED BUILDING AND FIRE CODE UPDATES

Synopsis: A proposal for the adoption of “The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations/ Chapter 15 -Fire Prevention and Protection”, submitted by Greg Talkin, Director of Neighborhood Resource Center.

Tracking #: 211346

Item No. 2 – RESOLUTION: BONNER SPRINGS/EDWARDSVILLE NBR

Synopsis: A resolution of support for Neighborhood Business Revitalization (NBR) Organizations in all of Wyandotte County, including Edwardsville and Bonner Springs and authorization to review and develop additional policies pertaining to NBR organizations, submitted by Misty Brown, Chief Legal Counsel.

Tracking #: 211483

Item No. 3 - LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications , submitted by Jud Knapp, Land Bank Manager

A. New Construction - Single Family Homes – 3 Homes

1. Darrick & Jamie Shipley
1 N 80th Ter - 017906
2. Gordillo Ramon Hernandez
1960 N 6th St – 140670
3. Arthur Babick
2007 S 19th St – 112309

B. New Construction – Multi Family – 30 units

1. Raj Bhatia – 24 units
2110 N 51st St - 917814
2. Samuel Roark – 3 Duplexes
928 New Jersey Ave – 081121
934 New Jersey Ave – 081119
936 New Jersey Ave – 080671

C. New construction – Garage - 3

1. Cristina Rodriguez
1948 N 17th St – 116411
2. Leandro Chavez
909 Ann Ave – 080645
3. Martha Ochoa
216 N 12th St – 103102

Tracking #: 211442

V. Public Agenda

VI. Adjourn

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, November 29, 2021**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, November 29, 2021, at 6:52 p.m., remotely via Zoom. The following members were present: Commissioner McKiernan, Chairman; Commissioners Burroughs, Townsend, Johnson, and Walters. The following officials were also in attendance: Alan Howze and Bridgette Cobbins, Assistant County Administrators; Katherine Carttar, Director of Economic Development; Jud Knapp, Interim Land Bank Manager; Alley Porter, Commission Liaison; Jeffrey Conway and Wendy Green, Assistant Counsel; and Carol Godsil, Deputy Unified Government Clerk.

Chairman McKiernan said I appreciate the opportunity to start our Neighborhood and Community Development Standing Committee. Before I do call this committee meeting to order, however, I do want to remind everyone that due to COVID-19, some committee members, staff, and public are attending remotely via Zoom as well as some who are onsite at City Hall.

All participants who are joining by phone or by computer should mute their devices when they are not speaking so that we can avoid background noise and distraction. During the meeting, we ask that everyone please announce yourself by name and title every time you speak so that the public who is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, in-person public comment has been suspended, unless otherwise required by law. Now the public is allowed to participate by Zoom. They're also allowed to submit comments by email prior to the meeting, and those comments will be added to the record of the meeting; and we do have the lobby of City Hall, the public lobby also available for public comment.

With all of that said, we'd like to welcome everyone to this meeting of the Neighborhood and Community Development Standing Committee.

Chairman McKiernan called the meeting to order.

Chairman McKiernan said to the best of my knowledge, and the Clerk can correct me if I'm wrong, there were no revisions to the original agenda once it was posted. **Carol Godsil, Deputy Unified Government Clerk**, said correct. **Chairman McKiernan** said and we do not have any minutes to consider from previous meetings, so that will move us straight into the committee agenda.

Ms. Godsil asked, would you like to do roll call first? **Chairman McKiernan** said why that would be wonderful. I'm ready to get started. Could you, please?

Roll call was taken and all members were present as shown above.

COMMITTEE AGENDA

Item No. 1 – 211167...ORDINANCE: AMENDMENTS TO LANDMARKS ORDINANCE

Synopsis: An ordinance amending Sections 27-80 - 27-169, Chapter 27, Article IV, Divisions 1 - 4 regarding historic landmarks and historic districts, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. *It is requested that this item be fast tracked to the December 2, 2021, full commission meeting.*

Gunnar Hand, Director of Planning and Urban Design, said the item in front of you today is a revision to the Landmark Historic Districts ordinance in the Unified Government Code. This is essentially our historic preservation code. There are, I think we sent you a draft of that code for your review ahead of this meeting. I can answer any questions after my brief presentation and comments.

There are a couple of pretty significant changes to this ordinance. Namely, we reduce the environs buffer, that is the area outside of a historic landmark and a historic district that we continue—that we do administrative reviews on, in addition to those historic districts and historic landmarks from 500 to 200 feet.

We also expand the notification requirements, essentially applying the same notifications we do for all of our other entitlements like master plan amendments, change of zones, special use permits, things of that nature. We extend those notification requirements to all certificates of appropriateness. Those are the entitlements given to historic districts and historic landmarks and projects within them. So, essentially, moving forward if approved, we would do a 200-foot notice

of all properties. We would send it out to our lists. We would publish it in the newspaper and so on and so forth.

Then I think the third sort of primary thing that happened was a general overhaul of the entire ordinance. About 10+ years ago, the environs section was added to the original ordinance. It's sort of tacked on at the back end of it. So, there were two places for definitions. There were two places for procedures. There were two places for what is or is not an environs so we sort of—we brought it all together and made it a little clearer as a read. We also believe that we added some additional clarity and transparency to the code further defining what is or is not a certificate of appropriateness, what is or is not an environs review, as well as some of the procedures and processes.

So, with that, again, we're asking for a fast track to the December 2nd Board of Commissioners hearing. We do have a unanimous recommendation of approval from the Planning Commission for this ordinance, and I'd be happy to take any questions you all might have.

Chairman McKiernan said I'll ask the committee if there are any comments or questions regarding this proposed ordinance or I guess I should say ordinance revision.

Commissioner Townsend said good evening, Mr. Hand. Out of the abundance of caution if there are questions, let's say this moves out of committee and is fast tracked to December 2nd, if someone in the public or even us had questions that came between now and then, would this be a situation where we'd have to set aside or there would be discussion? No, it's probably like the other issue that came up in the preceding meeting. This would go on the agenda for commissioners, what is that? Help me, Commissioner McKiernan.

Chairman McKiernan said, Commissioner, if I could, I do believe that since this is being fast tracked, it would go into the section of our Thursday agenda that is called Standing Committee Agenda where we would actually bring this item forward at that time, allow for discussion, and then have a vote.

Commissioner Townsend said okay, thank you. You answered my question then, and I think Deputy Clerk was about to chime in as well. So, thank you both. That was the only question I had. Thank you.

Ms. Godsil said, my question is for Gunnar. Gunnar, is this ordinance the same ordinance that's placed on Thursdays Non-Consent Planning Agenda? **Mr. Hand** said, yes, same thing? **Ms. Godsil** said same thing, okay. Commissioner, that's where it will be placed. It's on the Planning and Zoning Non-Consent Agenda for this Thursday's meeting.

Commissioner Townsend said okay so that would allow for discussion or questions if there were any then. Thank you.

Mr. Hand said correct. There will be a public hearing. I would also just note that if you have any questions between now and then, let us know. We'd be happy if there are any changes, to go back to the Planning Commission or back to this committee. We're in no necessary rush. I think the preface of this was the Landmark Commission had us as to pull their recommended changes, which were the environs buffer, was their primary change. We added the others after our staff review but they asked us to pull that out of the overall zoning code updates so that we had a most up-to-date ordinance as we moved forward with the project to hopefully develop a historic district in downtown KCK. So, we're sort of tracking them right now; but again, I guess I would say globally, the zoning code is a living document. We're happy to make changes and continue to rehash these things as necessary.

Chairman McKiernan asked any other comments or questions from the Committee? Seeing none, I'd ask the Clerk if we had any public comments submitted regarding this particular item. **Ms. Godsil** said no public comments were received.

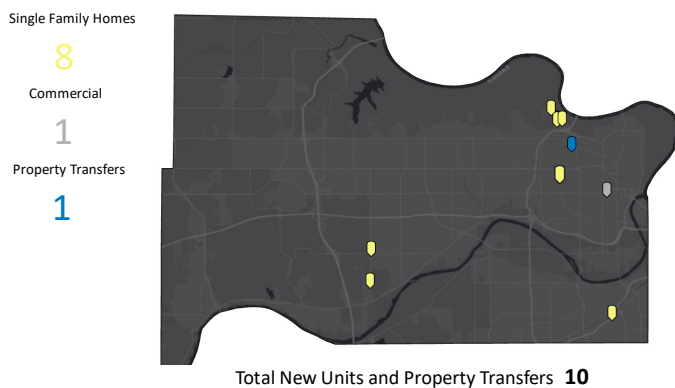
Chairman McKiernan said I don't see any hands raised among the attendees for making additional comments. Committee, this is an action item. The floor is open for a motion.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Walters, to approve and to the December 2nd full committee meeting.** Roll call was taken and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.

Item No. 2 – 211188...LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.

Chairman McKiernan said Committee, unless there are objections, I would ask that we take this as we have done in the past, where under Item 2A, we consider Nos. 1-7 each individually, because the specifics of each application vary so much from one to another that it is sometimes hard to aggregate them. Unfortunately, that will call for a number of votes, but we can consider each specific project individually.



Jud Knapp, Interim Land Bank Manager, said so tonight, I'm presenting eight single family homes, one commercial and one property transfer. I'd like you to note these three properties up here in the Quindaro Townsite. I had a request to make a map and we will review all the different areas of the Quindaro Townsite.

November 29, 2021



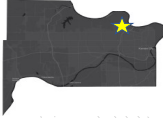
Option Agreements
 Agenda Item – A
 Single Family Homes
 8



OPTION AGREEMENTS
MIKE PAYNE



Requesting Land Bank Lot
 3306 N 33rd ST - 165213
New Construction
 Single Family Home
Zoning
 R-1(B) Single Family District
Acre
 1





- A. New Construction - Single Family Homes – 8 Homes
1. Mike Payne – 1 home
 3306 N. 33rd St. – 165213

Alright, so the first one is at 3306 N. 33rd St. for a single-family home. The zoning is R-1, so it does meet the zoning for this project. It is one acre. There is no sewer in this area. So, since it is one acre, it is eligible for a septic tank.



OPTION AGREEMENTS
MIKE PAYNE



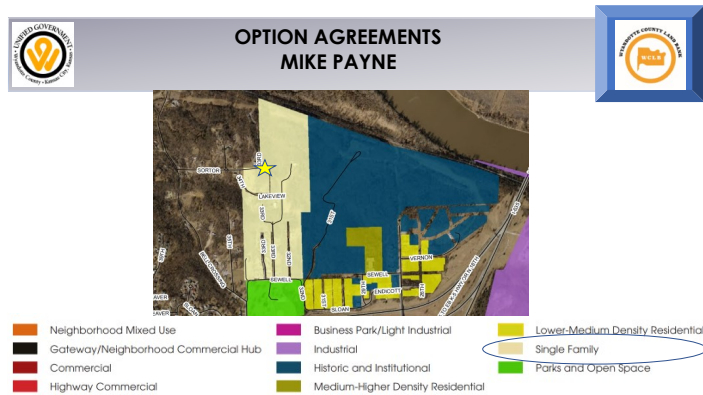
Building Details
 5 Beds / 4 Baths
 2,500 SqFt
Timeline
 Project Start – January 2022
 Project Completion – April 2023
Next Steps
 1. Building permit
 2. Proof of funds to cover building estimate

Recommendation
☒ Staff Advisory Committee
 The property is outside of any historical environs
☒ Land Bank Advisory Board

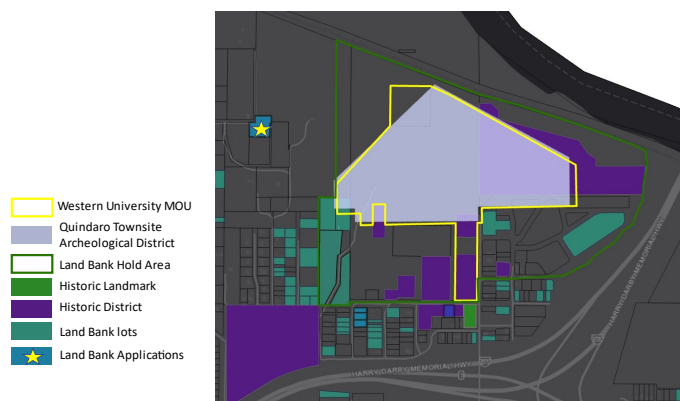


November 29, 2021

The applicant currently lives in Los Angeles but is planning to build their retirement home and move back here. The staff comments was it is outside of any historical environs.

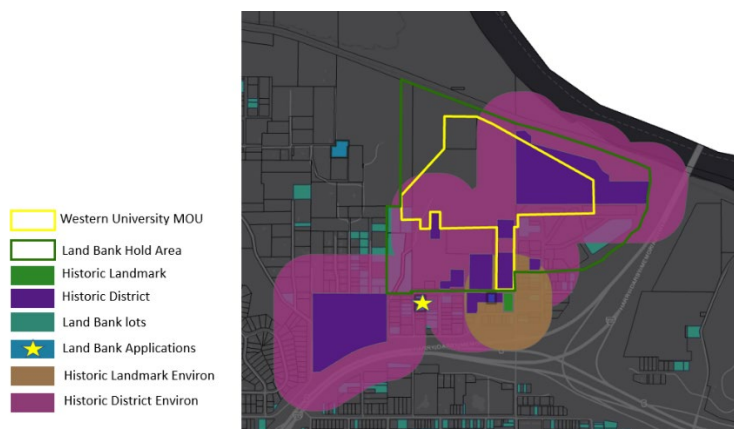


Here is the Northeast Area Master Plan. It is in the single-family district so that meets the requirements for the Northeast Area Master Plan.



Here is the map of the Quindaro Townsite. There's a lot on this map, so this map is in two parts. The first one is Western University Memorandum of Understanding. The second one is Quindaro Townsite Archeological District. We have a Land Bank hold area. This one pretty much matches what the Northeast Area Master plans. The historic and institutional boundary here. Then we have the historic landmarks, historic districts Land Bank lots, and then the Land Bank Application.

So, you see that this first application is here. It is 630 ft. away from this line here.



The second map, we add the historic environs in it. These are 500 ft. environs, although you just heard that they might be changing to 200 ft. The project that we're voting on first here is definitely outside of all historic environs.

Commissioner, that would conclude my presentation on this item.

Chairman McKiernan said so for Item A1, does the committee have any comments or questions for Mr. Knapp or a motion?

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Townsend, to approve Item A1.**

Chairman McKiernan said I would ask Carol if there had been any comments submitted regarding this item? **Ms. Godsil** said no comments from the public were received.

Chairman McKiernan said I do not see any hands raised among the attendees. There is a motion and a second to approve as submitted.

Roll call was taken and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.



OPTION AGREEMENTS
CAMELLIA NEWTON STANTON



Requesting Land Bank Lot
2725 Sewell Ave- 910403

New Construction
Single Family Home

Zoning
R-1(B) Single Family District

Frontage
110 Ft



2. Camellia Newton Stanton – 1 home/rose garden
2725 Sewell Ave. – 910403

Mr. Knapp said alright, so A2 is at 2725 Sewell Ave. It's for a single-family home. The zoning is R-1 so the project does meet zoning.



OPTION AGREEMENTS
CAMELLIA NEWTON STANTON



Building Details
1 Beds / 1.5 Baths
800 SqFt

Timeline
Project Start – January 2022
Project Completion – July 2023

Next Steps

1. Building permit
2. Proof of funds to cover building estimate
3. Environ review
4. Historic district review

Recommendation

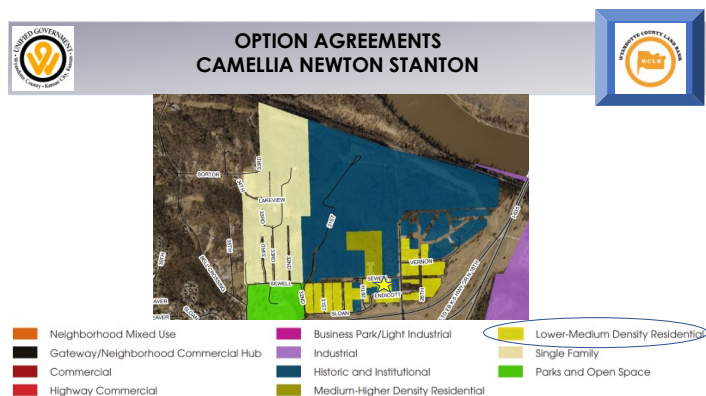
☐ Staff Advisory Committee
The proximity to the Quindaro Townsite. Staff is recommending extending the hold area of the Quindaro townsite to include this property.

☒ Land Bank Advisory Board

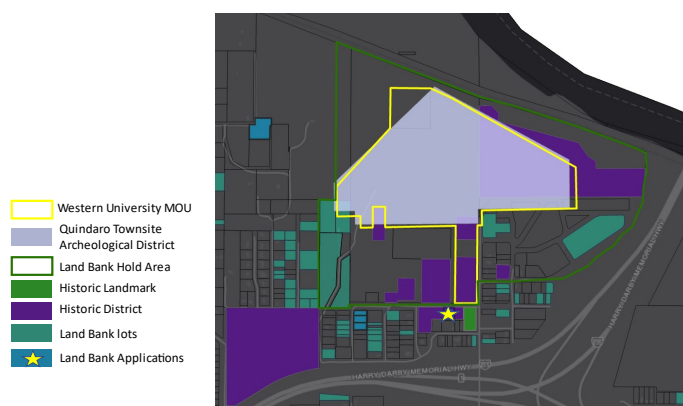


A little bit of backstory on this one. In the 1930s, the property was owned by the applicant's grandparents. The grandfather was actually a professor of agriculture at Western University. The applicant also went to Vernon Elementary School. The desire is to contribute an element of natural but orderly beautification to the community by restoring grandfather's garden and create a formal rose garden. The materials for this project will be low-maintenance gardening, if approved. The hope is that they'll become a positive element and source of pride for the community honoring our past through example.

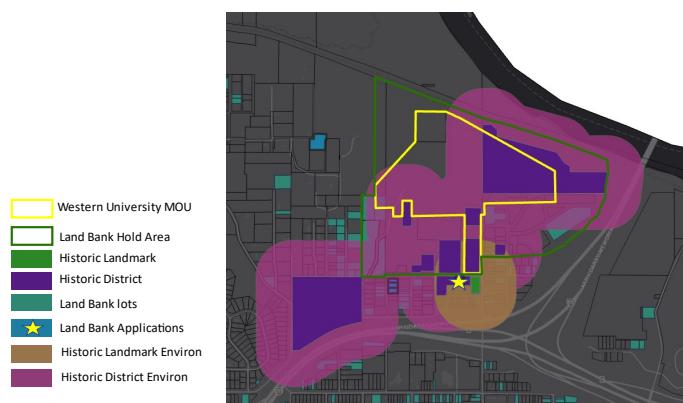
The staff comments on this one is that they're not recommending approval because of the proximity to the Quindaro Townsite. Staff is recommending extending the hold area to include this property. If this property was approved, the project would require an environ review and historic district review.



In the Northeast Area Master Plan, it is in the lower-medium density residential so, this would match the master plan.



To our map here, the star is where this property is. It is actually in the historic district. This is not in the environ of the historic district. It is the historic district, but it is in the environ of the historic landmark of the Vernon Elementary School.



Here you can kind of see that environ of the elementary school. That, Commissioner, concludes this item.

November 29, 2021

Chairman McKiernan asked does any member of the committee have comments or questions for Mr. Knapp on Item A2?

Commissioner Townsend said I'd like to applaud the applicant for wanting to beautify the area. It's really interesting history that's been presented. I am concerned though because it is so close to the designated landmark that Mr. Knapp showed, and it's in the purple area for those of you who may not—to help you get another fix on it, if you're at all familiar with where the John Brown statue is, it's literally around the corner from that, so it's highly likely that this Quindaro Townsite, the gray area or the area that's bordered by the yellow outline here—this application lies so close to that it is highly conceivable that when the group that will meet to talk about what should be in that yellow outline area, that improvement including the area where this application lies, would be considered. So, for that reason, I would not be in favor of this one going forward, at least not until this area and the Western University MOU group has met and really talked to the community and others for improvements; what the improvements would be for that area. I just don't think it benefits that project at this point, to accept projects like we have here that are so close to these environs, and we have denied applicants before for the same reason, even though they were a little bit further away. This seems to be right in the path. So, for that reason, I would not be in favor of it at this time.

Chairman McKiernan asked does any other member of the committee have a comment or question for Mr. Knapp? I do not see any. Carol, have we received any communication regarding this application? **Ms. Godsil** said no public comments were received.

Chairman McKiernan asked, is there anyone in the attendees list who'd like to make public comment on this application? **Ms. Godsil** said I see no hands raised.

Chairman McKiernan said this item is available for motion if the committee so chooses. I hear no motion. I'll just ask one more time just to make sure. This item is available for motion if the committee so chooses. There is not a motion, so this item does not move forward; is not approved. It fails for lack of a motion.

Action: No motion made, Item No. 2A did not move forward and failed for lack of a motion.



**OPTION AGREEMENTS
ESTRALITA JUSTICE**



Requesting 3 Land Bank Lots
 3429 N 31st ST – 164306
 3427 N 31st ST – 164300
 3425 N 31st ST – 164301

Currently owns
 3428 N 31st St - 164310

New Construction
 Single Family Home

Zoning
 R-1(B) Single Family District

Frontage
 200ft



3. Estralita Justice – 1 home
 3429 N. 31st St. – 164306
 3427 N. 31st St. – 164300
 3425 N. 31st St. – 164301

Mr. Knapp said this is for a single-family home built on three lots at 3429, 3427 and 3425 N. 31st St. The applicant actually currently owns 3428 N. 31st St. across the street. This project does match the zoning, and the frontage for all three of those properties is 200 ft.



**OPTION AGREEMENTS
ESTRALITA JUSTICE**



Building Details
 3 Beds / 2 Baths
 1,500 SqFt

Timeline
 Project Start – January 2022
 Project Completion – August 2022

Next Steps

1. Building permit
2. Proof of funds to cover building estimate
3. Environ review

Recommendation

☐ Staff Advisory Committee
 The proximity to the Quindaro Townsite. Staff is recommending extending the hold area of the Quindaro townsite to include this property. Sewer connection issues: accessing the property

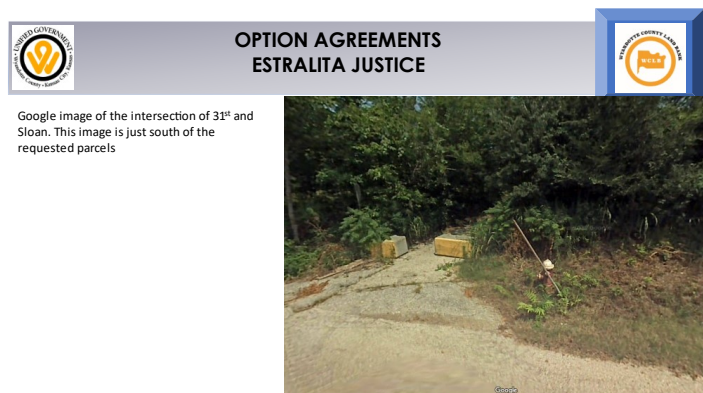
☒ Land Bank Advisory Board



A little backstory again. Mrs. Justice's family owned this land in this neighborhood and the location is essential because it represents her family's history. Mrs. Justice cannot trace her family's geographic history further back than this property. Mrs. Justice has shown her commitment to the neighborhood by purchasing another lot and by entering into a lease a lot

agreement for 12 lots with the Land Bank including these three and spending time and money to remove a substantial amount of debris on the lot.

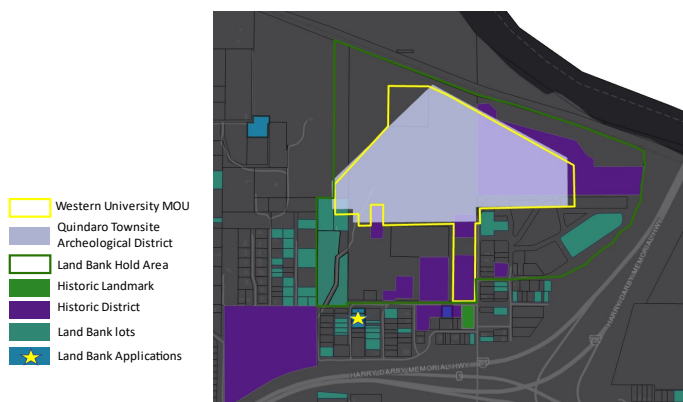
The staff comments on this one is not recommending approval due to the proximity to the Quindaro Townsite. This location will also have sewer connection issues and accessing the property due to the road being closed. They would have to rebuild the road or buy the properties closer to Sloan Ave. to get access to the property.



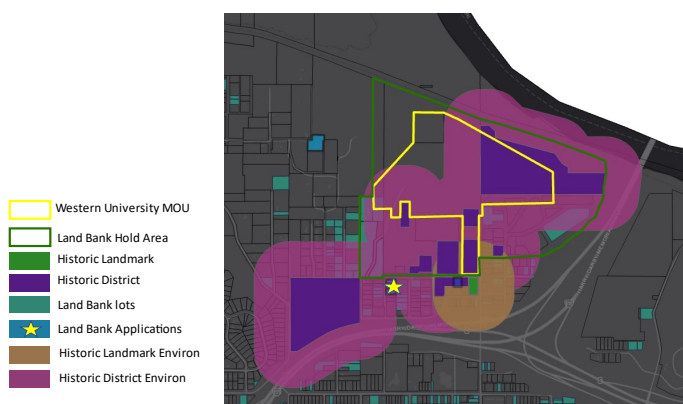
I did get a Google image of 31st & Sloan. This is just south of the requested parcels.



In the Northeast Area Master Plan, it is a lower-medium density, so this a single-family home would match the master plan.



Here's this map again that shows it.



It shows it is in historical environs. I did if this one did change to 200 ft. environs, these properties are 190 ft. from the historic district.

Commissioner, that would complete my presentation on this item.

Chairman McKiernan asked does any member of the committee have a comment or question on Item A3?

Commissioner Townsend said again, we have a similar situation where you have an application for lots in the historic environ and very close to the Western University MOU.

One of the things that I am curious about, I don't know if the applicant is available to answer the question. You said, Mr. Knapp, that the applicant owns a home adjacent to or right across the street from the lots for which the application is being considered tonight, correct?

Mr. Knapp said, Commissioner, the applicant owns a lot, not a house.

Commissioner Townsend said oh, I'm sorry. Okay. Well, that took care of the question was going to be the follow up. Does the applicant live there? So, that took care of that question. You also mentioned something about the applicant leasing some property, and where is that? Is that shown here at all?

Mr. Knapp said it is not, but it's basically 12 lots and it was all of these Land Bank lots here, all of these Land Bank lots, and these Land Bank lots back here. They totaled up to 12 lots in total. They started their lease, I mean, their lease just expired like yesterday. **Commissioner Townsend** said okay. **Mr. Knapp** said their two-year lease expired yesterday.

Commissioner Townsend said okay, all right. Okay. Well, because of the close environs of this application to the MOU area, I am inclined not to support this application. I would, however, ask for the time to talk to this applicant, unless she is available to inquire more about her intention. One thing, we have a lot of vacant land in District One. So, her goal for building may be achieved elsewhere. I do appreciate that she may want to be near where family once owned property but, again, I think we need to keep options open for property that is so close to this MOU area until more definite decisions are made. We shouldn't, I think, cut ourselves off with what could be in that area by making these option agreements available right now.

And not right now, but at some time in the near future, I think this needs to be addressed by the group so that people are not frustrated with applications that, we would have to turn down because it's so close. I think we need to give some direction to you and to the public about what is to be developed or what could be developed in that area. I think we stifle possibilities if we let these lands go right now.

So, what I would like to see, if it's at all possible, is to just have this delayed one month and come back. I would like to talk to the applicant, but this is really close to the environs. That would be my motion just to delay this for one month to give me an opportunity to speak more to the applicant if she's not available tonight.

Action: **Commissioner Townsend made a motion to hold Item A3 for one month.**

Chairman McKiernan said to the best of my knowledge, the applicant is not available tonight, but I do have a hand up from someone in the attendees list, who I believe may be counsel representing the applicant. Ms. Kancel, if you are here representing Mrs. Justice and can answer any of Commissioner Townsend's questions, I would welcome that at this time.

Mary Ann Kancel, said I am representing Mrs. Justice in this matter. She is very dedicated to this project. She wants to build a single-family residence on these three lots. She has been speaking with neighbors, adjoining lots, etc. If she can get the Land Bank lots, it is possible that she will be able to obtain lots further to the south. It's kind of a chicken and the egg until she gets Land Bank lots. She doesn't know with certainty if that will be an option for her. This is, Mr. Knapp to put it very well. Her grandmother owned land very near here and she is so dedicated to this area. I do not know that this is an application that is easily transferable to another location. It is frustrating for applicants.

Mrs. Justice has the 12 lots under the lease a lot agreement. The lease on some of the lots expired yesterday, but a few of them are still—they were not all entered in-it's not all under the same lease. So, several of them the lease does not expire until sometime in 2022.

She has expended funds to clean up debris. She hasn't cleared the lots, but she's removed a lot of trash. She's very familiar with the area and she's familiar with the road. That is not dampening her spirits for building a home and living there. These lots are available on the Land Bank map to a resident who wishes to move forward with plans.

We did look at the Master Plan, looked at possible projects that are in the idea stage, and the only thing that we saw that was nearby was the walking trail, which is to the north. It begins to the north and to the east of this property, and the walking trail proceeds east. This would not in any way, shape, or form interfere with that project.

There seem to be many areas in the community where lots are presented on the Land Bank map but if they aren't really available, I guess my question is, why are they on the Land Bank? We have somebody here who wants to build a house in good faith; put this property back on the tax rolls. It could be 5 years; it could be 25 years before anything happens in this area and there is the right of eminent domain, and it has been used for other projects of historical significance.

If Mrs. Justice gets to build her house and live on this property for 30 years, what a wonderful win, win for everybody because there isn't anything in the works right now. Her plan

is not detrimental to the neighborhood or to the community. It's within the zoning. She does have to work out the sewer issues. Probably the three lots together are a little bit under an acre. Like I said, she is really committed to this area right here as those lease a lot agreements show. She could not be in attendance tonight. She teaches a class that she had to attend. I think that broke her heart a little bit not to be able to speak for herself on this.

That's really all I have to say. Thank you for listening. She's so committed to this project. I am just honored to represent her. Thank you.

Chairman McKiernan said we definitely appreciate that perspective on the application. I would ask Commissioner Townsend, before I get to Commissioner Walters, I'll just circle back to Commissioner Townsend and see if she has any follow-up based on that input from counsel.

Commissioner Townsend said thank you, Ms. Kancel, for being here tonight to represent Mrs. Justice. I do have some questions about whether or not or what's going on with the lot she has under lease. What was the purpose or the end goal of putting those properties under lease? Is this something that she intends to be a resident of?

To your comment about these properties being on the Land Bank listing, that is true; but as I said before, with this project, which the community is very anxious to see get started, or discussions about with the MOU area, the issue is not to stifle what that area could be by awarding properties out of the Land Bank in those environs right now. That is the issue.

If you could fill us in with what's been going on with these properties under the leases that Mrs. Justice has had. I understand her attachment to the area from family members, the Justice family, in that area, but we do want to be fair to everyone who may have interest in that area and not stifle this project to come. Any more insight you could give would be appreciated.

Chairman McKiernan said Ms. Kancel, if you want to go ahead and respond to Commissioner Townsend that would be wonderful. Thank you.

Ms. Kancel said thank you for the questions. She does have a bigger plan for the area. None of it is a commercial or retail use. She wants to build a greenhouse and to have greenspace eventually. She is very wise to proceed incrementally and not bite off more than she can chew in the time that is allowed for getting started and for completing a project. I guess this is a bird in the

hand. She has every intention of doing a nice residence with an outdoor area and landscaping. She has been working with contractors. I know you had another part to your question, and I don't—I am so sorry. I didn't write it down before I responded. She purchased the property at 3428 in the hope that she would be able to talk with other property owners in the area and just put a piece together that would work. I also think that that is part of the reason why she has the other lots under lease a lot agreement, is trying to figure out what will work.

I think she spent; well, I know she spent funds. I think it's in the area of this is a broad range of \$2,000 – \$5,000 to remove the debris. As I said, she hasn't cleared trees or brush or anything like that on the lots, but there was, I guess, a lot of dumping that had occurred. As far as I know, unless people have been out there and dumping recently, the lots are cleaned up in that regard.

She, like I said earlier, she's been speaking with contractors. She has her financing in place. She did her due diligence looking for possible plans that other organizations, neighborhood groups might have for this area and could find nothing other than the walking trail, which is a wonderful project, but it doesn't affect this street.

We've had some conversations with Mr. Knapp. He's been very helpful. I don't know if I addressed all of your questions or not, Commissioner Townsend. I apologize if I didn't.

Commissioner Townsend said no, I think you did. For the time being, I still am—I think that the best to be fair is, as I said, I think I've asked for this to be held over for further conversation and explanation, but this is so close to the environ area, to the MOU area, and I think it behooves the city not to stifle itself for what that could be right now. So, that would be my comment on it right now.

This is not her primary residence correct? Well, you said there's no development there, correct, at 3428?

Ms. Kancel said it is not her primary residence. If she were to switch her plans to the lease a lots that are on N. 30th that are a little bit further south, I think Mr. Knapp said that I was looking at the lots to the east, those. That would move her away from the environs a little bit. He said the three lots she was looking at would be 192 ft. and if the Landmark ordinance changes are made, there would be 8 ft., but those lots are a little bit further south. They may possibly be a little bit

closer to the street, to an existing street, I guess I should say. Further south, there's a little bit of a street closer to Sloan and that could be something that she may be amenable to and we could discuss.

Chairman McKiernan said, Ms. Kancel, I appreciate that additional information. Commissioner Townsend has made a motion for the committee that this item be continued or held over until our next meeting to give you and Commissioner Townsend and the applicant a time to communicate about that.

Action: **Commissioner Walters seconded the motion to hold Item A3 for one month.**

Commissioner Walters said specifically, the questions I would suggest be pursued are, why are we selling three lots to build one house? That's often a question we ask when people want multiple lots that could support more than one residence.

I'd also suggest that we, as Commissioner Townsend suggested, try to get a handle on what the overall master plan for this area is in the eyes of the applicant. We have struggled when applicants want 5, 6 or 10 properties and we don't have any idea really what they plan to do with those. We approve, obviously, single lots and sometimes more than single lots, but we have talked in the past when people are asking for five, more than five lots that we get a presentation of what their ultimate goal is. So, I think that would be another thing that we might be able to get a little bit of a grip on if we delayed this for 30 days.

Chairman McKiernan said there is a motion and a second to hold this item over until our next meeting to allow additional conversation to occur. Any other comments or questions from members of the Committee? I'll ask the Clerk if we got any other correspondence regarding this application. **Ms. Godsil** said no public comments were received.

Chairman McKiernan said I don't see any other hands from the attendees. We'll ask for a roll call on holding over for one meeting.

Roll call was taken and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.

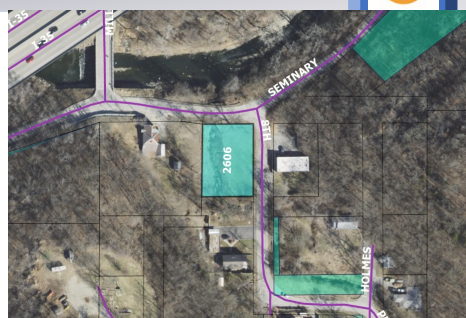


OPTION AGREEMENTS
JONATHAN WILDE



Requesting Land Bank Lot
2606 S 8th ST - 137043
New Construction
 Single Family Home
Zoning
 R-1(B) Single Family District
Frontage
 143 Ft





4. Jonathan Wilde – 1 home
 2806 S. 8th St. – 137043

Mr. Knapp said the next one is for a single-family home at 2606 S. 8th St. The zoning is R-1, and the project does meet zoning.



OPTION AGREEMENTS
JONATHAN WILDE



Building Details
 3 Beds / 2 Baths
 1,200 SqFt
Timeline
 Project Start – March 2022
 Project Completion – March 2023
Next Steps
 1. Building permit
 2. Proof of funds to cover building estimate
 3. Business license
 4. Special Use permit (**Public Meeting**)
Recommendation
☒ Staff Advisory Committee
☒ Land Bank Advisory Board



The applicant looks to build a live/work scenario where they could do leather making, jewelry making, artists including painting, pottery, etc. There could be an opportunity for light woodworking and light metalworking, but certainly not any kind of production scale.

So, staff comments were in the current R-1 zoning, the applicant can make art for a hobby, but when these products are sold, a business license and possibly a special use permit would be required. That special use permit also requires a public meeting through Planning.

The lot also has a creek running through the lot. The lot measures 65 ft. from the creek to the road. With the required 25 ft. setback, and since it's a corner lot, the home can face either S.

8th St. or Seminary St. Both of these would give enough room to build this home. The picture provided looks kind of tall. The max height allowed in R-1 is 35 ft. measured from the ground. The property is not in a floodplain, it's in a special hazard; it's a special flood hazard zone on the northwest corner.



In conclusion, the lot is buildable so they can build their project here.

That would conclude my presentation on this item, Commissioner.

Chairman McKiernan said if you would go ahead and go back to the DOTS maps, the aerial map of this the map. So, basically the Staff Advisory Committee, while recognizing that there are challenges to building on this lot would approve the recommendation for this application. Is that correct?

Mr. Knapp said that is correct, Commissioner.

Chairman McKiernan said does any member of the committee have comments or questions for Mr. Knapp on this application? I will say to the committee that I do notice the applicant is with us online and so if there are any questions for the applicant, he is available. Seeing no comments or questions, is there a motion from the committee for approval?

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Walters, to approve Item No. A4.**

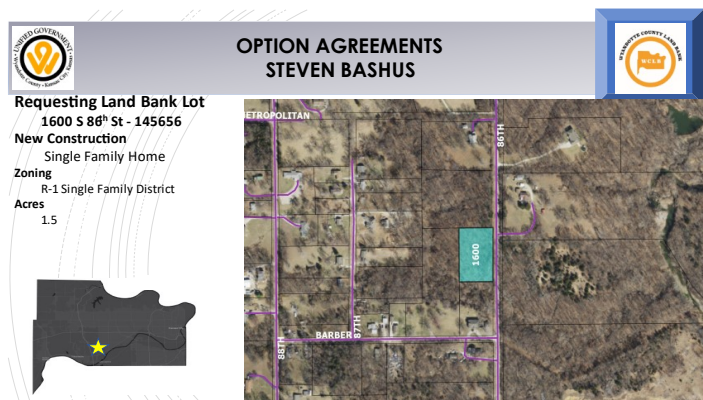
Chairman McKiernan said I'll ask the Clerk if we received any communication regarding this particular application. **Ms. Godsil** said no public comments were received.

Chairman McKiernan said, Mr. Wilde, I do thank you for being present with us tonight. It does not appear that the Committee has any questions for you. I will ask the Clerk to please call the roll.

Roll call was taken and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.

Chairman McKiernan said, Mr. Wilde, your application is approved as submitted. You can follow up with Mr. Knapp at a later time to take the next step.

5. Steven Bashus – 1 home
1600 S. 86th St. – 145656



Mr. Knapp said this is for a single-family home at 1600 S. 86th St. It is zoned R-1, and the project does meet zoning. It is 1.5 acres. There is no sewer in the area, but since the lot is big enough, it can support a septic system.



**OPTION AGREEMENTS
STEVEN BASHUS**



Building Details
3 Beds / 2.5 Baths
1,748 SqFt

Timeline
Project Start – March 2022
Project Completion – February 2023

Next Steps

1. Building permit
2. Proof of funds to cover building estimate

Recommendation

- ☒ Staff Advisory Committee
- ☒ Land Bank Advisory Board



The applicant is basically looking to build a home closer so they could live closer to the brother. Staff and the Land Bank Advisory Board both recommend the project, this item, Commissioner.

Chairman McKiernan asked any comments or questions from the committee?

Commissioner Burroughs asked, Jud, is this a—I don't want to call it a prefab or custom-built home. Is this a metal building? Is this the design that is being proposed?

Mr. Knapp said yes, Commissioner. I did have the same picture when we reviewed with Planning and Building Inspection. They didn't have any comments about the steel building.

Commissioner Burroughs asked so, is this on a slab? **Mr. Knapp** said I would have to get back with you on that one.

Chairman McKiernan said, Commissioner, unlike the previous applicant, I do not see this applicant among our attendees list, so it doesn't look like we can get any further clarification on this item.

Commissioner Burroughs said, Mr. Chairman, I'm all about infill housing and opportunities for people to move into our community and celebrate the diversity that we have in our community. I'm just curious if we have a set standard on what we accept as home design, versus a modular or a prefab home on a slab because we do have opportunities in the inner city where we have, in the past, have our city lots that may be challenged due to the fact how we razed those properties in the past versus a greenfield versus a brownfield building. That's what I'm looking at here. When I first saw this building, it almost looked like a recreational facility versus a home and that's why I raised the questions I did.

Chairman McKiernan said, Commissioner, I completely appreciate your questions about the pictures that are presented to us in these presentations. I have commented myself that sometimes they look like they were just taken from a gallery of potential homes as opposed to being an accurate representation of what will be built on that site.

Mr. Knapp, I would assume that this dwelling would have to pass all approvals both before, during and after construction in order for it to be inhabited. Is that correct? **Mr. Knapp** said that is correct.

Chairman McKiernan said so, Commissioner Burroughs, with the applicant not being here, well, certainly we have three possible options with this, but one of them would be to hold over as we did the previous two applications ago, so that we can get more information for you from the applicant.

Commissioner Burroughs said, Mr. Chairman, I appreciate that. I just wanted to ensure that the quality of housing that we put into our community that generates additional, as a catalyst for investment within our community, that they are the type of homes and type of residences that many in our community may find attractive. I'm not by any means trying to diminish the drawing that is presented here this evening, but it does raise some questions as to what we identify as housing in our community. I don't know what our minimum standard is for sq. ft on the single level on a slab versus a basement, so you have me at a distinct disadvantage.

I might suggest, Mr. Chairman, the fact that the individual is not joining us this evening, we hold this one over for 30 days.

Chairman McKiernan said, Commissioner, I will consider that a motion to hold over for 30 days for the purpose of further discussion.

Action: Commissioner Burroughs made a motion, seconded by Commissioner Walters, to hold Item No. A5 for 30 days for the purpose of further discussion.

Chairman McKiernan said there is a motion and second to hold this over so that we can get some additional information from the applicant. I'd ask the Clerk if there was any correspondence received regarding this application. **Ms. Godsil** said no public comments were received.

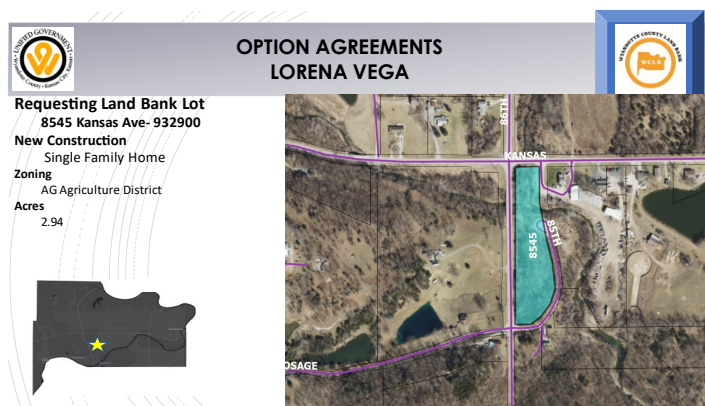
Commissioner Townsend said just a point of clarification, and it goes back to the other item we held over. I know we will not have a meeting in December, so this will be for the next meeting, whenever that is, but there won't be a meeting in December, correct?

Chairman McKiernan said that is correct, and I thank you for clarifying that. This is effectively our December meeting tonight. As I look forward, I do believe that our next meeting will be on Monday, January 3rd. **Commissioner Townsend** said okay, thank you.

Chairman McKiernan said so, the next meeting of this committee will be in January, not in December.

With that, there is a motion and a second to hold over until the next meeting. Any other comments or questions? Seeing none, roll call, please.

Roll call was taken and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.



6. Lorena Vega – 1 home
8545 Kansas Ave. – 932900

Mr. Knapp said this is for construction of a single-family home at 8545 Kansas Ave. The zoning is agricultural and that does meet, that does match the project. It is 2.94 acres. This is big enough for a septic system. The sewer runs on the other side of the creek. I did talk to Public Works and they said they can run sewer lines over a creek but there's some special things they have to do to it.

I do have to note, there was a structure in the 70s built in this corner up here in the northeast corner. This road looks a little weird because this is where 86th St. used to go. I mean this road didn't exist before.



OPTION AGREEMENTS
LORENA VEGA



Building Details
4 Beds / 4 Baths
2,395 SqFt

Timeline
Project Start – January 2022
Project Completion – August 2022

Next Steps

1. Building permit
2. Proof of funds to cover building estimate

Recommendation

- ☒ Staff Advisory Committee
- ☒ Land Bank Advisory Board



Staff and the Land Bank Advisory Board both recommend the project.

That concludes my item, Commissioner.

Chairman McKiernan asked, does any member of the committee have comments or questions? I will note that the applicant is present with us online tonight. So, if any member of the committee has questions for the applicant, she is available.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Townsend, to approve Item No. A6.**

Chairman McKiernan said there is a motion and a second to approve as submitted. I'll just ask the Clerk if we got any correspondence regarding this application. **Ms. Godsil** said no public comments were received. **Chairman McKiernan** said with a motion and a second to approve as submitted, roll call, please.

Roll call was taken and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that application is approved. Ms. Vega, your item is approved, and you can follow up with Mr. Knapp at a later time to take the next step in your process. Thank you so much for your application.



OPTION AGREEMENTS
DR. BARBARA ANN WOODS



Requesting 2 Land Bank Lots
 2712 Garfield Ave – 195633
 1876 N 28th ST - 195449
New Construction
 2 Single Family Homes
Zoning
 R-1(B) Single Family District
Frontage
 2712 - 77ft
 1876 – 52ft





7. Dr. Barbara Ann Woods – 2 homes
 2712 Garfield Ave. – 195633
 1876 N. 28th St. – 195449

Mr. Knapp said this item was from earlier this month and was held over to get some more information from the applicant. So, this item is building two single-family homes at 2712 Garfield Ave. and 1876 N. 28th St. Both homes do meet the zoning.

2712 Garfield Ave. will be used as the applicant’s primary residence. 1876 N. 28th St. will be used for the applicant’s large family when they visit. There's no plans to sell or rent these homes.



OPTION AGREEMENTS
DR. BARBARA ANN WOODS



Building Details
 6 Beds / 4 Baths
 4,000 SqFt
Timeline
 Project Start – August 2022
 Project Completion – December 2022
Experience
 Built 3 homes
Next Steps
 1. Building permit
 2. Proof of funds to cover building estimate

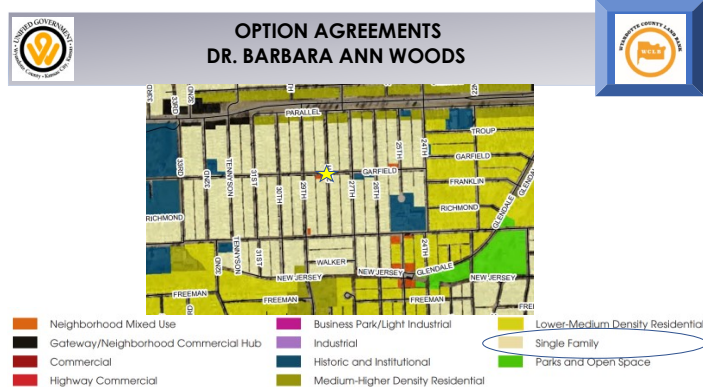
Recommendation
☒ Staff Advisory Committee
☒ Land Bank Advisory Board



The staff and Land Bank Advisory Board both recommend the project. From the Northeast Area Master Plan, it is in the single-family zone, so that meets.

November 29, 2021

Commissioner, that concludes my presentation on this item.



Commissioner Johnson said I have had a chance to meet or talk to Dr. Barbara Woods who will be the owner of both of these properties. I am satisfied with her intent. She has indicated she does have a large family. These will be multi-story homes that she is planning on building. She has engaged with a contractor that thinks he can get them done for a moderate price that I think would not be an albatross to the neighborhoods themselves.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Townsend, to approve Item No. A7.**

Chairman McKiernan asked, any other comments or questions from the committee regarding this application? Seeing none, I'll ask the Clerk if we received any correspondence regarding this application. **Ms. Godsil** said no public comments were received.

Roll call was taken and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.



OPTION AGREEMENTS
MERCEDES RUBIO



Timeline
 Project Start – November 2021
 Project Completion – January 2022

Experience
 Currently owns a food truck

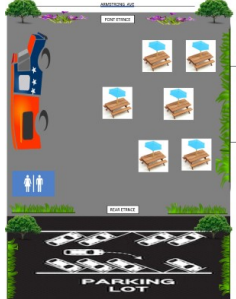
Next Steps

1. Building permit
2. Proof of funds to cover building estimate
3. Zoning Change (**Public Meeting**)
4. Master plan amendment (**Public Meeting**)
5. DRC Review

Recommendation

☐ Staff Advisory Committee
 Doesn't meet the Downtown Master Plan, and the downtown shareholders do not support the location.

☒ Land Bank Advisory Board





OPTION AGREEMENTS
MERCEDES RUBIO



Requesting Land Bank Lot
 816 N 9th ST - 080611

New Construction
 Food Truck Plaza

Zoning
 C-0 Nonretail Business District

Frontage
 75ft



B. New Construction - Commercial
Mercedes Rubio – Food Truck Plaza
 816 N. 9th St. – 080611

Jud Knapp, Interim Land Bank Manager, said this is for a food truck plaza at 816 N. 9th St. It is zoned C-0, and this would require a zoning change to C-1.

So, the zoning change and a master plan amendment would both require a public meeting. The Staff Advisory is not recommending. They would have to rezone it to C-1, and this would cause a master plan change. The Downtown Shareholders do not support this location.

Another note from staff is that under the current rules for food trucks, they can park just about anywhere. There are some exceptions like in front of a brick-and-mortar restaurant or in residential areas, they have to be invited in by the property owner.

That concludes my presentation on this one, Commissioner.

Chairman McKiernan asked any comments or questions from the committee on this particular application? I don't see any. I will just share that I am not in favor of this application. I don't

think it's the highest and best use for this very prominent location given the fact that food trucks are not necessarily constrained to a location that they own and park on. I don't know that it's necessary for the applicant to have this lot paved for the purpose of parking the truck on it.

Any other comments or questions from the committee?

With that, I would ask if there is a motion for this particular application. I do not hear a motion but just to make sure, I'll ask if there is a motion for this particular application? There is no motion from the committee.

Action: No motion made; Item No. 2B did not move forward and failed for lack of a motion.

Item No. 3 – 211189...LAND BANK OPTION TRANSFERS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.



Option Agreements

Agenda Item – C

Yard Extension

1



**YARD EXTENSION
SHAWN SIMMONS**



Requesting Land Bank Lot
2641 R N 22nd St - 160159

Currently Owns
2641 N 22nd St - 160152

Zoning
R-1(B) Single Family District

Unbuildable
Land Locked





November 29, 2021

Yard Extension
Shawn Simmons
2641 R N. 22nd St. – 160159

Jud Knapp, Interim Land Bank Manager, said they're requesting 2641R N. 22nd St. They currently own 2641 N. 22nd St., so this property is directly behind the one that they own. The property is landlocked, so that would make it unbuildable.

That concludes my presentation on this one, Commissioner.

Chairman McKiernan said I'd ask the committee if there are any comments or questions regarding this application. I will point out that the applicant is with us tonight online. So, if you need any additional information or have questions, the applicant is available.

Commissioner Burroughs said I think this is one of those issues that brought up the question that I had in our earlier review in reference to additional building on landlock lots that are owned by the resident to build what I would consider like a mother-in-law's quarters, an additional building behind the residence to allow us to have additional properties that provide residents for extended family and/or, I don't want to call it rental because I don't want to start down that road, but when a person owns a piece of property that is landlocked, and it's an extensive piece of property, I was just curious if we had an opportunity for staff to maybe review and look at my concerns and questions in reference to an additional livable building behind a residence.

Chairman McKiernan said I appreciate the question on that and the clarification. Mr. Simmons, if you could just address Commissioner Burroughs' question and give us some background on your application for this property transfer.

Shawn Simmons asked exactly what was the question?

Chairman McKiernan said well, Commissioner Burroughs wanted to know if there would be an opportunity to build any additional dwelling or maybe a detached—I'm not going to actually speak for Commissioner Burroughs—but looking at the larger question of when we have a long and deep

parcel like this, if it's possible to get an additional structure rather than just have it being a yard extension, for lack of a better term.

So, what is your—let's go this way. What's your intent with this property when you acquire it?

Mr. Simmons said my plan was to first cut down the trees that I won't be able to use, pull up roots and stumps, and get the soil testing for a possible garden in the future; but in the meantime get grass and a privacy fence up and really just start a garden and maybe a few fruit trees.

Chairman McKiernan said I do appreciate that. I would note that on the map here, it does appear that the three parcels to the south that do have houses that face 22nd St. have yards that do extend all the way back to that right-of-way. It doesn't look like your use would be out of line with what currently exists on this particular block, although Commissioner Burroughs' question of additional construction is still a very valid question across the board on these properties.

Do any members of the committee have any other comments or questions?

Commissioner Johnson said I mean you really just brought up the point that I was going to bring up in that these lots extend, they're deep lots. They appear that there is a precedence for that along 22nd St. that these lots would be deeper lots that would just be extensions of the primary residence. I don't have a problem. I mean, there's—you're right Jud, it is landlocked. If this is just a yard extension and he wants to clean that property up and maintain that property, I have no qualms at all with him having that property to do just that.

Action: **Commissioner Johnson made a motion to approve.**

Commissioner Burroughs said it's not that I'm opposed to the approval at all. I'm bringing this forward because we do have a lot of lots. When we look at these particular parcels, we do see long lots as Commissioner Johnson expressed, but we also know that we have a senior population in our community and the extended family is critically important to many of us. If there's an opportunity for additional construction on these long lots, that was just a point of consideration. I'm not requesting that they do that. I'm not—it's not that I'm opposed to the development. I think

this is a question that we should be asking in reference to landlocked properties that may be large enough to house more than one residential unit.

Chairman McKiernan said I very much appreciate your point, Commissioner. I would suggest that I could ask Mr. Gunnar Hand, our Director of Planning and Urban Design, to come to this committee at a future meeting and educate us all as to our current regulations within the Unified Government for these accessory dwellings or additional construction, if you think that would be for the benefit of the Committee.

Commissioner Burroughs said, Mr. Chairman, I do. In light of the rezoning that we're going through right now, I think it would be important for us to at least give consideration to that. We do have some landlocked properties throughout our entire community, but it shouldn't—the prudent thing to do would be to at least research what we can do moving forward into large amounts of property, not only for yard extension, and/or gardens, but those applicants that may want to come forward and build a second residence behind their main residence.

Chairman McKiernan said I will invite Mr. Hand to a future meeting and ask him to give us all more information on the current zoning regulations and any changes that might be currently considered.

Action: **Commissioner Walters seconded the motion.**

Chairman McKiernan asked, any other comments or questions from the committee? I'll ask the Clerk if we received any correspondence regarding this application. **Ms. Godsil** said no public comments were received.

Roll call was taken and there were five “Ayes,” Walters, Townsend, Johnson, Burroughs, McKiernan.

Chairman McKiernan said, Mr. Simmons, your application has been approved as submitted. You can follow up with Mr. Knapp at a later time and he will tell you what the next steps are in your process. For the committee, I will reach out to Gunnar Hand, our Director of Planning and

Urban Design and ask him to visit with us at a future meeting regarding the broad topic of accessory dwelling units that might be constructed on a long lot like this.

PUBLIC AGENDA

Item No. 1 – 211193...APPEARANCE: COLLEEN ROBERTS

Synopsis: Appearance of Colleen Roberts to discuss new development and updating the Piper Master Plan.

Chairman McKiernan said I'll ask the Clerk about Public Agenda Item No. 1. For the committee, we had been asked by a Ms. Colleen Roberts to have an opportunity to come before the committee and present public input regarding a potential new development and an update to the Piper Master Plan. I do not see Ms. Roberts online with us tonight and so I'll ask the Clerk, are you aware or have you been in communication with her?

Ms. Godsil said the only communication we've had is via email. So, an email was sent to Ms. Roberts on November 18th advising her she was allowed to speak this evening and she was advised how to participate via Zoom, phone, or the lobby of this building.

Chairman McKiernan said at this time, let's follow up and do this. Let's communicate with her again and in light of the fact that, who knows what the circumstances are, but in light of the fact that she was not able to appear before us tonight, offer her the opportunity to come to our meeting on January 3rd, for the purpose of presenting public comment. **Ms. Godsil** said okay, we will certainly do that.

Action: **The item was rescheduled for the January 3, 2022, meeting due to the applicant not being present.**

Commissioner Walters said it looks like we're kind of coming close to the end of our meeting. Before we adjourn, I just wanted to take this opportunity to say that this is my last meeting of this committee. I appreciate, really appreciate all the staff work that goes into committee meetings like this. I really think that the work of the commissioners at these committee meetings is as important or maybe more important than our work at the commission meetings themselves. I also want to

appreciate my fellow commissioners. I appreciate getting to know you and working with you on this committee. I really do think the next few years in Wyandotte County are going to be very good, and a lot of opportunities are going to be there. I just wish everybody the best of luck, so thank you.

Chairman McKiernan said, Commissioner, thank you very much. We certainly are indebted to you for all of the time, energy, effort and insight that you've given us on applications before this committee, all of our committees, over the years.

Commissioner Townsend said Commissioner Walters beat me to the punch. The class act that he is, I wanted to make sure that I said my thank yous for the opportunity to work with him over these last eight years on these two committees. You've heard how beneficial his insight has been to me, who's not an architect, and just making sense and the logic with which he has approached. I don't know how many issues over eight years we've all looked at, but it has indeed been a pleasure to work with him and we'll keep in touch. I'm going to check to see if he's still following us on Channel 2. I wish him and his family all of the best. It's been a pleasure.

Commissioner Burroughs said, Commissioner Walters, Jim, thank you for the time you've given me when I made those calls to you and your counsel and your guidance and your input into the policies that face us on the Economic Development Committee. You are thoughtful and thorough in what you do, and I sincerely appreciate the time and commitment you've given not only to this committee, your fellow commissioners, but the community. It's been my pleasure to get to know you, my friend, and I mean that you are my friend. I sincerely appreciate all the time you've given each and every one of us and the entire community in the position as commissioner. On your next chapter, I wish you nothing but great success and happiness and a little bit of leisure. So, my best to you, my friend.

Commissioner Walters said thank you everybody.

Commissioner Johnson said, well, Jim, you know I just can't be outdone by my colleagues now. I'm just going to cut to the chase and stick to my character. I'm going to miss you, quite frankly.

Your thoughtfulness I have depended upon during our meetings. The old expression speak softly and carry a big stick. When Jim Walters speaks, everybody listens. The reason why we listen is because you always found something very thoughtful, very meaningful, and very relevant to add to our conversations, and so I am going to greatly miss you. I enjoy your quiet sense of humor. You do have a great sense of humor, for those that don't know you. I really appreciate that and just wishing you all the best in the future.

Commissioner Walters said, well thank you, Harold.

Chairman McKiernan said, Commissioner Walters, we are in your debt. We appreciate all that you have given to us, and we look forward to still being a partner with you in watching and helping this community grow. Thanks so much.

Commissioner Walters said thank you.

Chairman McKiernan said, committee, that is the end of our agenda for this evening. There are no other items before us. We are adjourned.

ADJOURN

Chairman McKiernan adjourned the meeting at 8:05 p.m.

tpl



Staff Request for Commission Action

Tracking No. 211346

Full Commission Meeting Date:

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 4/4/22
(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
03/22/2022	Greg Talkin, Anthony Hutchingson, John Droppelmann, Patrick Holton	x8628, x8630, x5938	gtalkin@wycokck.org, ahutchingson@wycokck.org, jdroppelmann@kckfd.org	Neighborhood Resource Center

Item Description:

The most recent building code adoption for the City of Kansas City, KS occurred in 2016 with the 2012 I-Codes and the 2009 IECC. The International Code Council (ICC), a developer and publisher of model codes, is on a 3-year update cycle. The City of Kansas City, KS has opted in the past to adopt the International Codes, or I-Codes, every other cycle, which equates to every 6 years. The 2018 Suite of Building Codes is the next round in the 6-year cycle. These codes are identified as follows:

2018 International Building Code (IBC)
2018 International Residential Code (IRC)
2018 International Existing Building Code (IEBC)
2018 International Mechanical Code (IMC)
2018 International Energy Conservation Code (IECC)
2018 Uniform Plumbing Code (UPC)
2017 NFPA 70 - National Electrical Code (NEC)
2018 International Property Maintenance Code
2018 International Fire Code (IFC)
2018 Life Safety Code NFPA 101

Action Requested:

To review and approve "The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations / Chapter 15 – Fire Prevention and Protection."

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

UGKCK Request to adopt New Codes- 2018 Suite Set, Ord. Form 2018 IBC, Ord. Form 2018 IEBC, Ord. Form 2018 IECC, Ord. Form 2018 IFC & NFPA 101, Ord. Form 2018 IMC, Ord. Form 2018 IPMC, Ord. Form 2018 NEC, Ord. Form 2018 UPC, HBA Letter, Ord. Form 2018 IRC Option A, Ord. Form 2018 IRC Option B, Ord. Form 2018 IRC Option C



Neighborhood Resource Center

Unified Government of Wyandotte County/ Kansas City, Kansas
4953 State Avenue, Kansas City, Kansas 66102
p. (913) 573-8600 | f. (913) 573-8631 | www.wycokck.org/NRC

To: Neighborhood and Community Development Standing Committee

From: Greg Talkin, Neighborhood Resource Center

Date: December 21, 2021

RE: Proposed Adoption of "The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations / Chapter 15 – Fire Prevention and Protection"

The most recent building code adoption for the City of Kansas City, KS occurred in 2016 with the 2012 I-Codes and the 2009 IECC. The International Code Council (ICC), a developer and publisher of model codes, is on a 3-year update cycle. The City of Kansas City, KS has opted in the past to adopt the International Codes, or I-Codes, every other cycle, which equates to every 6 years. The 2018 Suite of Building Codes is the next round in the 6-year cycle. These codes are identified as follows:

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2018 International Existing Building Code (IEBC)

2018 International Mechanical Code (IMC)

2018 International Energy Conservation Code (IECC)

2018 Uniform Plumbing Code (UPC)

2017 NFPA 70 - National Electrical Code (NEC)

2018 International Property Maintenance Code

2018 International Fire Code (IFC)

2018 Life Safety Code NFPA 101

The Importance of ICC:

- Updated codes promote safe, resilient, efficient, and cost-effective construction.
- Current codes protect the building owner's investment, enhance safety and foster innovation in the marketplace.
- For consumers, updated codes mean lower maintenance costs such as lower energy and water bills, less mechanical noise, and an overall higher quality of life.
- Current building codes spur innovation and are an incentive for American manufacturers to invest in product development.
- Current building codes also create a demand for new jobs including code enforcers, technical experts, tradesmen, construction workers, quality control assessors, and building and systems commissioning agents.

Financial Impact:

The Commission's adoption of "The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations / Chapter 15 – Fire Prevention and Protection" will not have a financial or budgetary impact on the organization. There could be a positive or negative impact to the consumer depending on type and size of project.

Has There Been Previous Council Decision on This:

The current Suite of Building Codes was adopted by Council in 2016. There is the need to discuss and approve or provide direction on the adoption of "The 2018 Suite of Codes and Amendments to Chapter 8 "Building and Building Regulations". These codes are now presented to the Commission for review and adoption.

Connection to Commission Goals:

Code Compliance - Achieve comprehensive and equitable code compliance.

Foster a Resilient and Economically Prosperous Community

- Deliver outstanding services through a healthy environment, resources and infrastructure. Promote policies that reflect a positive and safe community.

Work in Partnership to Enhance a Safe and Livable Community

- Foster a safe, healthy, equitable and accessible community.
- Promote a high quality of life through consistent standards, rules, and regulations.

UNIFIED GOVERNMENT STRATEGIC PLAN
2017-2022

**Background/History:**

A model building code is developed and maintained by a standards organization independent of the jurisdiction responsible for enacting the building code. A local government can choose to adopt a model building code as their own. This saves them the expense and trouble of developing their own codes. Model codes are intended to be adopted in accordance with the laws and procedures of a governmental jurisdiction. When adopting a model code, some jurisdictions amend the code in the process to reflect local practices and laws.

Local codes are diverse in the extent to which the base model code is amended. Most local amendments are limited to administrative provisions, which are subject to change to meet other local regulations regarding implementation of ordinances. Engineering provisions are among the least amended, with a common reason for amendments related to unique site conditions that affect foundation design or applied wind and snow loads. The International Building Code and International Residential Code are generally considered more comprehensive codes while the rest are considered specialty codes.

Where are the International Codes (I-Codes) Adopted?

- The *International Building Code* (IBC) is adopted in all 50 states and the District of Columbia.
- The *International Fire Code* (IFC) is in use in 41 states and the District of Columbia.
- The *International Residential Code* (IRC) is in use in 49 states and the District of Columbia.
- The *International Mechanical Code* (IMC) is in use in 46 states and the District of Columbia.
- The International Codes are in use in Puerto Rico, Guam, U.S. Virgin Islands, American Samoa and the Northern Mariana Islands.

Local-Regional Adoptions:

City/County	IBC	IRC	IPC/UPC	IMC	NEC	IECC	IFC	NFPA 101	IEBC	IPMC
	International Building Code	International Residential Code	International/Uniform Plumbing Code	International Mechanical Code	National Electric Code	International Energy Conservation Code	International Fire Code	Life Safety Code	International Existing Building Code	International Property Maintenance Code
KCK - current	2012	2012	2012	2012	2011	2009	2012	2003	n/a	2012
KCK - proposed	2018	2018	2018	2018	2017	2018	2018	2018	2018	2018
Bonner Springs	2015	2015	2015	2015	2014	n/a	2015	n/a	n/a	2015
Edwardsville	2012	n/a	n/a	n/a	n/a	n/a	2012	n/a	n/a	n/a
Shawnee	2018	2018	2018	2018	2017	2018	2018	n/a	n/a	n/a
Lenexa	2018	2018	2018	2018	2017	2012	2018	n/a	n/a	2108
Overland Park	2018	2018	2018	2018	2017	2018	2018	n/a	n/a	2018
Prairie Village	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Leawood	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Olathe	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Gardner	2018	2018	2018	2018	2017	n/a	2018	n/a	n/a	2018
Johnson County	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Kansas City Mo	2018	2018	2018	2018	2017	2012	2018	2018	2018	n/a
Spring Hill	2006	2006	2006	2006	2005	n/a	2006	n/a	n/a	2006

- Try to be similar/ consistent with surrounding jurisdictions
 - Easier for designers and contractors to design and build
 - Easier to educate contractors
 - Easier for us to enforce

Community Benefits and Considerations:

- Protect public health, safety, and welfare
- Keep construction costs down
- Provide consistent minimum standards in construction
- Contribute to the well-being of the community
- Help control or lower cost of insurance premiums by providing the insurance industry with a baseline for mitigating risk.

The City of Kansas City, KS is currently under an audit with the Insurance Service Office (ISO) to determine its current Building Code Effectiveness Rating Schedule where a lower score, on a scale from 1 to 10, indicates exemplary commitment to code enforcement. The current building codes adopted affect this rating.

Community Outreach:

- Posted on the UG website 90 days, May-June 2021, and comments were received during that period.
- The target audience for public outreach included the design community, contractors, property owners and community members.
- Topic was discussed in Livable Neighborhoods Task Force meetings on at least three occasions

- Correspondence was sent to neighborhood groups, designers, and contractors we had in our records asking for comments.
- Reached out to those that had questions or concerns associate with the proposed adoption
 - Met with the KCHBA
 - Phone conversation with Metropolitan Energy and ongoing email communication

Items we Heard/Learned about from Community Outreach:

- Energy Conservation Provisions
 - There is a growing push and/or need for increases in energy conservation
 - Can be a significant upfront construction cost for many of the new Energy Codes
 - Proposing some amendments to balance construction cost vs energy conservation
- International Residential Codes
 - KCHBA concerns with increased cost vs benefits on some of the changes.
- International Plumbing Code (IPC) vs. Uniform Plumbing Code (UPC)
 - Ongoing support for UPC from larger organized plumbing contractors
 - From past experiences requesting 2018 UPC with this code update.
- Design professionals prefer new updated standards
 - Provides them more options
 - Assists when working in multiple jurisdictions

Options and Alternatives:

- Adopt Ordinance(s) to adopt the “The 2018 Suite of Codes and Amendments to Chapter 8 - Building and Building Regulations /Chapter 15 – Fire Prevention and Protection”.
- Modify and adopt Ordinance(s)
- Do not adopt Ordinance(s)

Upon Approval -Timeline of Implementation

- New Codes or Old Codes will be allowed to be used for a period of 120 days after the approval of the governing body.
- If a project has already been submitted for review it will be allowed to stay with the code set originally submitted under. If the project becomes stagnant for a period requiring resubmittal, then the new project may have to be submitted under codes in place at the time of resubmittal.

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article II – Building Code.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-23, 8-24, 8-25, and 8-58 are hereby amended to read as follows.

Sec. 8-23. - Violations and penalty.

Any person who shall violate a provision of this article, fail to comply with any of the requirements of this article, erect, construct, alter, or repair a building or structure in violation of the approved construction documents or directive of the building official or fire chief, or act in violation of a permit or certificate issued under the provisions of this article shall, upon conviction, be sentenced to pay a fine of not less than \$100.00 nor more than \$2,500.00, by imprisonment not exceeding six months, or by both such fine and imprisonment, in addition to any other penalties prescribed by law, including civil penalties in accordance with unified government code Chapter 2, Article IX. The office of chief counsel shall, at the request of the board or the building official, render such legal assistance as may be necessary in carrying out the provisions of this article. Upon the request of the building official, the office of chief counsel shall institute, in the name of the unified government, the proper proceedings against any person regarding whom a complaint has been made charging the violation of any provisions of this article. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Code 1964, § 7-27; Code 1988, § 8-16; Ord. No. 64936, § 7, 12-19-1985; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 3, 9-16-2004; Ord. No. O-44-11, § 3, 10-20-2011; Ord. No. O-29-12, § 3, 5-3-2012)

Sec. 8-24. - ~~2012~~ 2018 International Building Code—Adopted.

- (a) *Building code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter, and fixing of penalties for violations thereof, the ~~2012~~ 2018 International Building Code and referenced standards and specified appendices C, H and J, dated ~~May 2014~~ August 2017, as published by the

International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended by this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.

- (b) ~~Marked copies~~ copy of code on file. There shall be ~~not fewer than three copies~~ one copy of the standard code, adopted by reference in subsection (a) of this section, kept on file in the office of the unified government clerk, to which shall be attached a copy of the incorporating ordinance from which this section is derived, and which shall be marked or stamped "Official ~~Copies~~ Copy as Incorporated by Ordinance No. O-_____", with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The Neighborhood Resource Center, ~~Code Enforcement Division, Rental Inspections Division and Building Inspection Division~~ Property Maintenance Compliance Division, Building Inspection Division and Administrative Division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1964, §§ 7-1, 7-2; Code 1988, § 8-17; Ord. No. 64936, §§ 4, 5, 12-19-1985; Ord. No. 65407, § 1, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 4, 9-16-2004; Ord. No. O-44-11, § 4, 10-20-2011; Ord. No. O-29-12, § 4, 5-3-2012; Ord. No. [O-43-16](#), § 1, 7-28-2016)

State Law reference—Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-25. - Same—Amendments.

The 2012 2018 International Building Code is amended in the following respects: *Sections 101.1—116* are hereby deleted.

Sections 100—176 Administration are hereby added as follows:

Section 100 Title. The 2012 2018 International Building Code, as published by the International Code Council, Inc., and the deletions, changes, and additions contained in the Unified Government Code, chapter 8, sections 8-1 through 8-351, shall be known as the Building Code of the Unified Government of Wyandotte County/Kansas City, Kansas, hereinafter referred to as "this code" or "the building code."

Section 101 Scope. This Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy,

location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. Detached one- and two-family dwellings not more than three stories in height with separate means of egress shall comply with article VIII (International Residential Code) of this chapter.

Section 102 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, property maintenance, and safety to life and property from fire and other hazards attributed to the built environment.

Section 103 Applicability. Where, in any specific case, different sections of this code specify different materials, methods of construction, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Section 104 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.

Section 105 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number shall be construed to refer to such chapter, section, or provision of this code.

Section 106 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. Any reference to the ICC Electrical Code in the International Building Code, International Residential Code, International Mechanical Code, International Existing Buildings Code, International Property Maintenance Code or Uniform Plumbing Code shall be replaced with the NFPA 70 National Electric Code, 2011 Edition.

Section 107 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

Section 108 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Property Maintenance Code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

Section 109 Duties and powers of building official. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall comply with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. The building official shall be known as public officer, and such term shall include his/her authorized representatives. Further, whenever the term or title "administrative authority," "responsible official," "codes administrator," "codes director," or other similar designation is used in any of the codes adopted by reference by this code, it shall be construed to mean the building official.

Section 110 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition or moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

Section 111 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

Section 112 Inspections. The building official shall make all of the required inspections or shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

Section 113 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that, if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

Section 114 Records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of

inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

Section 115 Liability. The building official, member of the building and fire code board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action; suit or [proceeding] that is instituted in pursuance of the provisions of this code.

Section 116 Approved materials and equipment. Materials, equipment, and devices approved by the building official shall be constructed and installed in accordance with such approval.

Section 117 Used materials and equipment. The use of used materials, which meet the requirements of this code for new materials, is permitted. Used equipment and devices shall not be reused unless approved by the building official.

Section 118 Sanitary facilities for construction workers. The contractor, builder, or other person having the management and control of construction work shall prevent the commission of any nuisance by the workers on the premises connected therewith and if a temporary privy is located on the premises it shall be properly screened and maintained in a sanitary manner.

Section 119 Excavations. Any excavation for foundations and/or footings of buildings and structures shall be backfilled within 28 days from the date of permit issuance unless otherwise approved by the building official.

Section 120 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of inspection services.

Section 121 Alternative materials, design, and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of

any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

Section 122 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Section 123 Permits. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, plumbing, or elevator system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. In addition, a hazardous materials permit may be required based upon the type and quantities of materials proposed to be used or stored. When required by the fire chief, a hazardous materials permit application must be submitted prior to the issuance of the building permit.

Section 124 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(a) *Building.*

- (1) Retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding class I, II or III-A liquids. In addition, the building official may waive the requirements for a permit or engineered drawings for walls over four feet in height if it is deemed unnecessary to require such submittals due to the location and type of wall to be installed.
- (2) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

- (3) Temporary motion picture, television, and theater stage sets and scenery.
- (4) Swings and other playground equipment.
- (5) Window awnings supported by an exterior wall of group R-3 and group U occupancies.
- (6) Movable cases, counters and partitions not over five feet, nine inches (1,753 mm) in height.
- (7) One-story detached accessory structures associated with one- and two-family dwellings, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
- (8) Fences not over six feet (1829 mm) high.
- (9) Prefabricated swimming pools accessory to a group R-3 occupancy, which are less than 24 inches deep, do not exceed 5,000 gallons, and are installed entirely above grade.
- (10) Oil derricks.
- (11) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
- (12) Reinstalling roof coverings on existing buildings when no structural elements are being repaired or replaced.
- (13) Detached pergolas and other detached structures associated with one- and two-family dwellings, which do not exceed 400 square feet, are entirely open, and do not have solid roofs.
- (14) Sidewalks, driveways, decks, and platforms not more than 30 inches (762 mm) above grade and not over any basement or story below and which is not part of an accessible route.

(b) *Electrical.*

- (1) Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- (2) Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions,

but does apply to equipment and wiring for power supply, the installations of towers and antennas.

- (3) Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

(c) *Gas.*

- (1) Portable heating appliance.
- (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (3) The repair, replacement or installation of less than six feet of gas piping.

(d) *Mechanical.*

- (1) Portable heating appliance;
- (2) Portable ventilation equipment;
- (3) Portable cooling unit;
- (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code;
- (5) Replacement of any part which does not alter its approval or make it unsafe;
- (6) Portable evaporative cooler;
- (7) Self-contained refrigeration system containing ten pound (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 W) or less.

(e) *Plumbing.*

- (1) The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- (2) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

- (f) *Emergency repairs.* Where equipment replacements and repairs must be performed in an emergency, the permit application shall be submitted within the next working business day to the building official.
- (g) *Repairs.* Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drain, leader, gas, soil, waste, vent or similar piping, electric wiring, electrical system, mechanical system, or other work affecting public health or general safety.
- (h) *Public service agencies.* A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

Section 125 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building official for that purpose.

Section 126 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

Section 127 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 128 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the

correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

Section 129 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work progress must be documented by a routine inspection. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. Permit extensions shall be charged a fee at one half the original permit fee provided no changes have been made or will be made in the original plans and specifications for such work. The extension shall be requested in writing and justifiable cause demonstrated upon finding by the same that substantial progress has been made toward completion. Substantial progress is to mean that the project is over 50 percent complete and, in the opinion of the building official, the project applicant has the capability to finish the work permitted within one time period extension. If questionable, the building official may require proof of performance, i.e., a list of contractors and subcontractors under contract for the completion of the project, before the granting of the time extension. Failure to complete a project in the time limits stated above or failure to maintain a valid permit constitutes a violation of this code.

Section 130 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or based on incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

Section 131 Placement of permit. All permits shall be posted to be visible from the street and kept on the site of the work until the completion of the project. Exceptions:

- 1) Permits for the construction of one- and two-family dwellings are not required to be posted on the site when the property address is clearly identified and visible from the street.
- 2) Permits for other than one- and two-family dwellings are not required to be visible from the street when kept on the site in a location accessible to the building official. Whenever permits are not visible from the street, the property address must be clearly identified. Failure to clearly identify the address or display permits may result in inspections not being performed.

Section 132 Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in two or more sets with each application for a permit. A registered design professional licensed by the State of Kansas shall prepare the construction documents. Where special conditions exist, the building official is authorized to require additional

construction documents to be prepared by a registered design professional licensed by the State of Kansas.

Exceptions:

- 1) Plans for the construction of one- and two-family dwellings using conventional construction techniques prescribed by the codes are not required to be prepared by a registered design professional licensed by the State of Kansas.
- 2) The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to verify compliance with this code.

Section 133 Information on construction documents. Construction documents shall be dimensioned and drawn to scale upon suitable material. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The construction documents shall show in sufficient detail the location, construction, size, occupancy classification, construction type and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code.

Section 134 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved before the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in this code.

Section 135 Site plan. There shall be a site plan, showing to scale, the size and location of all the new construction and all existing structures on the site including easements, distances from lot lines, established street grades, existing and proposed finished grades, sewer elevations. All decks, balconies, overhangs, or other building protrusions shall be indicated and dimensioned. In the case of partial demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site of the plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair and does not affect the exterior features of the building.

Section 136 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall

ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Section 137 Approval of construction documents. When the building official issues a permit, the construction documents shall be stamped "Approved." The building official shall retain one set of construction documents so reviewed. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative. Failure to maintain city-stamped construction documents on site may result in inspections not being performed.

Section 138 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

Section 139 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Section 140 Design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The owner shall notify the building official in writing if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phrased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by this code, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

Section 141 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the

time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Submittal documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until the building official has approved their design and submittal documents.

Section 142 Amended construction documents. Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

Section 143 Establishment of fees. Permit and building inspection administrative fee schedule shall be established by the unified government county administrators' office and may be reviewed on an annual basis.

Section 144 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

Section 145 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid prior to issuance of said permit, in accordance with the unified government fee schedule.

Section 146 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including current market value of materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the valuation shall be determined by using the most current building valuation data provided by the International Codes Council.

Section 147 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical, elevator equipment, or plumbing system before obtaining the necessary permits shall be subject to an additional fee equal to the amount of the permit as established by the unified government fee schedule. The payment of such fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law. Work that has commenced on a building, structure, electrical,

gas, mechanical, elevator equipment, or plumbing system before obtaining the necessary permits constitutes a violation of this code.

Section 148 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section 149 Inspections general. Construction or work for which a permit is required shall be subject to inspection by the building official or his designee and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval because of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Section 150 Preliminary inspection. Before issuing a permit, the building official or his designee is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. A fee shall be charged for such examination of an existing building called a "status report," and a fee shall be charged according to the fee schedule established by the county administrator.

Section 151 Required inspections. The building official or his designee, upon notification, shall make the inspections set forth in this code and the policies and procedures for required inspections.

- A. *Footing or foundation inspection.* Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place before inspection. Materials for the foundation shall be on the job, except that where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.
- B. *Under-floor inspection.* Under-floor inspections shall be made after under-floor building service equipment, wiring, conduit, piping accessories and other ancillary equipment items are in place, but before floor sheathing is installed, including the sub floor. This inspection is for areas such as crawlspaces where access is very limited or impossible at a latter date.
- C. *Under-slab plumbing inspection.* Under-slab plumbing inspections shall be made when all under-floor plumbing pipes are in place, but before the installation is covered with gravel or concrete.

- D. *Sewer line inspection.* The sewer line from the building out to the property line shall not be concealed from view until inspected and approved. There are separate requirements for the tap into the sewer main by the unified government water pollution control department.
- E. *Elevations.* Elevation certification may be required when determined necessary by the building official to confirm compliance with provisions prescribed by law.
- F. *Rough-in inspections.* All rough-in inspections for R-1, R-2 and R-3 occupancies will be done at the same time.
1. *Frame inspection.* Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete.
 2. *Electrical.* Rough electrical inspection shall be made when all wiring, boxes, and/or conduits have been installed. All metal box devices must be grounded at this time.
 3. *Plumbing.* Rough plumbing inspection shall be made when all water, drain, waste and vent piping has been completed.
 4. *HVAC.* Rough mechanical inspection shall be made when all duct and flue installations have been completed. This also includes the completion of ducts for ventilation fans and devices.
 5. *Fireplace.* Inspection of fireplace installations shall be made before any work is concealed. All factory-built fireplaces shall be listed by a testing agency recognized by the codes adopted by the unified government.
 6. *Fire-resistant penetrations.* Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.
- G. *Lath or gypsum board inspection.* Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.
- Exceptions:
1. Gypsum board that is not part of a fire-resistive assembly or a shear assembly.
- H. *Electrical service inspection.* This inspection shall be done when the meter base, overhead or underground riser, panel/switchgear, main breaker, grounding and at least on load circuit is installed. No new electrical service shall be energized

without first receiving the approval of the building official. On new one- and two-family dwellings, this inspection shall be done with the rough-in inspections.

- I. *Complete gas.* This inspection shall be done when all interior gas piping is installed and at least one appliance connected. The test shall be in accordance with the plumbing code adopted by the unified government. On new one- and two-family dwellings, this inspection shall be done with the rough-in inspections.
- J. *Other inspections.* In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the building official.
- K. *Special inspections.* Special inspections, as required by this code and the building official.
- L. *Fire protection inspections.* Inspection of all fire protection systems. The fire chief or his designee conducts this inspection.
- M. *Final inspection.* The final inspection shall be made after all work required by the building permit is completed.

Section 152 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

Section 153 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work for any inspections that are required by this code. Inspection requests shall be made in advance and in accordance with the most current written policies of the inspection services division.

Section 154 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. The provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, not having the address clearly posted and visible from the street, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall file an application thereof in writing upon a form furnished for that purpose, and pay the reinspection fee as established by the unified government fee schedule. In instances where reinspection fees have been

assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 155 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Section 156 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of any other ordinance.

Section 157 Changes in uses. Changes in the character or use of an existing structure shall not be made except as specified in this code. The building official may require a design professional registered within the state to perform a code analysis and submit plans and/or other information as deemed necessary to determine the proposed use will be in compliance with this code.

Section 158 Certificate issued. It shall be the responsibility of the permit holder to request a final inspection and to apply for a certificate of occupancy when required. The permit holder shall be excused from this responsibility only if the owner of property has applied for and secured a certificate of occupancy. After the building official inspects the building or structure and finds no violations of the provisions of this code or other ordinances of the unified government, the building official shall issue a certificate of occupancy.

Section 159 Posting the certificate of occupancy. The certificate of occupancy, or a copy, shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.
Exception: R-1, R-2 and R-3 occupancies.

Section 160 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid. A fee shall be charged for the issuance of a temporary certificate of occupancy in accordance with the unified governments fee schedule.

Section 161 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

Section 162 Connection of service utilities. No person shall make new connections from any source of energy, fuel, or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

Section 163 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the source of energy, fuel, or power.

Section 164 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible, the owner and occupant of the building, structure or service system, of the decision to disconnect before taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

Section 165 Board of Code Appeals. Effective December 1, 2016, any prior board authorized by this section is abolished, and the term of any member is terminated. After December 1, 2016, in order to hear and decide appeals of orders, decisions or determinations made by the building official and fire chief relative to the application and interpretation of this code, there shall be and is hereby created The Board of Code Appeals. The Board of Code Appeals shall consist of three members with one member appointed by the mayor, one member appointed by the at large district 1 commissioner, and one member appointed by the at large district 2 commissioner. The board shall convene to hear any appeal properly before it. After the board has rendered its decision for any appeal properly before it, it shall be dissolved and re-constituted for any subsequent appeal.

A. *Qualifications.* The members of the board of appeals shall consist of persons qualified by experience and training to pass on matters pertaining to building construction, skilled in diversified building or construction trades or professions such as architect, engineer, builder, general contractor, licensed master contractor and one layman to represent the general public. Employees of the unified government are prohibited from being members of the board.

- B. *Limitations on authority.* An application for appeal to the board of appeals shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, that the provisions of this code do not fully apply, or that an equally good or better form of construction is proposed. The board of appeals shall have no authority to waive requirements of this code or the fire code.
- C. *Fee for appeal.* Any person who appeals an order, decision, or determination made by the building official or fire chief, relative to the application and interpretation of this code, shall file an application and pay a fee in accordance with the unified government fee schedule.

Section 166 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section 167 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure or systems in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section 168 Prosecution of violation. If the notice of violation is not complied with within the established abatement period, the code official is authorized to request the office of chief counsel to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Section 169 Stop work order. Whenever the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or other ordinance in the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order.

Section 170 Issuance of stop work orders. The stop work order shall be in writing and shall be given to the owner of the property involved or to the owner's agent, to the person doing the work or posted upon the property. Upon issuance of a stop work order, the cited work shall immediately cease or as otherwise determined by the building official. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any violation of a stop work order will constitute a violation of this code.

Section 171 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section 172 Unsafe structures and equipment conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, which constitute a fire hazard, which are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

A vacant structure that is not secured against entry shall be deemed unsafe.

Section 173 Record. The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Section 174 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

Section 175 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by state and local law or posted upon the property. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

Section 176 Restoration. The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, or change of occupancy shall comply with the requirements of this code.

Section 406.3.2.1 Dwelling unit separation is amended to read as follows:

Section 406.3.2.1 Dwelling unit separation. Garages beneath habitable rooms shall be separated from all habitable rooms by not less than $\frac{5}{8}$ inch (15.9 mm) type

X gypsum board and 5/8 inch (15.9 mm) type X gypsum board applied to structures supporting the separation from habitable rooms above the garage. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8 inches (34.9 mm) in thickness, or in compliance with section 716.5.3 with a fire protection rating of not less than 20 minutes. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

Section 420.11 Group R-1 and R-2 hotel and motel cooking facilities is added to read as follows:

Section 420.11 Group R-1 and R-2 hotel and motel cooking facilities.

Domestic cooking appliances within guest rooms of Group R-1 and R-2 hotels and motels shall be provided with timers limiting unattended operation to 175 minutes and protection in accordance with Section 904.13.1.2 as adopted and amended.

Exception: Coffee makers and microwave ovens are not required to comply with Section 904.13.1.2. of the IBC as adopted and amended.

Section 901.3 is amended to read as follows:

Section 901.3 *Modifications*. No person shall remove or modify any fire protection system installed or maintained under the provisions of this code or the International Fire Code without approval of the fire chief.

Section 904.13 Domestic cooking systems is amended to read as follows:

(4) In Group R-1 and R-2 hotels and motels where domestic cooking facilities are installed in accordance with Section 420.11.

Section ~~1013.4~~ 1015.2 Guards is amended to read as follows:

Section ~~1013.4~~ 1015.2 Guards. Where required, guards shall be located along open-sided walking surfaces, mezzanines, industrial equipment platforms, stairways, ramps and landings which are located more than 30 inches (762 mm) above the floor or grade below. Guards shall be adequate in strength and attachment in accordance with section 1607.7. Guards shall also be located along glazed sides of stairways, ramps and landings that are located more than 30 inches (762 mm) above the floor or grade below where the glazing provided does not meet the strength and attachment requirements in section 1607.7. In addition, guards are required at retaining walls over 30 inches above grade when walking surfaces are within ten feet of the high side of the retaining wall.

Section 1030.2 Minimum size is amended to read as follows:

Section 1030.2 Minimum size: Exception is deleted.

Section 1209.2.2 walls and partitions is amended to read as follows:

Section 1209.2.2 walls and partitions. Walls and partitions within 2 feet (610 mm) service sinks, lavatories, urinals, and water closets shall have a smooth hard, nonabsorbent surface to a height of not less than 4 feet (1219mm) above the floor

shall be of a type that is not adversely affected by moisture other than masonry/concrete, tile/frp. Exceptions shall remain.

(Code 1988, § 8-17.5; Ord. No. O-57-04, § 4, 9-16-2004; Ord. No. O-44-11, § 5, 10-20-2011; Ord. No. O-29-12, § 5, 5-3-2012; Ord. No. [O-43-16](#), § 1, 7-28-2016; Ord. No. [O-65-16](#), § 1, 11-17-2016)

Sec. 8-58. - Permit, etc.

- (a) No sign structure or sign surface shall be erected, altered, rebuilt, or refaced without first obtaining a building permit; provided, however, that the sign surface of an outdoor advertising sign may be repainted or reposted without obtaining a new permit. Permits shall be issued only to licensed and bonded sign hangers as provided hereinafter for all signs except wall bulletins and monument signs. Any owner or authorized person may be issued a permit for wall bulletins and monument signs. No permit shall be issued without first filing a written application with the building official. The application shall include proposed plans showing dimensions, materials, details of construction, site location, illumination, and any other information, including site plans and specifications that shall be requested by the building official.
- (b) Only those signs permitted in section 27-122 of chapter 27, article VIII _____, division 11 _____ shall be granted a sign permit.
- (c) No sign surface or sign structure shall be rebuilt, refaced, altered, or relocated which does not meet the requirements of section 27-388(5) and chapter 27, article VIII, division 11.
- (d) No sign shall be erected without the prior written consent of the owner or authorized agent of the tract upon which the sign is to be placed being filed with the building official at the time an application for a building permit is filed.
- (e) All persons shall plainly show the name and building permit number of the persons erecting and/or maintaining the sign.
- (f) At the time the application is submitted, the applicant shall deposit with the unified government director of revenue an application fee in the amount established by the county administrator, no portion of which shall be returned. If the building permit expires before the sign for which it was issued is erected, the building official may issue a renewal of the building permit issued pursuant to this section upon the expiration thereof or within 30 days thereafter, upon payment by the applicant of a renewal fee in the amount established by the county administrator and surrender of the old permit, accompanied by satisfactory proof that the sign is the sign for which the permit was originally issued.

(Code 1964, § 7-25(7-58.1, 7-58.21, 7-58.22); Code 1988, § 8-53; Ord. No. 64702, § 1, 9-6-1984; Ord. No. 64861, § 1, 8-29-1985)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article XVII – International Existing Building Code.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-655, 8-656, 6-657, and 8-658 are hereby added to read as follows.

Sec. 8-655 – Purpose

The provisions of this code shall apply to the repair, alteration, change of occupancy, addition to or relocation of existing buildings.

Exception: Detached one and two-family dwellings and townhouses shall comply with this code or the International Residential Code.

Sec. 8-656 – 2018 International Existing Building Code – Adopted

- (a) *Building code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter, and fixing of penalties for violations thereof, the 2018 International Existing Building Code and referenced standards and specified appendices A and C dated August 2017, as published by the International Code Council, Inc, excepting only such parts or portions thereof as are specifically deleted or amended by this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copy of code on file.* There shall be one copy of the standard code, adopted by reference in subsection (a) of this section, kept on file in the office of the unified government clerk, to which shall be attached a copy of the incorporating ordinance from which this section is derived, and which shall be marked or stamped "Official Copy as Incorporated by Ordinance No. O-_____", with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The Neighborhood Resource Center, Building Inspection Division and Administrative Division, municipal judges and all administrative departments of the

unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

Sec. 8-657 – Same-Amendments

The International Existing Building Code (2018), promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of this section. Provisions of this article are in addition to the provisions of the International Existing Building Code. The following provisions coinciding with provisions of the International Existing Building Code supersede, or delete, when indicated, the corresponding provisions of the International Existing Building Code.

All references within the model codes to any building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, gas, mechanical, plumbing, elevator, energy conservation, or existing building code specifically adopted by reference in articles II through XIV of this chapter.

[*Chapter 1, Scope and Administration*](#) — This chapter is deleted

(see Article I of this chapter):

Section 401.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 502.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 505.2 Replacement window opening control devices is hereby deleted.

Section 701.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 702.4 Replacement window opening control devices is hereby deleted.

Section 803.2 Automatic sprinkler systems is amended to read as follows:

Section 803.2 Automatic sprinkler systems. Automatic sprinkler systems, related monitoring and notification shall be provided throughout buildings undergoing Level 2 alterations that include exits or corridors shared by more the one tenant or that serve an occupant load greater than 30 where all the following conditions occur:

1. The work area is required to be provided with automatic sprinkler protection in accordance with the International Building Code as applicable to new construction.

2. The work area exceeds 50 percent of the floor area of the building.

Exception: If the building does not have sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a fire pump, work areas shall be protected by an automatic smoke detection system throughout all occupiable spaces other than sleeping units or individual dwelling units that activates the occupant notification system in accordance with Section 907.4 907.5 and 907.6 of the International Building Code. Section 803.2.1 Windowless stories. Work located in a windowless story, as determined in accordance with the International Building Code, shall be sprinklered where the work area is required to be sprinkled under the provisions of the International Building Code for newly constructed buildings and the buildings have sufficient municipal water supply without installation of a new fire pump.

Section 1011.7.2.1 Stairways is amended to read as follows:

Section 1011.7.2.1 Stairways. Means of egress stairways shall be enclosed as required by the International Building Code or in accordance with Section 1011.4.

Section 1103.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 1201.4 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

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Sec. 8-658 - Violations and penalty.

Any person who shall violate a provision of this article, fail to comply with any of the requirements of this article, erect, construct, alter, or repair a building or structure in violation of the approved construction documents or directive of the building official or fire chief, or act in violation of a permit or certificate issued under the provisions of this article shall, upon conviction, be sentenced to pay a fine of not less than \$100.00 nor more than \$2,500.00, by imprisonment not exceeding six months, or by both such fine and imprisonment, in addition to any other penalties prescribed by law, including civil penalties in accordance with unified government code Chapter 2, Article IX. The office of chief counsel shall, at the request of the board or the building official, render such legal assistance as may be necessary in carrying out the provisions of this article. Upon the request of the building official, the office of chief counsel shall institute, in the name of the unified government, the proper proceedings against any person regarding whom a complaint has been made charging the violation of any provisions of this article. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article XVI - Energy.

**BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

Section 1. That Sections 8-653 and 8-654 are hereby amended to read as follows.

Sec. 8-653. - 2009 2018 International Energy Conservation Code—Adopted.

- (a) *Energy code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the 2009 2018 International Energy Conservation Code, dated ~~January 2009~~ August 2017, as published by the International Code Council Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this Code, then the provisions of this Code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one (1) copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of this article, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-29-12 _____," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Ord. No. O-44-11, § 25, 10-20-2011; Ord. No. O-29-12, § 25, 5-3-2012)

Sec. 8-654. - Same—Amendments.

The 2009 2018 International Energy Conservation Code, incorporated by reference in section 8-281(a), is amended in the following respects:

Sections R101.2 Scope is amended to add the following exception:

Exception: The energy efficiency of detached one- and two-family dwellings, and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height shall be governed by the provisions contained in the International Residential Code as adopted and amended by the Unified Government of Wyandotte County/Kansas City, Kansas.

Table R402.1.2. Under Climate Zone 4, the following item is amended:

'Wood Frame Wall R-Value' — 13

(Remainder of table unamended.)

Table R402.1.4 Under Climate Zone 4, the following item is amended:

'Wood Frame Wall U-Factor' — 0.082

(Remainder of table unamended)

Section R402.4.1.2. Testing is amended to read as follows:

Section R402.4.1.2. Testing The building or dwelling unit shall have an air leakage rate of not exceeding 5 air changes per hour when tested with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Building leakage testing shall be conducted where required by the building official. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the building official, the testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weatherstripping or other infiltration control measures.
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures.
3. Interior doors, if installed at the time of the test, shall be open.

4. Exterior or interior terminations for continuous ventilation systems shall be sealed.
5. Heating and cooling systems, where installed at the time of the test, shall be turned off; and,
6. Supply and return registers, where installed at the time of the test, shall be fully open.

Section R402.4.4 Rooms containing fuel-burning appliances is deleted.

Section R403.3.2.1 Sealed Air Handler is deleted.

Section R403.3.3 Duct Testing (Mandatory) is amended to read as follows:

R403.3.3 Duct Testing (Mandatory). Where required by the Building Official, duct tightness shall be verified by either of the following:

1. Post construction test: Total leakage shall be less than or equal to 4 cfm (113.3 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pascals) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.
2. Rough - in test: Total leakage shall be less than or equal to 4 cfm (113.3 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pascals) across the system, including the manufacturer's air handler enclosure. All registers shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 3 cfm (85 L/min) per 100 square feet (9.29 m²) of conditioned floor area.

EXCEPTIONS:

1. The total leakage test is not required for ducts and air handlers located entirely within the building thermal envelope.
2. On the post construction test, it is permissible to test for "leakage to the outdoors" versus a "total leakage." Leakage to the outdoors shall be less than or equal to 8 cfm (226.5 L/min) per 100 square feet (9.29 m²) of conditioned floor area.

Section R403.3.5 Building Cavities (mandatory) is deleted.

Section R403.3.3 Duct Testing (Mandatory) is amended to read as follows:

Section R406.2 Mandatory Requirements. Compliance with this section requires that the provisions identified in Sections 401 through 404 indicated as "mandatory"

be met. The building thermal envelope shall be greater than or equal to the levels of efficiency and Solar Heat Gain Coefficients in Tables R402.1.2 and R402.1.4.

EXCEPTIONS:

1. Supply and return ducts not completely inside the building thermal envelope shall be insulated to an R-value of not less than R-6.

2. Section R403.5.1 shall not be "mandatory".

Table R406 Maximum Energy Rating Index) is amended to read as follows:

Climate zone 4: Energy rating index: 68

(Ord. No. O-44-11, § 25, 10-20-2011; Ord. No. O-29-12, § 25, 5-3-2012)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 15-Fire Prevention and Protection, amending Sections 15-21, 15-52, and 15-54.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 15-21, 15-52, and 15-54 are hereby amended to read as follows.

Sec. 15-21. - Adopted.

- (a) *Life Safety Code adopted.* The NFPA 101 Life Safety Code, ~~2003~~ 2018 edition, and referenced standards and all appendices, dated ~~May 2004~~ September 2017, as published by the National Fire Protection Association, Inc., is hereby adopted and incorporated by reference, excepting only such portions as are specifically deleted or amended in this article. If there exists or arises any conflict between the provisions of the Life Safety Code and this Code, then the provisions of this Code are controlling.
- (b) *Marked copies of code on file.* Not less than three copies of the Life Safety Code, adopted by reference in subsection (a) of this section, shall be kept on file in the office of the unified government clerk and shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-90-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and shall be open to inspection and available to the public at all reasonable hours. A copy of this article shall be attached to each copy of the Life Safety Code. The city fire department, municipal judges, and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1988, § 15-16; Ord. No. 65006, §§ 1, 2, 5-22-1986; Ord. No. 65545, § 1, 6-21-1990; Ord. No. O-90-04, § 1, 12-2-2004)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq

Sec. 15-52. - Adopted.

- (a) *International Fire Code adopted.* The ~~2012~~ 2018 International Fire Code, including referenced standards, and specified appendices B, C, D, E, F, G, H and I, dated

April 2014 August 2017, as published by the International Code Council, Inc., is hereby adopted and incorporated by reference, excepting only such portions thereof as are specifically deleted or amended in this section and sections 15-53 and 15-54. Further, if there exists or arises any conflict between the provisions of the International Fire Code and this Code, then the provisions of this Code are controlling.

- (b) *Marked copies of code on file.* Not less than three copies of the International Fire Code, adopted by reference in subsection (a) of this section, shall be kept on file in the office of the unified government clerk and be marked or stamped "Official Copies as Incorporated by [Ordinance No. O-45-11]," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and shall be open to inspection and available to the public at all reasonable hours. A copy of this article shall be attached to each copy of the International Fire Code. The city fire department, municipal judges, and all administrative departments of the united government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Ord. No. O-45-11, § 2, 10-20-2011; Ord. No. [O-47-16](#), § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 15-54. - Amendments and additions.

The 2012 2018 International Fire Code adopted by reference in section 15-52 is amended in the following respects:

Section 101.1 is amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Fire Code of the Unified Government of Wyandotte County/Kansas City, Kansas, hereinafter referred to as "this Code."

Section 101.2.1 is hereby deleted.

Section 102.3 is amended to read as follows:

Section 102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code and the International Building Code and/or NFPA 101 Life Safety Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this Code and the

International Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Section 102.4 is amended to read as follows:

Section 102.4 Application of building code. The design and construction of new structures shall comply with the International Building Code, and any alterations, additions, changes in use or changes in structures required by this Code, which are within the scope of the International Building Code, and/or NFPA 101 Life Safety Code, shall be made in accordance therewith.

Section 408.1 109.1 is hereby deleted.

See administrative provision chapter 8-25 Code of Ordinance, section 167 Board of Appeals.

Section 411.4 112.4 is amended to read as follows:

Section 411.4 112.4 Failure to comply. Any person who shall continue to work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$2,500.00.

Section 310.7.1 is amended/added to read as follows:

Section 310.7.1 Smoking receptacles required. Owners of commercial and multi-family properties, where smoking is permitted, shall be responsible for providing approved receptacles for discarded smoking material in locations approved by authority having jurisdiction.

Section 403.6 is amended/added to read as follows:

Section 403.6 Group F and S1 Occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for buildings containing Group F or S1 occupancies where any of the following conditions apply:

1. The Group F or S1 occupancy has an occupant load of 500 or more persons.
2. The Group F or S1 occupancy has an occupant load of more than 100 persons above or below the level of exit discharge.
3. Group F pallet manufacturing and recycling facilities as required by section 2810.

Section 403.6.1 Employee training. Employees shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Records of instruction shall be maintained. Such instruction shall be reviewed by employees at intervals not exceeding 3 months. A copy of the plan shall be readily available at all times within the facility.

Section 403.6.2 Drill frequency. Employees of S1 occupancies meeting the conditions of Section 406.3 shall participate in drills according to Section 405.2 under the Group F requirements.

Section 503.3 is amended to read as follows:

Section 503.3 Marking. Where required by the fire code official, approved signs and painted curb, or pavement if a curb is absent, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. The curb, or pavement if a curb is absent, shall be painted red, 4-inch wide stripes when pavement is marked, with white 3 inch letters indicating "NO PARKING FIRE LANE". Lettering shall occur every 25 feet of the fire lane. Signs used to indicate fire lanes shall meet the requirements of section D103.6 of the 2018 International Fire Code

Section 503.4.2 is amended/added to read as follows:

Section 503.4.2 Authority to tow vehicles. The Fire Code Official shall have the authority to issue a municipal summons and/or tow illegal parked vehicles in designated fire apparatus access lanes and parked within 15-feet of a fire hydrant, at the owner's expense.

Section 603.3.3.2 is amended/added to read as follows:

Section 607.3.3.3.2 Fusible link replacement verification. When a commercial kitchen hood or duct system is inspected, the fusible links that were replaced shall be secured along the conduit leading to the manual pull station that initiates the suppression system.

Section 901.6.2.1 901.6.3.1 is amended to read as follows:

Section 901.6.2.1 901.6.3.1 Records information. Initial records shall include the name of the installation contractor, type, of components installed, manufacturer of the components, location and number of components installed per floor. Records shall also include the manufacturers' operation and maintenance instruction manuals. A record of the periodic inspections, tests, servicing, and other operations and maintenance shall be maintained on the premises or other approved location for a minimum of 3-years the life of the installation. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided to the fire code official upon request. The fire code official has the authority to prescribe the form and format of such recordkeeping. The fire code official has the authority to require that certain required records including but not limited to automatic fire sprinkler systems, fire alarm systems, commercial kitchen hood suppression systems, commercial hood cleaning, active smoke control systems private fire hydrant systems, fire pumps, spray booths, special suppression systems, foam systems, and standpipes be filed with the fire code official.

Section 912.3 is amended to read as follows:

Section 912.3 Fire hose threads. Fire hose threads used in conjunction with standpipe systems and/or fire department connections shall be *approved* and shall be a 5-inch Storz connection on a 30-degree downward extension.

~~Section 3206.6.1 is amended to read as follows:~~

~~Section 3206.6.1 Access doors.~~ Where building access is required by Table 3206.2, fire department access doors shall be provided in accordance with this section. Access doors shall be accessible without the use of a ladder.

~~3206.6.1.1 Number of doors required.~~ A minimum of one access door shall be provided in each 110 lineal feet (33,528 mm), or fraction thereof, of the exterior walls that face required fire apparatus access roads. The required access doors shall be distributed such that the lineal distances between adjacent access doors does not exceed 110 feet (33,528 mm).

Section 5608.3 is amended to read as follows:

Section 5608.3 Approved fireworks displays. Approved fireworks displays shall include only the *approved* fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles 1.4G, which shall be handled by a minimum of 2 *approved*, competent operators. The *approved* fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

Appendix D, section D 107.1 is amended to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 75 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3. This requirement does not affect development plated prior to the effective date of this Code adoption.

Exceptions:

- (1) Where there are 75 or more dwelling units on a single public or private fire apparatus access road ~~access way~~ and all dwelling units are equipped throughout with an ~~protected by~~ approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, residential sprinkler systems, access from two directions shall not be required.
- (2) The number of dwelling units on a single fire access road shall not be increased unless fire apparatus roads will connect with future development as determined by the fire code official.

(Ord. No. O-45-11, § 2, 10-20-2011; Ord. No. [O-47-16](#), § 1, 7-28-2016; Ord. No. [O-16-19](#), § 1, 3-7-2019)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article V – Mechanical Systems and Mechanical Contractors.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-281 and 8-282 are hereby amended to read as follows

Sec. 8-281. - ~~2012~~ 2018 International Mechanical Code—Adopted.

- (a) *Mechanical code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the ~~2012~~ 2018 International Mechanical Code, dated ~~April 2011~~ August 2017, as published by the International Code Council Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one (1) copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of this division, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. ~~O-57-04~~ _____," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1964, §§ 7-71, 7-72; Code 1988, § 8-218; Ord. No. 64937, §§ 14, 15, 12-19-1985; Ord. No. 65407, § 12, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 18, 9-16-2004; Ord. No. O-44-11, § 15, 10-20-2011; Ord. No. O-29-12, § 15, 5-3-2012; Ord. No. O-44-16, § 1, 7-28-2016)

Sec. 8-282. - Same—Amendments.

The ~~2012~~ 2018 International Mechanical Code, incorporated by reference in section 8-281(a), is amended in the following respects:

Sections 101.1—110 of Chapter 1, Administration are hereby deleted. See Administration provisions in section 8-25 of this chapter.

Section 301.7. is amended to read as follows:

Section 301.10. Electrical. Electrical wiring, controls and connections to equipment and appliances regulated by this code shall be in accordance with the NFPA 70 National Electrical Code, ~~2011~~ 2017, as adopted in section 8-125 of this chapter.

(Code 1964, §§ 7-73, 7-74; Code 1988, § 8-219; Ord. No. 64937, §§ 16, 17, 12-19-1985; Ord. No. 65407, § 13, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 20, 9-16-2004; Ord. No. O-44-11, § 16, 10-20-2011; Ord. No. O-29-12, § 16, 5-3-2012; Ord. No. O-44-16, § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8-Buildings and Building Regulations, Article VIII.-Property Maintenance Code, amending Sections 8-431 and 8-432.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-431 and 8-432 are hereby amended to read as follows.

Sec. 8-431. - 2012 2018 International Property Maintenance Code—Adopted; purpose.

- (a) *Property maintenance code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the 2012 2018 International Property Maintenance Code, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically added or amended by ordinance. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be not less than three copies of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of Ordinance No. O-29-12, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-29-12," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.
- (c) *Penalty for violation.* Any person who shall violate any of the provisions of this article or the 2012 2018 International Property Maintenance Code herein adopted shall be guilty of a violation of this article, and shall upon conviction, be sentenced to pay a fine of not less than \$100.00 nor more than \$2,500.00, be imprisoned for not exceeding six months, or both. The office of chief counsel shall, at the request of the public officer, render such legal assistance as may be necessary in carrying out the provisions of this article.

(Code 1988, § 8-336; Ord. No. 65300, §§ 1, 2, 8, 4-7-1988; Ord. No. 66075, § 1, 1-4-1996; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 26, 9-16-2004; Ord. No. O-44-11, § 26, 10-20-2011; Ord. No. O-29-12, § 26, 5-3-2012; Ord. No. [O-46-16](#), § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-432. - Same—Statement of purpose, definitions, amendments, etc.

- (a) *Statement of purpose.* It is the intent of the code adopted in section 8-431 to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use and occupancy, location and maintenance of all real properties of all types, including buildings and structures within this jurisdiction.
- (b) *Code official changed to public officer.* All references responsibilities, duties, powers and obligations referred and conveyed upon the "code official" in the 2012 2018 International Property Maintenance Code is hereby amended to and designated upon the "public officer."
- (c) *Amendments.* The 2012 2018 International Property Maintenance Code is amended in the following respects:

Section 101.1 is amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Property Maintenance Code of the Unified Government of Wyandotte County/Kansas City, Kansas, hereinafter referred to as "this code."

Section 102.3 is amended to read as follows:

Section 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Energy Code, International Fire Code, International Mechanical Code, Uniform Plumbing Code, NFPA 70, International Residential Code and as referenced the International Existing Building Code. Nothing in this code shall be construed to cause, modify or set aside any provision in the Code of Ordinances for Kansas City, Kansas. Nothing in this code shall be construed to cancel, modify or set aside any provision in the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.

Section 102.7 is amended to read as follows:

Section 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in this chapter and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

Section 102.7.1 and 102.7.2 is added to read as follows:

102.7.1 Electrical Code. The ICC Electrical Code referenced in chapter 6 has been deleted and replaced with NFPA 70 (National Electrical Code.) Wherever the term ICC Electrical Code has been used in this code, it shall be used synonymously with the term "NFPA 70" listed in chapter 6.

102.7.2 Plumbing Code. The ICC Plumbing Code referenced in chapters 5 and 6 has been deleted and replaced with the 2018 Uniform Plumbing Code. Wherever the term ICC Plumbing Code has been used in this code it shall be used synonymously with the term 2018 Uniform Plumbing Code listed in chapters 5 and 6.

Section 103.1 is amended to read as follows:

Section 103.1 General. The public officer and his/her designees are hereby authorized to enforce the provisions of this code.

Section 103.2 is amended to read as follows:

Section 103.2 Appointment. The public officer shall be appointed by the county administrator.

Section 103.3 is amended to read as follows:

Section 103.3 Deputies. In accordance with the prescribed procedures of the unified government and with the concurrence of the appointing authority, the public officer shall have the authority to appoint his or her designees. Such employees shall have the authority as delegated by the Public Officer. Such Employees shall have the authority as delegated by the Public Officer.

Section 103.5 is amended to read as follows:

Section 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be set by the county administrator.

Section 104.3 is amended to read as follows:

Section 104.3 Right of entry. The public officer is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the public officer is authorized to pursue recourse as provided by law. In cases of emergency where extreme hazards are known to exist which may involve the potential loss of life or severe property damage, the public officer shall take whatever acts are necessary to protect the public health and safety.

Section 106.2.1 is hereby added to read as follows:

Notice of violation. The public officer shall serve a notice of violation or order in accordance with Section 107.

Exception: Notice and opportunity to remedy a violation shall be considered given if a previous notice has been sent according to the notice provisions of section 107.1 and 107.3 within the previous 24 months. Failure to provide such notice of violation shall not invalidate a citation or complaint.

Section 106.3 is amended to read as follows:

Section 106.3 Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any real property, building or structure or cause or permit the same to be done in violation of this code.

Section 106.4 is amended to read as follows:

Section 106.4 Violation; penalties. The violation of any provision of this code or failure to comply therewith or with any of the requirements thereof, shall be a public offense, and any person convicted thereof shall be sentenced to a fine of not less than \$100.00 nor more than \$2,500.00, be imprisoned for a term not exceeding six months, or both. Each day that a violation of this chapter shall continue shall constitute a separate offense. The prosecution of any violation as a public offense pursuant to this section may be in addition to, or as an alternative to, any other remedy or course of action available to the unified government.

Section 106.5 is amended to read as follows:

Section 106.5 Abatement of violations. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Section 107.1 is amended to read as follows:

Section 107.1 Notice. Whenever the public officer determines that there has been a violation of this code or has reasonable grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in sections 107.2 and 107.3 to the person responsible for the violations as specified in this code. Notices for unfit procedures shall also comply with section 8-451 of the Code of Ordinances for Kansas City, Kansas.

Exception: Notice and opportunity to remedy a violation shall be considered given if a previous notice has been sent according to the notice provisions of sections 107.1 and 107.3 within the previous 24 months. Failure to provide such notice of violation shall not invalidate a citation or complaint.

Section 107.2 is amended to read as follows:

Section 107.2 Form. Such notice prescribed in section 107.1 shall be in accordance with all of the following:

- (a) Be in writing.
- (b) Include a description of the real estate sufficient for identification.
- (c) Include a statement of the violation or violations and why the notice is being issued.

- (d) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
- (e) Inform the property owner of the right to appeal abatement proceedings.
- (f) Include a statement of the right to file a lien in accordance with section 106.5 in abatement proceedings.

Section 107.3 is amended to read as follows:

Section 107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

- (a) Delivered personally;
- (b) Sent by certified or first-class mail addressed to the last known address; or
- (c) In abatement proceedings, if the owner or agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice sent pursuant to this section during the preceding 24-month period, the public officer may provide notice of the issuance of any further orders to abate or remove a nuisance from such property in the manner provided in subsections (2) and (3). Except as specifically provided in this subsection, the public officer may provide notice of the order to abate a nuisance by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

Section 108.1 is amended to read as follows:

Section 108.1 General. When a structure or equipment is found by the public officer to be unsafe or when a structure is found unfit for human use, occupancy or habitation or is found unlawful, such structure shall be deemed unfit pursuant to the provisions of this code.

Section 108.1.4 is amended to read as follows:

Section 108.1.4 Unlawful structure. An unlawful structure is one that is found in whole or in part to be occupied by more persons than permitted under this code or that was erected, altered, occupied or is being maintained in violation of the Code of Ordinances for Kansas City, Kansas, or any other applicable laws, statutes, rules or regulations.

Section 108.2 is amended to read as follows:

Section 108.2 Closing of vacant structures - permit required. If the structure is vacant and unfit for human habitation and occupancy and is not in danger of structural collapse, the public officer is authorized to post the structure as unfit for human use, habitation and/or occupancy and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the public officer may cause the premises to

be closed and secured through any available public agency or by contract or arrangement by private persons, and the cost thereof shall be charge against the real estate upon which the structure is located, shall be a lien upon such real estate, and may be collected by any other legal recourse.

- (a) For purposes of this section, "board," "boarding," or "boarded," shall mean to limit, restrict, or otherwise interfere with the means of ingress or egress, natural light or ventilation of a structure, as required by applicable code, by the placement of wood, metal or other material.
- (b) It shall be unlawful to board any structure without first obtaining a permit from the public officer. The public officer may designate another to administer the provisions of this ordinance.
- (c) To obtain a permit, the applicant must have the authority of the property owner, complete an application, and pay the required fee as established by the county administrator. The application shall be in the form approved by the public officer and shall include the applicant's detailed proposal to return the structure to habitability during the term of the permit. The structure must be boarded within 14 calendar days of issuance of permit. A permit shall be valid for a period of six months from the date of issuance. Subsequent permits may be issued for the structure upon a showing of good cause, as determined by the public officer. If no detailed proposal for rehabilitation is included with the permit application, an inspection of the property is a prerequisite to issuing a permit.
- (d) Unless otherwise required or authorized by the public officer, a structure that is permitted to be boarded pursuant to this ordinance shall comply with the boarding procedures and specifications in effect at the time. Such procedures and specifications will be available at the Neighborhood Resource Center.
- (e) The provisions of this ordinance shall not apply to structures that are boarded by order of the public officer in the exercise of the police powers to protect the health, welfare, and safety of the public, or pursuant to any applicable ordinance or statute.

Section 108.3 is amended to read as follows:

Section 108.3 Notice. Whenever a complaint is filed with the public officer by a resident of the municipality charging that any structure is unfit for human use, habitation or occupancy, or whenever the public officer, on the officer's own motion, has deemed a structure unfit under the provisions of this section, the public officer shall, if the preliminary investigation discloses a basis for such charges, cause to be served upon the owner, every mortgagee of record and all parties in interest in such structure, including persons in possession, a notice and placard in a conspicuous place on the structure. If the notice pertains to equipment, it may also be placed on the condemned equipment. The notice shall be served in accordance with the provision in section 8-451 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.

Section 108.4 is hereby deleted.

Section 108.4.1 is amended to read as follows:

Section 108.4.1 Placard removal. The public officer shall remove the unfit placard or shall authorize removal of the unfit placard by the owner of the property whenever the defect or defects upon which the placarding action was based have been eliminated. Any person who defaces or removes an unfit placard without the approval of the public officer shall be subject to the penalties provided by this code.

Section 108.5 is amended to read as follows:

Section 108.5 Prohibited occupancy. Any occupied structure deemed unfit for human use or habitation and placarded by the public officer shall be vacated as ordered by the public officer. Any person who shall occupy an unfit placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment, shall be liable for the penalties provided by this code.

Section 109.1 is amended to read as follows:

Section 109.1 Imminent danger. When, in the opinion of the public officer or chief building inspector, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the public officer is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The public officer shall cause to be posted at each entrance to such structure a notice reading as follows: "Dangerous Structure." It shall be unlawful for any person to enter such structure except for the purposes of securing the structure, making the required repairs, removing the hazardous condition or demolishing the same.

Section 109.2 is amended to read as follows:

Section 109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the public officer, there is imminent danger due to an unsafe condition, the public officer shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted, and shall cause such other action to be taken as the public officer deems necessary to meet such emergency.

Section 110.1 is amended to read as follows:

110.1 General. The public officer shall order the owner of any premises upon which is located any structure, which in the public officer's judgment is so old, dilapidated or has become so out of repairs as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure, or if such structure is capable of being made safe by repairs, to repair and make safe

and sanitary or to demolish and remove at the owner's option, or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

Section 110.2 is amended to read as follows:

Section 110.2 Notices and orders. All notices and orders shall comply with section 107 of this code and section 8-451 of the Code of Ordinances for Kansas City, Kansas.

Section 111.1 is amended to read as follows:

Section 111.1 Application for appeal. Effective December 1, 2016, any prior board authorized by this section is abolished, and the term of any member is terminated. After December 1, 2016, any person directly affected by a decision of the public officer or order issued under this code shall have the right to appeal to The Board of Code Appeals, provided that written application for appeal is filed within 20 days after the day the decision, or order was served and an appeal fee is paid. The application for appeal shall be accompanied by a fee set by the county administrator. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 111.2 is amended to read as follows:

Section 111.2 Membership of board. Appointment to the Board of Code Appeals shall consist of three members with one member appointed by the mayor, one member appointed by the at large district 1 commissioner, and one member appointed by the at large district 2 commissioner. The board shall convene to hear any appeal properly before it. After the board has rendered its decision for any appeal properly before it, it shall be dissolved and re-constituted for any subsequent appeal.

Sections 111.2.1, 111.2.2, 111.2.3, 111.2.4, 111.2.5, 111.3, 111.4, 111.4.1, 111.5, 111.6, 111.6.1, 111.6.2 and 111.7 are hereby deleted.

Section 112.4 is amended to read as follows:

Section 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation an unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$2,500.00.

Section 201.3 is amended to read as follows:

Section 201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, Uniform Plumbing Code, International Mechanical Code, International Residential Code or the NFPA 70 National Electrical Code, such terms shall have the meanings ascribed to them as in those codes.

Section 201.5 is amended to read as follows:

Section 201.5 Parts. Whenever the words "dwelling unit," "dwelling," "premises," "building," or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

Section 202 is amended to read as follows:

Section 202 General definitions. The definitions for "condemn," "housekeeping unit," "person," "rooming house," and "rooming unit" are hereby deleted, and any references to these terms in this code are hereby deleted. The term "rubbish" shall also mean trash. A definition for tarpaulin/tarp has been added.

The term "nuisance" is added to read as follows:

"Nuisance" means any of the following:

1. Any public nuisance known at common law or in equity jurisprudence. Nuisance conditions are defined as any attractive nuisance which may prove detrimental to children or others, whether in a building, on the premises of a building, or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements, or excavations; abandoned refrigerators or other appliances, and motor vehicles; or any unsound fences or structures or portions thereof, or any lumber, trash, debris, scrapping materials, salvage, or vegetation which may prove a hazard for inquisitive minors.
2. Whatever is dangerous to human life or is detrimental to health, as determined by the health official.
3. Overcrowding a room with occupants.
4. Insufficient ventilation or illumination.
5. Inadequate or unsanitary sewage or plumbing facilities.
6. Uncleanliness, as determined by the health officer.
7. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

The term "person" is amended to read as follows:

"Person" means any individual, individuals, corporation, partnership, unincorporated association, other business organization, committee, board, trustee, receiver, agent or other representative who has charge, care, control or responsibility for maintenance of any premises, regardless of status as owner, renter, tenant or lessee, whether or not in possession.

The term "tarpaulin"/"tarp" means the following:

1. A heavy hard-wearing waterproof material such as canvas, coated canvas or polyester coated with urethane or made of plastics, such as polyethylene, which is used as an outdoor protective covering to guard against moisture or sun damage.
2. Construction tarp is a tarp between 5-16 mils, 0.14-0.41 mm, thick. (1 mil is equal to one (1) one thousand (1,000) of an inch.)

Section 302.3.1 is added to read as follows:

All parking, loading or maneuvering areas installed on residential property in 1988 or before, which were originally constructed of gravel, must be maintained at a minimum four-inch depth.

Section 302.4 is hereby deleted.

Section 302.5 is amended to read as follows:

Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Rodent harborages shall include the placement and/or storage of any furniture outside that is intended for interior use, or any other nuisance conditions. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

Section 302.7.1 is added to read as follows:

Storage containers. The use of storage pods, ~~and similar metal shipping containers, roll off dumpsters and similar containers~~ used for the storage or disposal of materials, possessions, products, or other items, may be permitted, subject to one container per business or residence for no more than two non-consecutive months in any twelve month period. The one month periods that the storage containers are positioned or located on a property must be separated by a minimum of one month before the second month in a twelve month period may occur. Containers must be positioned or located on private property, not in the public right of way or easements, and must be positioned or located on a driveway or other improved surface. Storage containers shall not be positioned or located in the yard or in other landscaped surface areas.

Exception: These time constraints shall not apply to properties with an active building permit conducting work that constitutes the use of such containers.

Section 302.8 is amended to read as follows:

Motor vehicles. Except as provided for in other regulations, no inoperative motor vehicle(s) shall be parked, kept or stored on any premises, including any inoperative motor vehicle parked on a trailer of any type. The term "inoperative motor vehicle," shall mean any motor vehicle(s) not currently registered or tagged pursuant to the applicable state law, or which is incapable of moving under its own power or in a condition of being junked, wrecked, wholly or partially disabled and/or dismantled, except that said provision shall not include motor vehicle(s) stored inside a completely enclosed structure. Inoperative motor vehicles are hereby declared a public nuisance.

No motor vehicle(s) shall be parked, kept or stored on unimproved surfaces. Improvement shall be in compliance with the standards set forth in the zoning code, section 27-675 (Improvement and Maintenance) of the Code of the Unified

Government of Wyandotte County/Kansas City, Kansas. Motor vehicles parked, kept or stored in violation of this section are hereby declared a public nuisance.

The following vehicles and equipment shall not be kept, parked or stored or allowed to be kept, parked or stored, in a residential area: tow trucks, dump trucks, semi-tractors, semi-trailers, backhoes, skid loaders, high loaders, other types of heavy construction equipment, as well as trailers used to transport said equipment, and any truck which has a greater than 10,000 pounds gross vehicle weight registered, as shown by information indicating title registration. Vehicles and/or equipment kept, parked or stored in violation of this section are hereby declared a public nuisance.

Section 302.10 is added to read as follows:

Nuisance conditions. Nuisance conditions are defined as any attractive nuisance which may prove detrimental to children or others, whether in a building, on the premises of a building, or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements, or excavations; abandoned refrigerators or other appliances, and motor vehicles; or any unsound fences or structures or portions thereof, or any lumber, trash, debris, or vegetation which may prove a hazard for inquisitive minors.

Section 302.11 is hereby added to read as follows:

Clotheslines. Clotheslines in front yards or those that are not in good working order are prohibited. The drying of laundry or routinely washed articles on front porch or stair railings or placing on fences, hedges or other supporting structures is prohibited because it substantially detracts from the overall appearance of adjacent properties and/or is detrimental to properties or property values.

Section 302.12 is hereby added to read as follows:

No person shall store, collect, park, leave, deposit, maintain, reserve, put aside for future use, permit, allow, or suffer to remain on any porch, balcony, roof, yard or any other exterior property area, unless it is specifically allowed by the parcel's zoning designation, any:

- (1) Lumber or other building materials except those related to a project for which a current building permit has been issued and is posted on the premises and except firewood for the personal use of the resident.
- (2) Motor vehicle, airplane, boat or trailer except as provided for in other sections of this code.
- (3) Parts of any item listed in (2) above including tires.
- (4) Equipment or materials used in the construction trade.
- (5) Machinery or household appliance.
- (6) Junk.
- (7) Salvage/Scrapping material; or
- (8) Upholstered furniture, mattresses, materials, and other similar products not designed, built and manufactured for outdoor use unless such is an enclosed porch or balcony.

Section 302.13 is added as follows:

Tarpaulins. The use of tarpaulins, herein after referred to as tarp, may be used for the following purposes:

- (1) Tarps may be utilized to protect cars, trucks, RVs and boats provided that:
 - (a) The tarp is specifically manufactured for the purpose of protecting the car, truck, RV, motorcycle or boat to be covered, when it is used as intended by the tarp manufacturer.
 - (b) The car, truck, RV, motorcycle or boat being covered is a vehicle that is not inoperative (as defined in 302.8), has current registration and is stored/parked on an improved surface.
- (2) Construction tarps may be utilized, from October 01 through March 31, to protect seasonal items such as: patio/outdoor furniture, grills, swimming pools, lawnmowers and like items and to be stored in the least conspicuous location and as far from public view as feasible.
- (3) Construction tarps may be utilized, on roofs, to temporarily cover the structure, without a permit, for a period of not more than 90 days in order to protect against or conceal loose or missing shingles, cracks, holes or any openings that would expose any interior part of the structure, including contents therein, to rain, hail, wind or snow.
- (4) Construction tarps may be utilized to cover firewood, which has been cut and stacked, for the purpose of protecting it from moisture.

Tarps may not be used in any of the following manners:

- (1) To cover trash, junk, debris, dead trees, parts of dead trees, discarded appliances, discarded carpeting, carpet padding, any construction materials, broken items, items stored for salvage/recycling, any accumulation of household goods, or any other items not allowed to be kept on the property according to other ordinances of the code.
- (2) To be used as a screen from view, either permanent or temporary.
- (3) To be hung from carports as walls, doors or roofing.
- (4) To be used as any shelter or tent, either permanent or temporary.

All tarps must be maintained in good condition without holes, rips, tears, excessive wear, stains or other wise be defective in any way.

Section 303.2 is amended to read as follows:

Section 303.2 Enclosures. Private swimming pools, hot tubs and spas, capable of containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 72 inches (1,828 mm) in height above the finished ground level measure on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Section 304.7 is amended to read as follows:

Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. Additionally, roofing materials shall be of consistent type, style, and appearance. Variations in type, style, color or appearance of roofing materials shall be permitted only if part of a comprehensive and integrated design of the entire structure.

Section 304.14 is amended to read as follows:

Section 304.14 Insect screens. During the period from April 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Section 304.19 is hereby added to read as follows:

Exterior surfaces. Exterior wall surfaces including windows, doors, trim and appurtenances normally associated with exterior wall spaces shall be free of holes, breaks, and loose or damaged construction materials and shall be maintained in a weather resistant and ~~water-tight~~water tight condition. Screens, if installed, shall be intact and in frames which are not bent or are otherwise secure to the window unit. Cracks or holes in mortar between bricks or stone shall be sealed. All exterior wall surfaces shall be maintained and kept in repair using materials, texture and color the same or as compatible with undamaged wall surfaces or as may be acceptable to the designated public officer. All existing painted, exterior surfaces, including any one side of a structure or any one identifiable component (i.e., door, garage door, window trim, etc.), having areas of chipping, peeling, scaling or missing paint greater than 25 percent of the painted area, except on an exempt structure, shall be stripped and repainted or seal coated or re-sided or covered with compatible material acceptable to the designated public officer. The following structures shall be exempt from the requirement to strip and repaint or seal coat or re-side or cover: any concrete structure constructed of a material that is naturally resistant to weather, such as concrete, located in an area zoned MP-3 where the closest residential area is 500 or more feet away and there is no concern of deterioration or risk of harm because of peeling, flaking, or chipped paint. Doors and windows shall be maintained in operable condition. Appurtenances such as awnings and shutters likewise shall be kept in workable condition if designed to roll, fold or otherwise be raised, lowered, opened or closed. Hinges shall be kept in operable condition in keeping with original tolerances set for such hardware.

Section 304.20 is hereby added to read as follows:

Appurtenances. Porches, landings, fire escapes, chimney runs, balconies, terraces, verandas, decks, patios, railings, exterior stairs and other such

appurtenances normally associated with and attached to the exterior of a structure shall be maintained in a safe, functional condition and kept in good repair including paint maintenance equivalent to the exterior surface standard as set forth in section 304.19. Repair and replacement shall be accomplished with materials compatible to the undamaged portion of such exterior structure or they may be removed (if not integral to the basic structure) or covered with material acceptable to the designated public officer. Such exterior structures which may be exposed to public view shall be kept free of offensive materials including junk, debris, garbage, refuse, excessive accumulation of toys or toy parts, upholstered chairs or sofas not intended for outdoor use, and appliances not intended for outdoor use. Examples of materials which are permitted in such exposed areas include but are not limited to barbecue grills, patio furniture, porch swings and play materials designed for outdoor use such as swing sets and play houses.

Section 308.2 is amended to read as follows:

Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers. Approved containers shall be stored in an enclosed structure or in the least conspicuous location to the side or rear of, adjacent to, and in close proximity to the residence.

Section 308.3 is amended to read as follows:

Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage facility or approved garbage container. Approved containers shall be stored in an enclosed structure or in the least conspicuous location to the side or rear of, adjacent to, and in close proximity to the residence.

Section 308.3.1 is amended to read as follows:

Section 308.3.1 Garbage facilities. The owner or occupant of every dwelling shall be required to maintain on the premises one of the following: an approved mechanical food waste grinder in each dwelling unit, an approved incinerator unit in the structure available to the occupants in each dwelling unit, or an approved leakproof, covered, outside garbage container.

Section 310 is added as follows:

Tarpaulins. The use of tarpaulins, herein after referred to as tarp, may be used for the following purposes:

1. Tarps may be utilized to protect cars, trucks, RVs and boats provided that;
 - a. The tarp is specifically manufactured for the purpose of protecting the car, truck, RV, motorcycle or boat to be covered, when it is used as intended by the tarp manufacturer.
 - b. The car, truck, RV, motorcycle or boat being covered is a vehicle that is not inoperative (as defined in 302.8), has current registration and is stored/parked on an improved surface.

2. Construction tarps may be utilized, from October 01 through March 31, to protect seasonal items such as:
 - a. Patio/outdoor furniture, grills, swimming pools, lawnmowers and like items and to be stored in the least conspicuous location and as far from public view as feasible.
3. Construction tarps may be utilized, on roofs, to temporarily cover the structure, without a permit, for a period of not more than 90 days;
 - a. To protect against or conceal loose or missing shingles, cracks, holes or any openings that would expose any interior part of the structure, including contents therein, to rain, hail, wind or snow.
4. Construction tarps may be utilized to cover firewood, which has been cut and stacked, for the purpose protecting it from moisture.

Tarps may not be used in any of the following manners:

1. To cover trash, junk, debris, dead trees, parts of dead trees, discarded appliances, discarded carpeting, carpet padding, any construction materials, broken items, items stored for salvage/recycling or any accumulation of household goods.
2. To be used as a screen from view, either permanent or temporary.
3. To be hung from carports as walls, doors or roofing.
4. To be used as any shelter or tent, either permanent or temporary.

All tarps must be, and remain in, "good condition". Good condition shall mean; without holes, rips, tears, excessively worn, stained or defective in any way.

This ordinance shall pertain to residentially zoned properties.

Commented [BS1]: Be sure to delete this section since you've moved it to 302.13.

Section 403.3 is hereby deleted.

Section 404.3 is amended to read as follows:

Section 404.3 Minimum ceiling heights.

Exception: Basement rooms in one- and two-family dwellings occupied as habitable space, having a ceiling height of not less than six feet, six inches, except as otherwise permitted in this section. Kitchens, halls, bathrooms, and toilet compartments may have a ceiling height of not less than six feet, measured to the lowest projection from the ceiling. Where exposed ceiling members are spaced at less than 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members provided that the bottom of the members is not less than six feet above the floor. If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds of the area thereof, but in no case shall the height of the furred ceiling be less than six feet, six inches.

Section 502.5 is amended to read as follows:

Section 502.5 Public toilet facilities. Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the Uniform Plumbing

Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

Section 505.1 is amended to read as follows:

Section 505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to a public water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the 2012 Uniform Plumbing Code.

Section 602.3 is amended to read as follows:

Section 602.3 Heat supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30 degrees Fahrenheit (-1 degrees Celsius), a minimum temperature of 65 degrees Fahrenheit (18 degrees Celsius) shall be maintained.

Section 602.4 is amended to read as follows:

Section 602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 605.2 is amended to read as follows:

Section 605.2 Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

(Code 1988, § 8-337; Ord. No. 65300, §§ 3—7, 4-7-1988; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-16-00, § 1, 2-17-2000; Ord. No. O-46-00, § 1, 5-18-2000; Ord. No. O-57-04, § 26, 9-16-2004; Ord. o. O-87-07, § 2, 11-1-2007; Ord. No. O-

44-11, § 27, 10-20-2011; Ord. No. O-29-12, § 27, 5-3-2012; Ord. No. [O-46-16](#), § 1, 7-28-2016; Ord. No. [O-65-16](#), § 1, 11-17-2016; Ord. No. [O-42-19](#), § 1, 6-13-2019)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 202~~1~~².**

Tyrone Garner, Mayor/CEO
David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article III-Electricity

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-125, and 8-126 are hereby amended to read as follows.

Sec. 8-125. - NFPA 70 Electrical Code, 2011 2017 Edition—Adopted.

- (a) *Electrical code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the NFPA 70 National Electrical Code, 2011 2017 Edition, approved as an American National Standard on August 25, ~~2010~~ 24, 2016, as published by National Fire Protection Association, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in this chapter. Further, that if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be not less than three copies of the standard code, adopted by reference in subsection (a) of this section, kept on file in the office of the unified government clerk, to which shall be attached a copy of the ordinance from which this section is derived, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-57-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The Neighborhood Resource Center, Code Enforcement Division, Rental Inspections Division, Building Inspection Division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1964, §§ 12-41, 12-42; Code 1988, § 8-98; Ord. No. 64721, §§ 15, 16, 11-1-1984; Ord. No. 65163, § 1, 6-18-1987; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 13, 9-16-2004; Ord. No. O-44-11, § 10, 10-20-2011; Ord. No. O-29-12, § 10, 5-3-2012; Ord. No. O-42-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-126. - Same—Amendments.

The 2011 2017 NFPA 70 National Electric Code is amended in the following respects:

Section 230.70.A.1. is amended to read as follows:

Section 230.70.A.1. Readily accessible location. The service disconnecting means shall be installed at a readily accessible location either outside of the building or structure or inside within ten feet nearest the point of entrance of the service conductors. The ten foot distance is measured along the path of the service conductors.

(Code 1964, §§ 12-43, 12-44; Code 1988, § 8-100; Ord. No. 64721, §§ 17, 18, 11-1-1984; Ord. No. 65163, § 1, 6-18-1987; Ord. No. 65407, § 4, 3-23-1989; Ord. No. O-57-04, § 15, 9-16-2004; Ord. No. O-44-11, § 11, 10-20-2011; Ord. No. O-29-12, § 11, 5-3-2012; Ord. No. [O-42-16](#), § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article VI – Plumbing.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-350 and 8-351 are hereby amended to read as follows

Sec. 8-350. - 2012 2018 Uniform Plumbing Code—Adopted.

- (a) *Plumbing code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter, and the fixing of penalties for violations thereof, the 2012 2018 Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 4755 E. Philadelphia Street, Ontario, CA 91761-2816, excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be **not less than one copy** of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of this division, and which shall be marked or stamped "Official Copy as Incorporated by Ordinance No. O-57-04 _____," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

Commented [KD1]: change?

(Code 1964, §§ 28-21, 28-22; Code 1988, § 8-278; Ord. No. 64938, §§ 14, 15, 12-19-1985; Ord. No. 65407, § 19, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 22, 9-16-2004; Ord. No. O-44-11, § 20, 10-20-2011; Ord. No. O-29-12, § 20, 5-3-2012; Ord. No. O-45-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-351. - Same—Amendments.

The 2012 2018 Uniform Plumbing Code, adopted by reference in section 8-350, is amended in the following respects:

Sections 101.0—103.8.2 of Chapter 1, Administration are hereby deleted. See administration provisions in section 8-25.

Section 204.0 is amended to read as follows:

Section 204.0 Definitions. Building supply definition has been revised:

Building Supply—The pipe carrying potable water from the water main or other source of potable water supply to the first shutoff valve downstream of all of the following (as applicable):

1. The point of entrance into the building;
2. The water meter; and
3. The service backflow prevention device.

Section 603.2 is amended to read as follows:

Section 603.2 Approval of devices or assemblies. Approval, inspection and testing of backflow prevention assemblies shall be in accordance with the policies prescribed by the Board of Public Utilities Kansas City, Kansas, Water Department.

Sections 422.1—422.4.1 and Table 422.1 are hereby deleted. (See section 8-25 of this chapter.)

Section ~~601.3~~ 601.4 is added to read as follows:

Section ~~601.3~~ 601.4 Reference to building supply piping. References in this code to building supply (water service) piping shall apply only to building supply piping connected to a private source of water supply. All building supply piping connected to the public water supply is under the jurisdiction of the Board of Public Utilities (BPU).

Section 801.2(A) is amended to read as follows:

Section 801.2(A) Food Utensils, Dishes, Pots and Pans Sinks. Sinks used for the washing, rinsing or sanitizing of utensils, dishes, pots, pans or service ware used in the preparation, serving or eating of food shall discharge indirectly through an air gap or an air break to the drainage system.

Section 807.4 is amended to read as follows:

Section 807.4 Appliances. Dishwashing machines shall discharge separately into a trap or trapped fixture. Domestic dishwashing machines may discharge into the tailpiece of the kitchen sink or the dishwasher connection of a food waste grinder.

Section 901.3 is amended ~~added~~ to read as follows:

Section 901.3 Floor drain vents. A floor drain (where used as such) need not be vented, provided it is within 25 feet of a three-inch stack or horizontal drain which has at least a three-inch-diameter vent extension through the roof.

Section 901.4 is amended ~~added~~ to read as follows:

Section 901.4 Automatic clothes washer venting. A standpipe for an automatic clothes washer need not be separately vented provided all the following criteria apply:

- (1) The standpipe is used with an approved "P" trap.
- (2) The "P" trap is within 25 feet of a three-inch stack that extends through the roof.

Section 1202.1.1 is added to read as follows:

Section 1202.1.1 Liquefied gas piping. Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Section 1201.0 (C) 1202.3 is amended to read as follows:

Section 1201.0 (C) Fuel piping. (17) 1202.3 Applications. (21) Fuel piping in one- and two-family dwellings shall comply with section 8-411 of this chapter (International Residential Code).

Section 1210.1.5. is amended to read as follows:

Section 1210.1.5. Piping Through Foundation Walls. No gas piping shall be installed underground through the foundation wall. Piping shall rise outside of the structure a minimum of 6 inches prior to entering the structure. The piping shall be sealed to prevent the entrance of water and insects.

Section 1211.3-6 1210.1.6 is amended to read as follows:

Section 1211.3-6 Gas piping 1210.1.6 Piping Underground Beneath Buildings. No gas piping shall be installed in or on the ground under any building or structure unless installed in gas tight conduit and approved by the administrative authority, and all exposed gas piping shall be kept at least six inches (152 mm) above grade or structure. The term "building or structure" shall include structures such as porches and steps, whether covered or uncovered, breezeways, roofed porte-

cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances.

The conduit shall be of material approved for installation underground beneath buildings and not less than Schedule 40 pipe. The interior diameter of the conduit shall be not less than one-half inch (12.7 mm) larger than the outside diameter of the gas piping.

The conduit shall extend to a point at least 12 inches (305 mm) beyond any area where it is required to be installed or to the outside wall of a building, and the outer ends shall not be sealed. Where the conduit terminates within a building, it shall be readily accessible, and the space between the conduit and the gas piping shall be sealed to prevent leakage of gas into the building.

Concealed unprotected gas piping may be installed above grade in approved recesses or channels.

Exception: When necessary due to structural conditions, approved type gas piping may be installed in other locations, when permission has first been obtained from the administrative authority.

Section 1213.0 is amended to read as follows:

~~*Section 1213.0 Liquefied gas piping.* Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.~~

(Code 1964, §§ 28-23, 28-24; Code 1988, § 8-279; Ord. No. 64938, §§ 16, 17, 12-19-1985; Ord. No. 65407, § 20, 3-23-1989; Ord. No. 65456, § 7, 8-17-1989; Ord. No. O-57-04, § 23, 9-16-2004; Ord. No. O-44-11, § 21, 10-20-2011; Ord. No. O-29-12, § 21, 5-3-2012; Ord. No. [O-45-16](#), § 1, 7-28-2016)

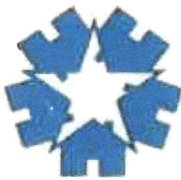
Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk



**HOME BUILDERS ASSOCIATION
OF GREATER KANSAS CITY**

Affiliated With



**National
Association
of Home
Builders**

600 EAST 103RD STREET • KANSAS CITY, MISSOURI 64131-4300 • (816) 942-8800 • FAX (816) 942-8367 • www.kchba.org

February 4, 2022

Commissioner Brian McKiernan,

Thank you for the opportunity to submit a formal position regarding the city's adoption of the 2018 International Residential Code (IRC). The Home Builders Association of Greater Kansas City (KCHBA) is proud to be the voice of the local housing industry. Consisting of approximately 550 member companies, the KCHBA represents an industry that supports more than 20,000 local jobs while contributing more than \$1.8 billion to both short and long-term economic growth in the region. While the residential construction industry makes up our membership, it's the consumer that has our full and undivided attention.

The Home Builders Association of Greater Kansas City supports and endorses reasonable codes that safeguard public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property. With the consumer in mind, the association generally supports the current proposed adoption before you as amended. The adoption of the 2018 family of codes without these locally appropriate amendments would significantly increase the cost burden on the consumer preventing future homeownership. For every \$1000 added to the price of a new home approximately 1,238 Kansas City area families are priced out of the local market. Home ownership remains one of the best ways to establish long term financial stability for the average American. By building equity and contributing to the tax base, home ownership fuels our local economies and serves as the foundation of our society.

KCHBA continuously supports local control of codes as we feel that elected officials and city staff understand the importance of customizing the National family of codes to allow for a productive local market and protect the longevity of the economy within their jurisdiction. The Home Builders Association greatly values our quality working relationships with the Kansas City local government as we share the common goals of promoting new economic growth, homeownership, attainable housing, and strong communities. We look forward to our continued work with the city.

Please do not hesitate to call on me if either the KCHBA or I can ever be of any assistance to the Commission and the people you serve. Thank you for your consideration.

Sincerely,

Will Ruder
Executive Vice President
Home Builders Association of Greater Kansas City

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter relating to Chapter 8, Article VII – One- and Two-Family Dwellings.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-411 and 8-412 are hereby amended to read as follows.

Sec. 8-411. - International Residential Code for One- and Two-Family Dwellings—
Adopted.

- (a) *Residential code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter, and the fixing of penalties for violations hereof, the 2012 ~~2018~~ International Residential Code for One- and Two-Family Dwellings, including appendices A, B, C, E, G, H, J, K, N, P and Q with amendments, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of Ordinance No. O-57-04, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-57-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1988, § 8-334; Ord. No. O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 22, 10-20-2011; Ord. No. O-29-12, § 22, 5-3-2012; Ord. No. O-48-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-412. - Same—Amendments.

The 2012 2018 International Residential Code for One- and Two-Family Dwellings, adopted by reference in section 8-411, is amended in the following respects:

Sections R101.1—R114.2 of Chapter 1, Administration are hereby deleted. See administration provisions in section 8-25 of this chapter.

Section R202 definition of carport, portable is added as follows:

Carport, portable. A detached manufactured accessory building customarily used for the shelter or storage of vehicles and /or watercraft, including canopies used for such, which can be easily moved without disassembly, after removal of any tie-down or other anchoring provisions intended to compensate for wind displacement, and which is generally a frame covered by lightweight metal membrane material. See portable carports section R309.2.

Section R301.2(1) Table is amended to read as follows:

Section R301.2(1) International residential code data entry; table R301.2(1) Climatic and Geographic Design Criteria.

Table R301.2(1) shall include the following data:

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATE- GORY ^f	SUBJECT TO DAMAGE FROM		
	Wind Speed ^d (MPH)	Topographic Effects ^k		Weathering ^a	Frost Line Depth ^b	Termite ^c
20	115	No	A	Severe	36	Moderate to Heavy

WINTER DESIGN TEMP ^e	ICE BARRIER UNDER- LAYMENT RE- QUIRED ^h	FLOOD HAZARD ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
6°F	Yes	See Ch. 27	1000	54.7°F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 ½-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local weather experience as determined by the Building Official.
- f. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRMs and FBFM, or other flood hazard map adopted by the community, as may be amended.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effect, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

R302.1 is amended to read as follows:

302.1 Exterior walls. Construction, projections, openings, and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1).

Table R302.1(2) is deleted. Table 302.1(1) Exterior walls shall be used.

R302.2 is amended to read as follows:

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of section R302.1 for exterior walls.

Exceptions: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides. And shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

R302.2.4-6 Structural independence.

R302.2.4-6 Exception 5 is amended to read as follows:

Exception 5. Townhouses separated by a common 2-hour fire resistance rated wall as provided by section 302.2

R302.3 is amended to read as follows:

R302.3 Two-Family Dwellings. Two-Family Dwelling units shall be constructed and separated in accordance with the requirements of townhomes as set forth in this code.

R302.3. Exception 1 is deleted: Dwelling units stacked upon each other.

R302.4.2 Membrane Penetrations. Exception 2-2.1 is amended to read as follows:

R302.4.2 Exception 2(2.1) By a horizontal distance of not less than 24 inches (610 mm) except at walls or partitions constructed using parallel rows of studs or staggered studs.

Section R302.5.2 Duct Penetration is amended to read as follows:

Section R3092.5.2 Duct Penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 26 gauge (0.48 mm) sheet steel or other approved material and shall have no openings into the garage.

Exception: Supply duct openings may be permitted; provided the openings are protected by a minimum 20-minute rated fire damper(s).

Table 302.6 is amended to read as follows:

Table 302.6 DWELLING/GARAGE SEPARATION

SEPARATION	MATERIAL
From the residence and attics	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of the exterior walls within this area.
Attic access panels.	Not less than 5/8-inch Type X gypsum board or equivalent Materials approved for 1 hour fire resistive construction.

Pull down stairs	Shall be rated or be adequately protected with not less than Type 5/8-inch Type X gypsum or equivalent materials approved for 1 hour fire resistive construction.
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~~Section R303.3 Bathrooms is amended to read as follows:~~

~~Section R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 M²), one-half of which must be openable.~~

~~Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be 50 cfm (24 L/s) for intermittent ventilation or 20 cfm (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or to an attic ventilated in accordance with section R806. The point of discharge of the exhaust air shall be at least three feet from any opening into the building. A point of discharge in the attic space must discharge at a roof vent or soffit vent.~~

~~Section R303.4 of the 2012 2018 International Residential Code is hereby amended to read as follows:~~

~~R303.4 Mechanical ventilation. Where the air infiltration rate of a dwelling unit is less than three (3) air changes per hour when tested with a blower door at a pressure of 0.2 inch w.c. (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3 M1505.4. (History: Ord. BC-2936 §36, 2012)~~

~~Section R306.5 is added to read as follows:~~

~~Section R306.5 New Single-family dwellings toilet facilities. Toilet facilities shall be provided within 500 feet (measured from the property line adjacent to the street for platted subdivisions along the public way) for all new single-family dwellings starting from the time of the first footing inspection until facilities are available in the dwelling. If the facilities are not located on the job site, the location of the required facilities shall be posted on the job site or other certification provided to the building official to verify the availability of toilet facilities. The facilities on the site shall be removed prior to issuance of a temporary certificate of occupancy.~~

~~R309.2 Carports is added to read as follows:~~

~~R309.2 Carports. Carports shall be open on at least two sides. Carport floor surfaces shall be of approved noncombustible material. Carports not open on at least two sides shall be considered a garage and shall comply with the provisions of this section for garages.~~

~~Exceptions:~~

~~1: Asphalt surfaces shall be permitted at ground level in carports.~~

2: Portable carports shall be assembled to comply with the manufacturer's instructions and anchored to the ground in compliance with one of the following methods. At a minimum there must be an anchoring point on each side of the carport for every 50 square feet of area covered by the carport.

- 1) One continuous 8 inches wide by 36 inches deep concrete stem wall on each longitudinal side of the carport with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing.
- 2) A 4 inches thick concrete slab that extends beyond the perimeter of the carport in each direction with threaded anchor bolts embedded in the slab, deepened to 8 inches at each anchorage location, to match the carport manufacturer's recommended spacing.
- 3) Bolting the support legs, or adjacent cross support, to an existing concrete slab that is a minimum of 4 inches thick, to match the carport manufacturer's recommended anchorage spacing. The method of attaching the upright frame to the slab must be shown in the application for building permit.
- 4) Install concrete footings under each leg and bolt the legs, or adjacent cross support, to the new footings with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing. The new footings are to be approximately 1 foot x 1 foot x 2 foot deep. The method of attaching the upright frame to the footing must be shown in the application for building permit.
- 5) An alternate anchoring design that provides a permanently paved hard surface floor and anchors the portable carport to the ground and that is approved by the building official. If an alternative method is proposed, complete installation details must be provided for review.

The plans and details submitted must clearly indicate the method of anchoring and the flooring to be used. If new concrete footings are to be installed, they must be inspected when formed and prior to pouring of concrete. In all cases, a final inspection must be requested by the applicant.

Fabric covered carports: All fabric covered carports or similar facilities shall comply with City setback requirements in the zone in which they are located. Unless the facility is considered a structure under the Building Code, no building permit shall be required for their placement. Fabric covered facilities shall be properly maintained, cleaned, and repaired as necessary. There shall be no electricity or other utilities provided to fabric covered carports, or similar facilities.

Section R309.5 Fire sprinklers in private garages is amended to read as follows:

R309.5 Fire sprinklers are optional in private garages. The garage walls shall be designed based on Table R302.1(1). Sprinklers in garages shall be connected to an automatic sprinkler system that complies with section P2904. Garage fire sprinklers shall be residential sprinklers or quick response sprinklers, designed to provide a density of 0.05 gpm/sq. ft. garage doors shall not be considered with respect to sprinkler placement.

Section R311.7.5.1 Riser height is amended to read as follows:

Section R311.7.5.1 Riser height. The maximum riser height shall be 7¾ inches (196 mm). The riser height shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighths of an inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing or tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch diameter (102 mm) sphere.

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a maximum rise of 8 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R311.5.3.2 Tread depth is amended to read as follows:

Section R311.5.3.2 Tread depth. The minimum tread depth shall be 10 inches (254 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and do not have to be within 3/8 inch (9.5 mm) of the rectangular tread depth.

Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stairs. Within any flight of stairs, the greatest winder tread depth at the walkline shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a minimum tread of 9 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R312.1.1 is amended to read as follows:

Section R312.1.1 Guards required. Guards shall be located along open-sided walking surfaces, including stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically from the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

In addition, guards are required at retaining walls over 30 inches above grade when walking surfaces are within ten feet of the high side of the retaining wall.

Section R313.1 Townhouse automatic sprinkler systems, is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic fire sprinkler system is optional in townhouses. Fire sprinkler system design for townhouses shall comply with section P2904.

R313.2 1 and 2 family dwellings automatic fire systems, is amended to read as follows:

R313.2 An automatic sprinkler system is optional in 1 and 2 family dwellings. Fire sprinkler system design for 1 and 2 family dwellings shall comply with section P2904 or NFPA 13D.

Section R326.2 is added to read as follows:

R326.2 Swimming Pools and Spas shall be protected by barriers per Section 305, Barrier Requirements, of the 2018 ISPS, International Swimming Pool and Spa Code as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended by this Section.

Section 305.2.1.1 Barrier Height and Clearance: The top of the barrier shall not be less than 72 inches above grade where measured on the side of the barrier that faces away from the pool or spa.

Section R402.1 Wood Foundations:

R402.1 Wood Foundation systems are not allowed. All other references in this code to wood foundations systems are null and void.

Section R403.1.1 Footing reinforcement is amended to read as follows:

Section R403.1.1.1. Continuous footing reinforcement. Continuous footings for basement foundation walls shall have minimum continuous reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum of three inches (76 mm) clear from the bottom of the footing.

Section R403.1.1.2 Column pads is amended added to read as follows:

Section R403.1.1.2 Column pads. Column pads shall be a minimum of 24 inches (610 mm) by 24 inches (610 mm) and eight inches (203 mm) deep. Reinforcement shall consist of a minimum of three No. 4 bars each way, uniformly spaced.

Section R404.4 Retaining walls is amended to read as follows:

Section R404.4 Retaining walls that are not laterally supported at the top and that retain in excess of 48 inches of unbalanced fill shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against later sliding and overturning.

Section R405.2 Water discharge is added to read as follows:

Section R405.2 Water discharge. Roof water and water from intermittent sources such as sump pumps, foundation drains, gutters downspouts and similar sources shall not discharge closer than three (3) feet from the foundation or to an approved drainage system.

~~R501.3 Fire protection of floors is deleted.~~

Section R801.3 Roof drainage is amended to read as follows:

Section R801.3 Roof drainage. All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface at least 3 feet from foundation walls or to an approved drainage system.

~~Part IV Energy Conservation is deleted.~~

Part IV Energy Conservation is added.

~~Part IV Energy Conservation.~~

~~Chapter 11. ENERGY EFFICIENCY~~

~~SECTION N1101 GENERAL~~

~~N1101.1 Scope.~~ This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

~~Exception:~~ Portions of the building envelope that do not enclose ~~conditioned space~~.

~~N1101.2 Compliance.~~ Compliance shall be demonstrated by either meeting the requirements of the ~~International Energy Conservation Code~~ or meeting the requirements of this chapter. Climate zones from Figure N1101.2 or Table N1101.2 shall be used in determining the applicable requirements from this chapter.

**Table N1101.2 CLIMATE ZONES, MOISTURE REGIMES AND
WARM-HUMID DESIGNATIONS BY STATE, COUNTY AND TERRITORY**

Key:

A-Moist, B-Dry, C-Marine, Absence of moisture designation indicates moisture regime is irrelevant.

Asterisk (*) indicates a warm humid location.

Kansas—Wyandotte—Zone 4A

N1101.3 Identification. Materials, systems and equipment shall be identified in a manner that will allow a determination of compliance with the applicable provisions of this chapter.

N1101.4 Building thermal envelope insulation. An *R*-value identification mark shall be applied by the manufacturer to each piece of *building thermal envelope* insulation 12 inches (305 mm) or more wide. Alternately, the insulation installers shall provide a certification listing the type, manufacturer and *R*-value of insulation installed in each element of the *building thermal envelope*. For blown or sprayed insulation (fiberglass and cellulose), the initial installed thickness, settled thickness, settled *R*-value, installed density, coverage area and number of bags installed shall be listed on the certification. For sprayed polyurethane foam (SPF) insulation, the installed thickness of the area covered and *R*-value of installed thickness shall be listed on the certificate. The insulation installer shall sign, date and post the certificate in a conspicuous location on the job site.

N1101.4.1 Blown or sprayed roof/ceiling insulation. The thickness of blown in or sprayed roof/ceiling insulation (fiberglass or cellulose) shall be in written in inches (mm) on markers that are installed at least one for every 300 square feet, throughout the attic space. The markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness with numbers 1 inch (25 mm) high. Each marker shall face the attic access opening. Spray polyurethane foam thickness and *R*-value shall be listed on the certificate provided by the insulation installer.

N1101.4.2 Insulation mark insulation. Insulating materials shall be installed such that the manufactures *R*-value mark is readily observable upon inspection.

N1101.5 Fenestration product rating. *U*-factors of fenestration products (windows, doors and skylights) shall be determined in accordance with NFRC 100 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled U*-factor shall be assigned a default *U*-factor from Tables N1101.5(1) and N1101.5(2). The solar heat gain coefficient (SHGC) of glazed fenestration products (windows, glazed doors and skylights) shall be determined in accordance with NFRC 200 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled* SHGC shall be assigned a default SHGC from Table N1101.5(3).

Table N1101.5(1) DEFAULT GLAZED FENESTRATION U-FACTORS

FRAME TYPE	SINGLE PANE	DOUBLE PANE	SKYLIGHT	
			Single	Double
Metal	1.2	0.8	2	1.3
Metal with thermal break	1.1	0.65	1.9	1.1

Nonmetal or metal-clad	0.95	0.55	1.75	1.05
Glazed block	0.6			

Table N1101.5(2) DEFAULT DOOR U-FACTORS

DOOR TYPE	U-FACTOR
Uninsulated metal	1.2
Insulated metal	0.6
Wood	0.5
Insulated, nonmetal edge, max 45% glazing, any glazing double pane	0.35

Table N1101.5(3) DEFAULT GLAZED FENESTRATION SHGC

SINGLE GLAZED		DOUBLE GLAZED		GLAZED BLOCK
Clear	Tinted	Clear	Tinted	
0.8	0.7	0.7	0.6	0.6

N1101.6 Insulation product rating. The thermal resistance (*R*-value) of insulation shall be determined in accordance with the CFR Title 16, Part 460, in units of $\text{h} \cdot \text{ft}^2 \cdot ^\circ\text{F}/\text{Btu}$ at a mean temperature of 75°F (24°C).

N1101.7 Installation. All materials, systems and equipment shall be installed in accordance with the manufacturer's installation instructions and the provisions of this code.

N1101.7.1 Protection of exposed foundation insulation. Insulation applied to the exterior of basement walls, crawl space walls and the perimeter of slab-on-grade floors shall have rigid, opaque and weather-resistant protective covering to prevent the degradation of the insulation's thermal performance. The protective covering

shall cover the exposed exterior insulation and extend a minimum of 6 inches (152 mm) below grade.

N1101.8 Above code programs. The *building official* or other authority having *jurisdiction* shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this chapter. Buildings *approved* in writing by such an energy efficiency program shall be considered in compliance with this chapter.

N1101.9 Certificate. A permanent certificate shall be posted on or in the electrical distribution panel. The certificate shall not cover or obstruct the visibility of the circuit directory *label*, service disconnect *label* or other required *labels*. The certificate shall be completed by the builder or registered *design professional*. The certificate shall list the predominant *R*-values of insulation installed in or on ceiling/roof, walls, foundation (slab, *basement wall*, crawlspace wall and/or floor) and ducts outside *conditioned spaces*; *U*-factors for fenestration; and the solar heat gain coefficient (SHGC) of fenestration. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the types and efficiencies of heating, cooling and service water heating *equipment*. Where a gas-fired unvented room heater, electric furnace and/or baseboard electric heater is installed in the residence, the certificate shall list "gas-fired unvented room heater," "electric furnace" or "baseboard electric heater," as appropriate. An efficiency shall not be listed for gas-fired unvented room heaters, electric furnaces or electric base board heaters.

SECTION N1102 BUILDING THERMAL ENVELOPE

N1102.1 Insulation and fenestration criteria. The *building thermal envelope* shall meet the requirements of Table N1102.1 based on the climate zone specified in Table N1101.2.

N1102.1.1 R-value computation. Insulation material used in layers, such as framing cavity insulation and insulating sheathing, shall be summed to compute the component *R*-value. The manufacturer's settled *R*-value shall be used for blown insulation. Computed *R*-values shall not include an *R*-value for other building materials or air films.

N1102.1.2 U-factor alternative. An assembly with a *U*-factor equal to or less than that specified in Table N1102.1.2 shall be permitted as an alternative to the *R*-value in Table N1102.1.

N1102.1.3 Total UA alternative. If the total *building thermal envelope* UA (sum of *U*-factor times assembly area) is less than or equal to the total UA resulting from using the *U*-factors in Table N1102.1.2, (multiplied by the same assembly area as in the proposed building), the building shall be considered in compliance with Table N1102.1. The UA calculation shall be done using a method consistent with the ASHRAE *Handbook of Fundamentals* and shall include the thermal bridging effects of framing materials. The SHGC requirements shall be met in addition to UA compliance.

**Table N1102.1 INSULATION AND FENESTRATION REQUIREMENTS
BY COMPONENT^a**

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^k	FLOOR R-VALUE	BASEMENT ^c WALL R-VALUE	SLAB ^d R-VALUE AND DEPTH	CRAWL SPACE ^e WALL R-VALUE
4 except Marine	0.35	0.60	NR	38	13	5/10	19	10/13	10, 2 ft	10/13
5 and Marine-4	0.35	0.60	NR	38	20 or 13+5 ^h	13/17	30 ^f	10/13	10, 2 ft	10/13

—a. *R*-values are minimums. *U*-factors and solar heat gain coefficient (SHGC) are maximums. R-19 batts compressed in to nominal 2 × 6 framing cavity such that the *R*-value is reduced by R-1 or more shall be marked with the compressed batt *R*-value in addition to the full thickness *R*-value.

—b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

—c. The first *R*-value applies to continuous insulation, the second to framing cavity insulation; either insulation meets the requirement.

—d. R-5 shall be added to the required slab edge *R*-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.

—e. There are no SHGC requirements in the Marine Zone.

—f. Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.2 and Table N1101.2.

- ~~g. Or insulation sufficient to fill the framing cavity, R-19 minimum.~~
- ~~h. "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25% or less of the exterior, R-5 sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25% of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.~~
- ~~i. For impact-rated fenestration complying with Section R301.2.1.2, the maximum *U*-factor shall be 0.75 in zone 2 and 0.65 in zone 3.~~
- ~~j. For impact-resistant fenestration complying with Section R301.2.1.2 of the *International Residential Code*, the maximum SHGC shall be 0.40.~~
- ~~k. The second *R*-value applies when more than half the insulation is on the interior.~~

Table N1102.1.2 EQUIVALENT *U*-FACTORS^a

CLIMATE ZONE	FENESTRATION <i>U</i> -FACTOR	SKYLIGHT <i>U</i> -FACTOR	CEILING <i>U</i> -FACTOR	FRAME WALL <i>U</i> -FACTOR	MASS WALL <i>U</i> -FACTOR ^b	FLOOR <i>U</i> -FACTOR	BASEMENT WALL <i>U</i> -FACTOR	CRAWL SPACE WALL <i>U</i> -FACTOR
4 except Marine	0.35	0.60	0.030	0.082	0.141	0.047	0.059	0.065
5 and Marine 4	0.35	0.60	0.030	0.060	0.082	0.033	0.059	0.065

~~a. Nonfenestration *U*-factors shall be obtained from measurement, calculation or an approved source.~~

~~b. When more than half the insulation is on the interior, the mass wall *U*-factors shall be a maximum of 0.17 in zone 1, 0.14 in zone 2, 0.12 in zone 3, 0.10 in zone 4 except Marine and the same as the frame wall *U*-factor in Marine zone 4 and in zones 5 through 8.~~

—c.—Basement wall *U*-factor of 0.360 in warm-humid climates as defined by Figure N1101.2 and Table N1101.2.

N1102.2 Specific insulation requirements.

N1102.2.1 Ceilings with attic spaces. When Section N1102.1 would require R-38 in the ceiling, R-30 shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends over the wall top plate at the eaves. Similarly R-38 shall be deemed to satisfy the requirement for R-49 wherever the full height of uncompressed R-38 insulation extends over the wall top plate at the eaves. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3.

N1102.2.2 Ceilings without attic spaces. Where Section N1102.1 would require insulation levels above R-30 and the design of the roof/ceiling assembly does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-30. This reduction of insulation from the requirements of Section N1102.1 shall be limited to 500 square feet (46 m²) of ceiling area. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.2.3 Access hatches and doors. Access doors from *conditioned spaces* to unconditioned spaces (e.g., attics and crawl spaces) shall be weather-stripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all *equipment* which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the *attic* access is opened and to provide a permanent means of maintaining the installed *R*-value of the loose fill insulation.

N1102.2.4 Mass walls. Mass walls, for the purposes of this chapter, shall be considered above-grade walls of concrete block, concrete, insulated concrete form (ICF), masonry cavity, brick (other than brick veneer), earth (adobe, compressed earth block, rammed earth) and solid timber/logs.

N1102.2.5 Steel-frame ceilings, walls and floors. Steel-frame ceilings, walls and floors shall meet the insulation requirements of Table N1102.2.5 or shall meet the *U*-factor requirements in Table N1102.1.2. The calculation of the *U*-factor for a steel-frame envelope assembly shall use a series-parallel path calculation method.

Exception: In climate zones 1 and 2, the continuous insulation requirements in Table N1102.2.5 shall be permitted to be reduced to R-3 for steel frame wall assemblies with studs spaced at 24 inches (610 mm) on center.

Table N1102.1.2 (R402.1.2) is hereby amended to read as follows:

**TABLE N1102.1.2 (R402.1.2) INSULATION AND FENESTRATION
REQUIREMENTS BY COMPONENT^a**

Climate Zone	Fenestration U-Factor ^b	Skylight U-Factor ^b	Glazed Fenestration SHGC ^b	Ceiling R-Value ^c	Wood Frame Wall R-Value	Mass Wall R-Value ^e	Floor R-Value ^c	Basement Wall R-Value ^c	Slab R-Value & Depth ^d	Crawl Space Wall R-Value ^c
4	0.32	0.55	0.40	49	13	8/13	19	10/13	10, 2ft	10/13

For SI: 1 foot – 304.8 mm.

NR = Not Required

a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

c. “10/13” means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls.

d. For heated slabs, R-5 insulation shall be provided under the full slab area and shall be added to the slab edge.

e. Or insulation sufficient to fill the framing cavity, R-19 minimum.

f. The second R-value applies when more than half the insulation is on the interior of the mass wall.

g. Loose-fill-insulation shall be installed at the rate recommended by the manufacturer's statement “so many bags per 1000 sq ft”. Where the pitch of the roof restricts the “minimum thickness” at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the “minimum thickness” can be achieved. An alternative is to install high-density batts around the perimeter edge per N1102.2.

Table N1102.2.5 STEEL-FRAME CEILING, WALL AND FLOOR INSULATION (R-VALUE)

WOOD FRAMER-VALUE REQUIREMENT	COLD-FORMED STEEL EQUIVALENT R-VALUE ^a
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Steel Truss Ceilings^a	
R-30	R-38 or R-30 + 3 or R-26 + 5
R-38	R-49 or R-38 + 3
R-49	R-38 + 5
Steel Joist Ceilings^b	
R-30	R-38 in 2 × 4 or 2 × 6 or 2 × 8 R-49 in any framing
R-38	R-49 in 2 × 4 or 2 × 6 or 2 × 8 or 2 × 10
Steel Framed Wall	
R-13	R-13 + 5 or R-15 + 4 or R-21 + 3 or R-0 + 10
R-19	R-13 + 9 or R-19 + 8 or R-25 + 7
R-21	R-13 + 10 or R-19 + 9 or R-25 + 8
Steel Joist Floor	
R-13	R-19 in 2 × 6 R-19 + R-6 in 2 × 8 or 2 × 10
R-19	R-19 + R-6 in 2 × 6 R-19 + R-12 in 2 × 8 or 2 × 10

—For SI: 1 inch = 25.4 mm.

- a. Cavity insulation *R*-value is listed first, followed by continuous insulation *R*-value.
- b. Insulation exceeding the height of the framing shall cover the framing.

N1102.2.6 Floors. Floor insulation shall be installed to maintain permanent contact with the underside of the subfloor decking.

N1102.2.7 Basement walls. Exterior walls associated with conditioned basements shall be insulated from the top of the *basement wall* down to 40 feet (3048 mm) below *grade* or to the *basement floor*, whichever is less. Walls associated with unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Section N1102.1 and Section N1102.1.2.6.

N1102.2.8 Slab-on-grade floors. Slab-on-grade floors with a floor surface less than 12 inches below *grade* shall be insulated in accordance with Table N1102.1. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below *grade* shall be extended the distance provided in Table N1102.1 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches (254 mm) of soil. The top edge of the insulation installed between the *exterior wall* and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79 rad) angle away from the *exterior wall*. Slab-edge insulation is not required in jurisdictions designated by the code official as having a very heavy termite infestation.

N1102.2.9 Crawl space walls. As an alternative to insulating floors over crawl spaces, insulation of crawl space walls shall be permitted when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to the finished *grade* level and then vertically and/or horizontally for at least an additional 24 inches (610 mm). Exposed earth in unvented crawl space foundations shall be covered with a continuous Class I vapor retarder. All joints of the vapor retarder shall overlap by 6 inches (152 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152 mm) up the stem wall and shall be attached to the stem wall.

N1102.2.10 Masonry veneer. Insulation shall not be required on the horizontal portion of the foundation that supports a masonry veneer.

N1102.2.11 Thermally isolated sunroom insulation. The minimum ceiling insulation *R*-values shall be R-19 in zones 1 through 4 and R-24 in zones 5 through 8. The minimum wall *R*-value shall be R-13 in all zones. New wall(s) separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

N1102.3 Fenestration.

N1102.3.1 U-factor. An area-weighted average of fenestration products shall be permitted to satisfy the *U*-factor requirements.

N1102.3.2 Glazed fenestration SHGC. An area-weighted average of fenestration products more than 50 percent glazed shall be permitted to satisfy the solar heat gain coefficient (SHGC) requirements.

N1102.3.3 Glazed fenestration exemption. Up to 15 square feet (1.4 m²) of glazed fenestration per *dwelling unit* shall be permitted to be exempt from *U*-factor and SHGC requirements in Section N1102.1. This exemption shall not apply to the

U-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.3.4 Opaque door exemption. One side-hinged opaque door assembly up to 24 square feet (2.22 m^2) in area is exempted from the *U*-factor requirement in Section N1102.1.1. This exemption shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.3.5 Thermally isolated sunroom U-factor. For zones 4 through 8 the maximum fenestration *U*-factor shall be 0.50 and the maximum skylight *U*-factor shall be 0.75. New windows and doors separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

N1102.3.6 Replacement fenestration. Where some or all of an existing fenestration unit is replaced with a new fenestration product, including sash and glazing, the replacement fenestration unit shall meet the applicable requirements for *U*-factor and solar heat gain coefficient (SHGC) in Table N1102.1.

N1102.4 Air leakage.

N1102.4.1 Building thermal envelope. The *building thermal envelope* shall be durably sealed to limit infiltration. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. The following shall be caulked, gasketed, weather-stripped or otherwise sealed with an air barrier material, suitable film or solid material.

- 1.— All joints, seams and penetrations.
- 2.— Site-built windows, doors and skylights.
- 3.— Openings between window and door assemblies and their respective jambs and framing.
- 4.— Utility penetrations.
- 5.— Dropped ceilings or chases adjacent to the thermal envelope.
- 6.— Knee walls.
- 7.— Walls and ceilings separating the garage from *conditioned spaces*.
- 8.— Behind tubs and showers on *exterior walls*.
- 9.— Common walls between *dwelling units*.
- 10.— Attic access openings.
- 11.— Rim joists junction.
- 12.— Other sources of infiltration.

N1102.4.2 Air sealing and insulation. Building envelope air tightness and insulation installation shall be demonstrated to comply with one of the following options given by Section N1102.4.2.1 or N1102.4.2.2.

Table N1102.41.2 AIR BARRIER AND INSULATION INSPECTION Under Climate Zone 4, amend the flowing item:

COMPONENT	CRITERIA
Air barrier and thermal barrier	Exterior thermal envelope insulation for framed walls is installed in substantial contact and continuous alignment with building envelope air barrier. Breaks or joints in the air barrier are filled or repaired. Air-permeable insulation is not used as a sealing material.
Ceiling/attic	Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	Corners and headers are insulated. Junction of foundation and sill plate is sealed.
Windows and doors	Space between window/door jambs and framing is sealed.
Rim joists	Rim joists are insulated and include an air barrier.
Floors (including above garage and cantilevered floors)	Insulation is installed to maintain permanent contact with underside of subfloor decking. Air barrier is installed at any exposed edge of floor.
Crawlspace walls	Insulation is permanently attached to walls. Exposed earth in unvented crawlspaces is covered with Class I vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled by sprayed/blown insulation.
Garage separation	Air sealing is provided between the garage and conditioned spaces.

Recessed lighting	Recessed light fixtures are airtight, IC rated and sealed to drywall. Exception-fixtures in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior walls have insulation and an air barrier separating them from the exterior wall.
Electrical/phone box on exterior wall	Air barrier extends behind boxes or air sealed type boxes are installed.
Common wall	Air barrier is installed in common wall between dwelling units.
HVAC register boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace	Fireplace walls include an air barrier.

N1102.4.2.1 Testing option. Tested air leakage is less than 7 ACH when tested with a blower door at a pressure of 50 pascals (0.007 psi). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances.

Section N1102.4.1.2. Testing is amended to read as follows:

Section N1102.4.1.2. Testing The building or dwelling unit shall have an air leakage rate of not exceeding 5 air changes per hour when tested with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Building leakage testing shall be conducted where required by the building official. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the building official, the testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed beyond the intended weatherstripping or other infiltration control measures;
2. Dampers ~~shall be closed, but not sealed~~; including exhaust, intake, makeup air, back draft, and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior ~~or interior terminations~~ openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling system(s), where installed at the time of the test, shall be turned off; and
6. HVAC ducts shall not be sealed; and
7. Supply and return registers, where installed at the time of the test shall ~~not be sealed~~ be fully open.

N1102.4.2.2 Visual inspection option. The items listed in Table N1102.4.2, applicable to the method of construction, are field verified. Where required by the code official, an ~~approved~~ party independent from the installer of the insulation, shall inspect the air barrier and insulation.

Section N 1102.4. Fireplaces. Is amended.

N1102.4.3 Fireplaces. New wood burning fireplaces shall have outdoor combustion air. (Deleted the requirement for gasketed doors).

N1102.4.4 Fenestration air leakage. Windows, skylights and sliding glass doors shall have an air infiltration rate of no more than 0.3 cubic foot per minute per square foot [1.5(L/s)/m²], and swinging doors no more than 0.5 cubic foot per minute per square foot [2.5(L/s)/m²], when tested according to NFRC 400 or AAMA/WDMA/CSA 101/I.S.2/A440 by an accredited, independent laboratory, and listed and ~~labeled~~ by the manufacturer.
Exception: Site-built windows, skylights and doors.

Section N1102.4.4 Rooms containing fuel-burning appliances is deleted.

N1102.4.5 Recessed lighting. Recessed luminaires installed in the ~~building thermal envelope~~ shall be sealed to limit air leakage between conditioned and unconditioned spaces. All recessed luminaires shall be IC-rated and ~~labeled~~ as meeting ASTM E 283 when tested at 1.57 psf (75 Pa) pressure differential with no more than 2.0 cfm (0.944 L/s) of air movement from the ~~conditioned space~~ to the ceiling cavity. All recessed luminaires shall be sealed with a gasket or caulk between the housing and the interior wall or ceiling covering.

SECTION N1103 SYSTEMS.

N1103.1 Controls. At least one thermostat shall be installed for each separate heating and cooling system.

N1103.1.1 Programmable thermostat. Where the primary heating system is a forced air furnace, at least one thermostat per *dwelling unit* shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day. This thermostat shall include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55°F (13°C) or up to 85°F (29°C). The thermostat shall initially be programmed with a heating temperature set point no higher than 70°F (21°C) and a cooling temperature set point no lower than 78°F (26°C).

N1103.1.2 Heat pump supplementary heat. Heat pumps having supplementary electric resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load.

N1103.2 Ducts.

N1103.2.1 Insulation Supply ducts in attics shall be insulated to a minimum of R-8. All other ducts shall be insulated to a minimum of R-6.

Exception: Ducts or portions thereof located completely inside the *building thermal envelope*.

N1103.2.2 Sealing. Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601.4 Duct tightness shall be verified by either of the following:

1. Post-construction test: Leakage to outdoors shall be less than or equal to 8 cfm (3.78 L/s) per 100 ft² (9.29 m²) of conditioned floor area or a total leakage less than or equal to 12 cfm (5.66 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler end closure. All register boots shall be taped or otherwise sealed during the test.
2. Rough-in test: Total leakage shall be less than or equal to 6 cfm (2.83 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the roughed-in system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm (1.89 L/s) per 100 ft² (9.29 m²) of conditioned floor area.

Exception: Duct tightness test is not required if the air handler and all ducts are located within *conditioned space*.

Section N1103.3.5 Building Cavities is amended to read as follows:

~~N1103.3.5 Building cavities. Building framing cavities shall not be are permitted to be used as supply ducts. Building framing cavities used as ducts or plenums shall be sealed to prevent leakage through the thermal envelope.~~

Commented [TG1]: Only City in JOCO that amended this section is Olathe. Need to discuss further.

~~N1103.3 Mechanical system piping insulation. Mechanical system piping capable of carrying fluids above 105°F (40°C) or below 55°F (13°C) shall be insulated to a minimum of R-3.~~

~~N1103.4 Circulating hot water systems. All circulating service hot water piping shall be insulated to at least R-2. Circulating hot water systems shall include an automatic or readily accessible manual switch that can turn off the hot water circulating pump when the system is not in use.~~

~~N1103.5 Mechanical ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.~~

~~N1103.6 Equipment sizing. Heating and cooling equipment shall be sized as specified in Section M1401.3.~~

~~N1103.7 Snow melt system controls. Snow and ice melting systems supplied through energy service to the building shall include automatic controls capable of shutting off the system when the pavement temperature is above 50°F (10°C) and no precipitation is falling and an automatic or manual control that will allow shutoff when the outdoor temperature is above 40°F (5°C).~~

~~N1103.8 Pools. Pools shall be provided with energy conserving measures in accordance with Sections N1103.8.1 through N1103.8.3.~~

~~N1103.8.1 Pool heaters. All pool heaters shall be equipped with a readily accessible on-off switch to allow shutting off the heater without adjusting the thermostat setting. Pool heaters fired by natural gas or LPG shall not have continuously burning pilot lights.~~

~~N1103.8.2 Time switches. Time switches that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on swimming pool heaters and pumps.~~

~~Exceptions:~~

- ~~1. Where public health standards require 24-hour pump operation.~~
- ~~2. Where pumps are required to operate solar and waste heat recovery pool heating systems.~~

~~N1103.8.3 Pool covers. Heated pools shall be equipped with a vapor retardant pool cover on or at the water surface. Pools heated to more than 90°F (32°C) shall have a pool cover with a minimum insulation value of R-12.~~

~~N1104.1 Lighting equipment. A minimum of 50 percent of the lamps in permanently installed lighting fixtures shall be high-efficacy lamps.~~

Table N1106.4 (R406.4) is amended to read as follows:

Table N1106.4 (R406.4)
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX a
4	80

- a. Where on-site renewable energy is included for compliance using ERI analysis of Section N1106.4, the building shall meet the mandatory requirements of Section 1106.2, and the building thermal envelope shall be greater than or equal to the levels of efficiency and SHGC in Table N1102.1.2 or Table N1102.1.4.

~~Section M1201.1-M1202.3, Chapter 12 is hereby deleted.~~

~~Section M1201.1-M1202.3, Chapter 12 Mechanical administration is deleted in its entirety. See Administration provisions in section 8-25.~~

~~Sections M2001, M2002, M2003, and G2452 (Boilers) are deleted.~~

Section G2408.7 is added to read as follows:

Section G2408.7 Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Section G2411.3 Arc-resistant CSST is deleted.

Section G2414.5 is amended to read as follows:

Section G2414.5 Metallic tubing. Seamless copper, aluminum alloy or steel tubing shall not be utilized for the distribution of fuel gas. Stainless steel tubing may be utilized when approved by the building official.

Section G2414.5.2 is amended to read as follows:

Section G2414.5.2. Copper tubing. Copper and brass tubing shall not be utilized to distribute natural gas nor shall it utilized to distribute any other fuel gas within a building or structure.

G2417.4. Test Pressure Measurement is amended to read as follows:

G2417.4.1 (406.4.1) Test pressure. This inspection shall include an air, CO₂, or nitrogen pressure test of not less than 10 pounds per square inch (68.9 kPa) gauge pressure.

~~Section P2501.1—P2503.9 Chapter 25 is hereby deleted.~~

Commented [TG2]: Need to put original wording back in from IRC and change the minimum 3psi to 10psi.

~~Section P2501.1—P2503.9, Chapter 25 Plumbing administration is hereby deleted in its entirety. See administration provisions in section 8-25.~~

~~Part VII, Chapter 25, Plumbing Administration, is deleted.~~

Section P2603.5.1 Sewer depth is amended to read as follows.

Section P2603.5.1 Sewer depth. Building sewers shall be installed not less than 12 inches (305 mm) below the surface of the ground.

Section 2706.1.2. Standpipes is amended to read as follows.

P2706.1.2 Standpipes. Standpipes for automatic clothes washers shall extend a minimum of 30 inches (762 mm) and a maximum of 42 inches (1067 mm) above the finished floor. The trap for a clothes washer standpipe shall be installed at a minimum of 6 inches (150 mm) maximum of 18 inches (457 mm) above the finished floor. Access shall be provided to all standpipe traps and drains for rodding.

Section P2708.2 Shower drain is amended to read as follows:

Section P2708.2 Shower drain. Shower drains shall have an outlet of not less than 2 inches (51 mm).

Section P2902.5.3 is amended to read as follows:

Section P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by a device approved by the Board of Public Utilities, Kansas City, Kansas, Water Department.

Section P2903.5 is amended to read as follows:

Section P2903.5 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. Water-hammer arrestor shall be installed where quick-closing valves are utilized. Water hammer arrestors shall be installed in accordance with manufacturer's installation instructions. Water hammer arrestors shall conform to ASSE 1010.

Exception: Each water supply line to a fixture, except tank type water closets, may terminate with an air chamber. All air chambers shall be placed in a vertical position in a tee opening. Each air chamber shall be not less than 12 inches in length and of a diameter not less than the branch it serves.

Section P2903.8.2 is amended to read as follows:

Section P2903.8.2 Minimum size. Where the developed length of the distribution line is 60 feet (18,288 mm) or less, and the available pressure at the meter is a minimum of 40 lbs. per square inch (276 kPa), the minimum size of individual distribution lines shall be not less than ½ inch (12.7 mm) diameter. Certain fixtures such as one-piece water closets and whirlpool bathtubs shall require a larger size where specified by the manufacturer. If a water heater is fed from the end of a cold-water manifold, the manifold shall be one size larger than the water heater feed.

Section P2905.4 P2906.4 is amended to read as follows:

Section P2905.4 P2906.4 Water service piping. Approval, inspection, materials and testing of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department. If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the ~~board of public utilities~~ Board of Public Utilities, such water service pipe shall conform to NSF 61 and shall conform to one of the standards listed in table P2905.4. Water service pipe or tubing installed underground and outside of the structure shall have a minimum working pressure rating of 160 psi at 73 degrees Fahrenheit (1,103 kPa at 23 degrees C). Where the water pressure exceeds 160 pounds per square inch (1,103 kPa), piping material shall have a rated working pressure equal to or greater than the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate at or before the full open valve located at the entrance to the structure. Ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.

Section P2905.4.2 P2906.4.2 is amended to read as follows:

Section P2905.4.2 P2906.4.2 Water service installation. Installation of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department. If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the board of public utilities, trenching, pipe installation and backfilling shall be in accordance with section P2604.2. Water service pipe is permitted to be located in the same trench with a building sewer provided such sewer is constructed of materials listed for underground use within a building in section P3002.1. If the building sewer is not constructed of materials listed in section P3002.1, the water service pipe shall be separated from the building sewer by a minimum of 5 feet (1,524 mm), measured horizontally, of undisturbed or compacted earth or placed on a solid ledge at least 12 inches (305 mm) above and to one side of the highest point in the sewer line.

Exception: the required separation distance shall not apply where a water service pipe crosses over a sewer pipe, provided that the water service pipe is sleeved to at least 5 feet (1,524 mm), horizontally from the sewer pipe centerline, on both sides of the crossing with pipe materials listed in Tables P2905.4, P3002.1(1), or P3002.2.

Section P2905.5.1 is added as follows:

Section P2905.5.1 Under concrete slabs. Inaccessible water distribution piping under slabs shall be copper water tube minimum Type L, brass, ductile iron pressure pipe, galvanized steel pipe, chlorinated polyvinyl chloride (CPVC) or crosslinked polyethylene (PEX) plastic pipe or tubing—all to be installed with approved fittings or bends. The minimum pressure rating for plastic pipe or tubing installed under slabs shall be 100 psi at 180 degrees Fahrenheit (689 kPa at 82 degrees Celsius).

Section 2906.6.1 Saddle tap fittings is deleted.

Table P3002.2 Building Sewer Pipe is amended as follows.

Table P3002.2 Building Sewer Pipe. Delete "PS 25, SDR 41 (PS 28), PS 35, SDR 35 (PS 46), PS 50, PS 100" from "Polyvinyl chloride (PVC) plastic pipe in sewer and drain diameters". (Remainder of Table unamended.)

Section P3005.4.2 is amended to read as follows:

Section P3005.4.2 Building drain and sewer and slope. Pipe sizes and slope shall be determined from table P3005.4.2 on the basis of drainage load in fixture units (DFU) computed from table P3004.1. The minimum size of a building sewer serving a dwelling unit shall be 4 inches.

Section P3102.1 is amended to read as follows:

Section P3102.1 Main vent required. Every building shall have a main vent that is either a vent stack or a stack vent. Such vent shall run undiminished in size and as directly as possible from the building drain through to the open air above the roof. The minimum size of a main vent for a dwelling unit shall be 3 inches.

P3105 Fixture Vents.

P3105.1 Distance of trap from vent. Exception is deleted.

Section P3114.3 is amended to read as follows:

Section P3114.3 Where permitted. Individual vents, branch vents, circuit vents and stack vents shall be permitted to terminate with a connection to air admittance valve only when it is structurally not feasible to install a hard-piped venting system and approved by the building official.

In existing construction, where the existing vent system is not accessible to the fixture location without the removal of finish materials or other existing construction

Individual- and branch-type air admittance valves shall conform to ASSE 1051. Individual and branch type air admittance valves shall vent fixtures that are on the same floor level and connect to a horizontal branch drain.

Section P3114.5 is amended to read as follows:

Section P3114.5 Access and ventilation. All air admittance valves shall be readily accessible. The valve shall be located in a ventilated space that allows air to enter the valve.

Section E3601.6.2 is amended to read as follows:

Section E3601.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service entrance conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect must be installed at the service cable entrance to the building or structure. Service disconnecting means shall not

be installed in bathrooms or closets. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

Section 3902.2 Garage and accessory building receptacles is amended to read as follows.

Section 3902.2 Garage and accessory building receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles installed in garages and grade level portions of unfinished accessory buildings used for or work areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section 3902.5 Unfinished basement receptacles is amended to read as follows.

Section 3902.5 Unfinished basement receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles unfinished basement areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section E3902.16 Arc-fault circuit interrupter protection. Exception is added as follows:

Section E3902.16 Exception: AFCI protection is not required for the smoke detector/fire alarm circuit.

Section E3902.13 Exception is added as follows:

E3902.13 Arc-fault circuit interrupter protection for branch circuit extensions or modifications

Exception: This section will not apply where existing dwelling unit premises wiring circuits make the application of this section impracticable, as determined by the building official.

Informational Note: Two examples of the application of this exception are where the existing dwelling unit has a multi-wire branch circuit or utilizes a listed panelboard for which there is no listed device for the application of AFCI protection.

E3907.9 is added as follows:

Section E3907.9 is added as follows:

Section E3907.9 Cabinets and panelboards shall not be located in a bathroom or closet.

E4002.14 Tamper-resistant receptacles is deleted.

Section AJ501.8.4 Appendix J Stairs (Existing Buildings) is added as follows:

Section AJ501.8.4 Appendix J Stairs (Existing Buildings). Any alteration to or the replacement of an existing stairway in an existing structure shall not be required to comply with the requirements of a new stairway as outlined in section R311.7 where the existing space and construction will not allow a reduction in pitch or slope.

(Code 1988, § 8-335; O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 23, 10-20-2011; Ord. No. O-29-12, § 23, 5-3-2012; Ord. No. [O-48-16](#), § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter relating to Chapter 8, Article VII – One- and Two-Family Dwellings.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-411 and 8-412 are hereby amended to read as follows.

Sec. 8-411. - International Residential Code for One- and Two-Family Dwellings—
Adopted.

- (a) *Residential code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter, and the fixing of penalties for violations hereof, the 2012 ~~2018~~ International Residential Code for One- and Two-Family Dwellings, including appendices A, B, C, E, G, H, J, K, N, P and Q with amendments, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of Ordinance No. O-57-04, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-57-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1988, § 8-334; Ord. No. O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 22, 10-20-2011; Ord. No. O-29-12, § 22, 5-3-2012; Ord. No. O-48-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-412. - Same—Amendments.

The 2012 2018 International Residential Code for One- and Two-Family Dwellings, adopted by reference in section 8-411, is amended in the following respects:

Sections R101.1—R114.2 of Chapter 1, Administration are hereby deleted. See administration provisions in section 8-25 of this chapter.

Section R202 definition of carport, portable is added as follows:

Carport, portable. A detached manufactured accessory building customarily used for the shelter or storage of vehicles and /or watercraft, including canopies used for such, which can be easily moved without disassembly, after removal of any tie-down or other anchoring provisions intended to compensate for wind displacement, and which is generally a frame covered by lightweight metal membrane material. See portable carports section R309.2.

Section R301.2(1) Table is amended to read as follows:

Section R301.2(1) International residential code data entry; table R301.2(1) Climatic and Geographic Design Criteria.

Table R301.2(1) shall include the following data:

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATE- GORY ^f	SUBJECT TO DAMAGE FROM		
	Wind Speed ^d (MPH)	Topographic Effects ^k		Weathering ^a	Frost Line Depth ^b	Termite ^c
20	115	No	A	Severe	36	Moderate to Heavy

WINTER DESIGN TEMP ^e	ICE BARRIER UNDER- LAYMENT RE- QUIRED ^h	FLOOD HAZARD ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
6°F	Yes	See Ch. 27	1000	54.7°F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 ½-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local weather experience as determined by the Building Official.
- f. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRMs and FBFM, or other flood hazard map adopted by the community, as may be amended.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effect, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

R302.1 is amended to read as follows:

302.1 Exterior walls. Construction, projections, openings, and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1).

Table R302.1(2) is deleted. Table 302.1(1) Exterior walls shall be used.

R302.2 is amended to read as follows:

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of section R302.1 for exterior walls.

Exceptions: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides. And shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

R302.2.4-6 Structural independence.

R302.2.4-6 Exception 5 is amended to read as follows:

Exception 5. Townhouses separated by a common 2-hour fire resistance rated wall as provided by section 302.2

R302.3 is amended to read as follows:

R302.3 Two-Family Dwellings. Two-Family Dwelling units shall be constructed and separated in accordance with the requirements of townhomes as set forth in this code.

R302.3. Exception 1 is deleted: Dwelling units stacked upon each other.

R302.4.2 Membrane Penetrations. Exception 2-2.1 is amended to read as follows:

R302.4.2 Exception 2(2.1) By a horizontal distance of not less than 24 inches (610 mm) except at walls or partitions constructed using parallel rows of studs or staggered studs.

Section R302.5.2 Duct Penetration is amended to read as follows:

Section R3092.5.2 Duct Penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 26 gauge (0.48 mm) sheet steel or other approved material and shall have no openings into the garage.

Exception: Supply duct openings may be permitted; provided the openings are protected by a minimum 20-minute rated fire damper(s).

Table 302.6 is amended to read as follows:

Table 302.6 DWELLING/GARAGE SEPARATION

SEPARATION	MATERIAL
From the residence and attics	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of the exterior walls within this area.
Attic access panels.	Not less than 5/8-inch Type X gypsum board or equivalent Materials approved for 1 hour fire resistive construction.

Pull down stairs	Shall be rated or be adequately protected with not less than Type 5/8-inch Type X gypsum or equivalent materials approved for 1 hour fire resistive construction.
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~~Section R303.3 Bathrooms is amended to read as follows:~~

~~Section R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 M²), one-half of which must be openable.~~

~~Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be 50 cfm (24 L/s) for intermittent ventilation or 20 cfm (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or to an attic ventilated in accordance with section R806. The point of discharge of the exhaust air shall be at least three feet from any opening into the building. A point of discharge in the attic space must discharge at a roof vent or soffit vent.~~

~~Section R303.4 of the 2012 2018 International Residential Code is hereby amended to read as follows:~~

~~R303.4 Mechanical ventilation. Where the air infiltration rate of a dwelling unit is less than three (3) air changes per hour when tested with a blower door at a pressure of 0.2 inch w.c. (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3 M1505.4. (History: Ord. BC-2936 §36, 2012)~~

~~Section R306.5 is added to read as follows:~~

~~Section R306.5 New Single-family dwellings toilet facilities. Toilet facilities shall be provided within 500 feet (measured from the property line adjacent to the street for platted subdivisions along the public way) for all new single-family dwellings starting from the time of the first footing inspection until facilities are available in the dwelling. If the facilities are not located on the job site, the location of the required facilities shall be posted on the job site or other certification provided to the building official to verify the availability of toilet facilities. The facilities on the site shall be removed prior to issuance of a temporary certificate of occupancy.~~

~~R309.2 Carports is added to read as follows:~~

~~R309.2 Carports. Carports shall be open on at least two sides. Carport floor surfaces shall be of approved noncombustible material. Carports not open on at least two sides shall be considered a garage and shall comply with the provisions of this section for garages.~~

~~Exceptions:~~

~~1: Asphalt surfaces shall be permitted at ground level in carports.~~

2: Portable carports shall be assembled to comply with the manufacturer's instructions and anchored to the ground in compliance with one of the following methods. At a minimum there must be an anchoring point on each side of the carport for every 50 square feet of area covered by the carport.

- 1) One continuous 8 inches wide by 36 inches deep concrete stem wall on each longitudinal side of the carport with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing.
- 2) A 4 inches thick concrete slab that extends beyond the perimeter of the carport in each direction with threaded anchor bolts embedded in the slab, deepened to 8 inches at each anchorage location, to match the carport manufacturer's recommended spacing.
- 3) Bolting the support legs, or adjacent cross support, to an existing concrete slab that is a minimum of 4 inches thick, to match the carport manufacturer's recommended anchorage spacing. The method of attaching the upright frame to the slab must be shown in the application for building permit.
- 4) Install concrete footings under each leg and bolt the legs, or adjacent cross support, to the new footings with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing. The new footings are to be approximately 1 foot x 1 foot x 2 foot deep. The method of attaching the upright frame to the footing must be shown in the application for building permit.
- 5) An alternate anchoring design that provides a permanently paved hard surface floor and anchors the portable carport to the ground and that is approved by the building official. If an alternative method is proposed, complete installation details must be provided for review.

The plans and details submitted must clearly indicate the method of anchoring and the flooring to be used. If new concrete footings are to be installed, they must be inspected when formed and prior to pouring of concrete. In all cases, a final inspection must be requested by the applicant.

Fabric covered carports: All fabric covered carports or similar facilities shall comply with City setback requirements in the zone in which they are located. Unless the facility is considered a structure under the Building Code, no building permit shall be required for their placement. Fabric covered facilities shall be properly maintained, cleaned, and repaired as necessary. There shall be no electricity or other utilities provided to fabric covered carports, or similar facilities.

Section R309.5 Fire sprinklers in private garages is amended to read as follows:

R309.5 Fire sprinklers are optional in private garages. The garage walls shall be designed based on Table R302.1(1). Sprinklers in garages shall be connected to an automatic sprinkler system that complies with section P2904. Garage fire sprinklers shall be residential sprinklers or quick response sprinklers, designed to provide a density of 0.05 gpm/sq. ft. garage doors shall not be considered with respect to sprinkler placement.

Section R311.7.5.1 Riser height is amended to read as follows:

Section R311.7.5.1 Riser height. The maximum riser height shall be 7¾ inches (196 mm). The riser height shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighths of an inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing or tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch diameter (102 mm) sphere.

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a maximum rise of 8 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R311.5.3.2 Tread depth is amended to read as follows:

Section R311.5.3.2 Tread depth. The minimum tread depth shall be 10 inches (254 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and do not have to be within 3/8 inch (9.5 mm) of the rectangular tread depth.

Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stairs. Within any flight of stairs, the greatest winder tread depth at the walkline shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a minimum tread of 9 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R312.1.1 is amended to read as follows:

Section R312.1.1 Guards required. Guards shall be located along open-sided walking surfaces, including stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically from the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

In addition, guards are required at retaining walls over 30 inches above grade when walking surfaces are within ten feet of the high side of the retaining wall.

Section R313.1 Townhouse automatic sprinkler systems, is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic fire sprinkler system is optional in townhouses. ~~Fire sprinkler system design for townhouses shall comply with section P2904.~~

R313.2 1 and 2 family dwellings automatic fire systems, is amended to read as follows:

R313.2 An automatic sprinkler system is optional in 1 and 2 family dwellings. ~~Fire sprinkler system design for 1 and 2 family dwellings shall comply with section P2904 or NFPA 13D.~~

Section R326.2 is added to read as follows:

R326.2 Swimming Pools and Spas shall be protected by barriers per Section 305, Barrier Requirements, of the 2018 ISPS, International Swimming Pool and Spa Code as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended by this Section.

Section 305.2.1.1 Barrier Height and Clearance: The top of the barrier shall not be less than 72 inches above grade where measured on the side of the barrier that faces away from the pool or spa.

Section R402.1 Wood Foundations:

R402.1 Wood Foundation systems are not allowed. All other references in this code to wood foundations systems are null and void.

Section R403.1.1 Footing reinforcement is amended to read as follows:

Section R403.1.1.1. Continuous footing reinforcement. Continuous footings for basement foundation walls shall have minimum continuous reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum of three inches (76 mm) clear from the bottom of the footing.

Section R403.1.1.2 Column pads is amended added to read as follows:

Section R403.1.1.2 Column pads. Column pads shall be a minimum of 24 inches (610 mm) by 24 inches (610 mm) and eight inches (203 mm) deep. Reinforcement shall consist of a minimum of three No. 4 bars each way, uniformly spaced.

Section R404.4 Retaining walls is amended to read as follows:

Section R404.4 Retaining walls that are not laterally supported at the top and that retain in excess of 48 inches of unbalanced fill shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against later sliding and overturning.

Section R405.2 Water discharge is added to read as follows:

Section R405.2 Water discharge. Roof water and water from intermittent sources such as sump pumps, foundation drains, gutters downspouts and similar sources shall not discharge closer than three (3) feet from the foundation or to an approved drainage system.

~~R501.3 Fire protection of floors is deleted.~~

Section R801.3 Roof drainage is amended to read as follows:

Section R801.3 Roof drainage. All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface at least 3 feet from foundation walls or to an approved drainage system.

~~Part IV Energy Conservation is deleted.~~

Part IV Energy Conservation is added.

~~Part IV Energy Conservation.~~

~~Chapter 11. ENERGY EFFICIENCY~~

~~SECTION N1101 GENERAL~~

~~N1101.1 Scope.~~ This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

~~Exception:~~ Portions of the building envelope that do not enclose ~~conditioned space~~.

~~N1101.2 Compliance.~~ Compliance shall be demonstrated by either meeting the requirements of the ~~International Energy Conservation Code~~ or meeting the requirements of this chapter. Climate zones from Figure N1101.2 or Table N1101.2 shall be used in determining the applicable requirements from this chapter.

**Table N1101.2 CLIMATE ZONES, MOISTURE REGIMES AND
WARM-HUMID DESIGNATIONS BY STATE, COUNTY AND TERRITORY**

Key:

A-Moist, B-Dry, C-Marine, Absence of moisture designation indicates moisture regime is irrelevant.

Asterisk (*) indicates a warm humid location.

Kansas – Wyandotte – Zone 4A

N1101.3 Identification. Materials, systems and *equipment* shall be identified in a manner that will allow a determination of compliance with the applicable provisions of this chapter.

N1101.4 Building thermal envelope insulation. An *R*-value identification mark shall be applied by the manufacturer to each piece of *building thermal envelope* insulation 12 inches (305 mm) or more wide. Alternately, the insulation installers shall provide a certification listing the type, manufacturer and *R*-value of insulation installed in each element of the *building thermal envelope*. For blown or sprayed insulation (fiberglass and cellulose), the initial installed thickness, settled thickness, settled *R*-value, installed density, coverage area and number of bags installed shall be listed on the certification. For sprayed polyurethane foam (SPF) insulation, the installed thickness of the area covered and *R*-value of installed thickness shall be listed on the certificate. The insulation installer shall sign, date and post the certificate in a conspicuous location on the job site.

N1101.4.1 Blown or sprayed roof/ceiling insulation. The thickness of blown in or sprayed roof/ceiling insulation (fiberglass or cellulose) shall be in written in inches (mm) on markers that are installed at least one for every 300 square feet, throughout the attic space. The markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness with numbers 1 inch (25 mm) high. Each marker shall face the attic access opening. Spray polyurethane foam thickness and *R*-value shall be listed on the certificate provided by the insulation installer.

N1101.4.2 Insulation mark insulation. Insulating materials shall be installed such that the manufactures *R*-value mark is readily observable upon inspection.

N1101.5 Fenestration product rating. *U*-factors of fenestration products (windows, doors and skylights) shall be determined in accordance with NFRC 100 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled U*-factor shall be assigned a default *U*-factor from Tables N1101.5(1) and N1101.5(2). The solar heat gain coefficient (SHGC) of glazed fenestration products (windows, glazed doors and skylights) shall be determined in accordance with NFRC 200 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled* SHGC shall be assigned a default SHGC from Table N1101.5(3).

Table N1101.5(1) DEFAULT GLAZED FENESTRATION U-FACTORS

FRAME TYPE	SINGLE PANE	DOUBLE PANE	SKYLIGHT	
			Single	Double
Metal	1.2	0.8	2	1.3
Metal with thermal break	1.1	0.65	1.9	1.1

Nonmetal or metal-clad	0.95	0.55	1.75	1.05
Glazed block	0.6			

Table N1101.5(2) DEFAULT DOOR U-FACTORS

DOOR TYPE	U-FACTOR
Uninsulated metal	1.2
Insulated metal	0.6
Wood	0.5
Insulated, nonmetal edge, max 45% glazing, any glazing double pane	0.35

Table N1101.5(3) DEFAULT GLAZED FENESTRATION SHGC

SINGLE GLAZED		DOUBLE GLAZED		GLAZED BLOCK
Clear	Tinted	Clear	Tinted	
0.8	0.7	0.7	0.6	0.6

N1101.6 Insulation product rating. The thermal resistance (*R*-value) of insulation shall be determined in accordance with the CFR Title 16, Part 460, in units of $\text{h} \cdot \text{ft}^2 \cdot ^\circ\text{F}/\text{Btu}$ at a mean temperature of 75°F (24°C).

N1101.7 Installation. All materials, systems and equipment shall be installed in accordance with the manufacturer's installation instructions and the provisions of this code.

N1101.7.1 Protection of exposed foundation insulation. Insulation applied to the exterior of basement walls, crawl space walls and the perimeter of slab-on-grade floors shall have rigid, opaque and weather-resistant protective covering to prevent the degradation of the insulation's thermal performance. The protective covering

shall cover the exposed exterior insulation and extend a minimum of 6 inches (152 mm) below grade.

N1101.8 Above code programs. The *building official* or other authority having *jurisdiction* shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this chapter. Buildings *approved* in writing by such an energy efficiency program shall be considered in compliance with this chapter.

N1101.9 Certificate. A permanent certificate shall be posted on or in the electrical distribution panel. The certificate shall not cover or obstruct the visibility of the circuit directory *label*, service disconnect *label* or other required *labels*. The certificate shall be completed by the builder or registered *design professional*. The certificate shall list the predominant *R*-values of insulation installed in or on ceiling/roof, walls, foundation (slab, *basement wall*, crawlspace wall and/or floor) and ducts outside *conditioned spaces*; *U*-factors for fenestration; and the solar heat gain coefficient (SHGC) of fenestration. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the types and efficiencies of heating, cooling and service water heating *equipment*. Where a gas-fired unvented room heater, electric furnace and/or baseboard electric heater is installed in the residence, the certificate shall list "gas-fired unvented room heater," "electric furnace" or "baseboard electric heater," as appropriate. An efficiency shall not be listed for gas-fired unvented room heaters, electric furnaces or electric base board heaters.

SECTION N1102 BUILDING THERMAL ENVELOPE

N1102.1 Insulation and fenestration criteria. The *building thermal envelope* shall meet the requirements of Table N1102.1 based on the climate zone specified in Table N1101.2.

N1102.1.1 R-value computation. Insulation material used in layers, such as framing cavity insulation and insulating sheathing, shall be summed to compute the component *R*-value. The manufacturer's settled *R*-value shall be used for blown insulation. Computed *R*-values shall not include an *R*-value for other building materials or air films.

N1102.1.2 U-factor alternative. An assembly with a *U*-factor equal to or less than that specified in Table N1102.1.2 shall be permitted as an alternative to the *R*-value in Table N1102.1.

N1102.1.3 Total UA alternative. If the total *building thermal envelope* UA (sum of *U*-factor times assembly area) is less than or equal to the total UA resulting from using the *U*-factors in Table N1102.1.2, (multiplied by the same assembly area as in the proposed building), the building shall be considered in compliance with Table N1102.1. The UA calculation shall be done using a method consistent with the ASHRAE *Handbook of Fundamentals* and shall include the thermal bridging effects of framing materials. The SHGC requirements shall be met in addition to UA compliance.

**Table N1102.1 INSULATION AND FENESTRATION REQUIREMENTS
BY COMPONENT^a**

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^k	FLOOR R-VALUE	BASEMENT ^c WALL R-VALUE	SLAB ^d R-VALUE AND DEPTH	CRAWL SPACE ^e WALL R-VALUE
4 except Marine	0.35	0.60	NR	38	13	5/10	19	10/13	10, 2 ft	10/13
5 and Marine-4	0.35	0.60	NR	38	20 or 13+5 ^h	13/17	30 ^f	10/13	10, 2 ft	10/13

—a. *R*-values are minimums. *U*-factors and solar heat gain coefficient (SHGC) are maximums. R-19 batts compressed in to nominal 2 × 6 framing cavity such that the *R*-value is reduced by R-1 or more shall be marked with the compressed batt *R*-value in addition to the full thickness *R*-value.

—b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

—c. The first *R*-value applies to continuous insulation, the second to framing cavity insulation; either insulation meets the requirement.

—d. R-5 shall be added to the required slab edge *R*-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.

—e. There are no SHGC requirements in the Marine Zone.

—f. Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.2 and Table N1101.2.

- ~~g. Or insulation sufficient to fill the framing cavity, R-19 minimum.~~
- ~~h. "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25% or less of the exterior, R-5 sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25% of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.~~
- ~~i. For impact-rated fenestration complying with Section R301.2.1.2, the maximum *U*-factor shall be 0.75 in zone 2 and 0.65 in zone 3.~~
- ~~j. For impact-resistant fenestration complying with Section R301.2.1.2 of the *International Residential Code*, the maximum SHGC shall be 0.40.~~
- ~~k. The second *R*-value applies when more than half the insulation is on the interior.~~

Table N1102.1.2 EQUIVALENT *U*-FACTORS^a

CLIMATE ZONE	FENESTRATION <i>U</i> -FACTOR	SKYLIGHT <i>U</i> -FACTOR	CEILING <i>U</i> -FACTOR	FRAME WALL <i>U</i> -FACTOR	MASS WALL <i>U</i> -FACTOR ^b	FLOOR <i>U</i> -FACTOR	BASEMENT WALL <i>U</i> -FACTOR	CRAWL SPACE WALL <i>U</i> -FACTOR
4 except Marine	0.35	0.60	0.030	0.082	0.141	0.047	0.059	0.065
5 and Marine 4	0.35	0.60	0.030	0.060	0.082	0.033	0.059	0.065

~~a. Nonfenestration *U*-factors shall be obtained from measurement, calculation or an approved source.~~

~~b. When more than half the insulation is on the interior, the mass wall *U*-factors shall be a maximum of 0.17 in zone 1, 0.14 in zone 2, 0.12 in zone 3, 0.10 in zone 4 except Marine and the same as the frame wall *U*-factor in Marine zone 4 and in zones 5 through 8.~~

—c.—Basement wall *U*-factor of 0.360 in warm-humid climates as defined by Figure N1101.2 and Table N1101.2.

N1102.2 Specific insulation requirements.

N1102.2.1 Ceilings with attic spaces. When Section N1102.1 would require R-38 in the ceiling, R-30 shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends over the wall top plate at the eaves. Similarly R-38 shall be deemed to satisfy the requirement for R-49 wherever the full height of uncompressed R-38 insulation extends over the wall top plate at the eaves. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3.

N1102.2.2 Ceilings without attic spaces. Where Section N1102.1 would require insulation levels above R-30 and the design of the roof/ceiling assembly does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-30. This reduction of insulation from the requirements of Section N1102.1 shall be limited to 500 square feet (46 m²) of ceiling area. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.2.3 Access hatches and doors. Access doors from *conditioned spaces* to unconditioned spaces (e.g., attics and crawl spaces) shall be weather-stripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all *equipment* which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the *attic* access is opened and to provide a permanent means of maintaining the installed *R*-value of the loose fill insulation.

N1102.2.4 Mass walls. Mass walls, for the purposes of this chapter, shall be considered above-grade walls of concrete block, concrete, insulated concrete form (ICF), masonry cavity, brick (other than brick veneer), earth (adobe, compressed earth block, rammed earth) and solid timber/logs.

N1102.2.5 Steel-frame ceilings, walls and floors. Steel-frame ceilings, walls and floors shall meet the insulation requirements of Table N1102.2.5 or shall meet the *U*-factor requirements in Table N1102.1.2. The calculation of the *U*-factor for a steel-frame envelope assembly shall use a series-parallel path calculation method.

Exception: In climate zones 1 and 2, the continuous insulation requirements in Table N1102.2.5 shall be permitted to be reduced to R-3 for steel frame wall assemblies with studs spaced at 24 inches (610 mm) on center.

Table N1102.1.2 (R402.1.2) is hereby amended to read as follows:

**TABLE N1102.1.2 (R402.1.2) INSULATION AND FENESTRATION
REQUIREMENTS BY COMPONENT^a**

Climate Zone	Fenestration U-Factor ^b	Skylight U-Factor ^b	Glazed Fenestration SHGC ^b	Ceiling R-Value ^c	Wood Frame Wall R-Value	Mass Wall R-Value ^e	Floor R-Value ^c	Basement Wall R-Value ^c	Slab R-Value & Depth ^d	Crawl Space Wall R-Value ^c
4	0.32	0.55	0.40	49	15	8/13	19	10/13	10, 2ft	10/13

For SI: 1 foot – 304.8 mm.

NR = Not Required

a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

c. “10/13” means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls.

d. For heated slabs, R-5 insulation shall be provided under the full slab area and shall be added to the slab edge.

e. Or insulation sufficient to fill the framing cavity, R-19 minimum.

f. The second R-value applies when more than half the insulation is on the interior of the mass wall.

g. Loose-fill-insulation shall be installed at the rate recommended by the manufacturer's statement “so many bags per 1000 sq ft”. Where the pitch of the roof restricts the “minimum thickness” at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the “minimum thickness” can be achieved. An alternative is to install high-density batts around the perimeter edge per N1102.2.

Table N1102.2.5 STEEL-FRAME CEILING, WALL AND FLOOR INSULATION (R-VALUE)

WOOD FRAMER-VALUE REQUIREMENT	COLD-FORMED STEEL EQUIVALENT R-VALUE ^a
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Steel Truss Ceilings^a	
R-30	R-38 or R-30 + 3 or R-26 + 5
R-38	R-49 or R-38 + 3
R-49	R-38 + 5
Steel Joist Ceilings^b	
R-30	R-38 in 2 × 4 or 2 × 6 or 2 × 8 R-49 in any framing
R-38	R-49 in 2 × 4 or 2 × 6 or 2 × 8 or 2 × 10
Steel Framed Wall	
R-13	R-13 + 5 or R-15 + 4 or R-21 + 3 or R-0 + 10
R-19	R-13 + 9 or R-19 + 8 or R-25 + 7
R-21	R-13 + 10 or R-19 + 9 or R-25 + 8
Steel Joist Floor	
R-13	R-19 in 2 × 6 R-19 + R-6 in 2 × 8 or 2 × 10
R-19	R-19 + R-6 in 2 × 6 R-19 + R-12 in 2 × 8 or 2 × 10

—For SI: 1 inch = 25.4 mm.

- a. Cavity insulation *R*-value is listed first, followed by continuous insulation *R*-value.
- b. Insulation exceeding the height of the framing shall cover the framing.

N1102.2.6 Floors. Floor insulation shall be installed to maintain permanent contact with the underside of the subfloor decking.

N1102.2.7 Basement walls. Exterior walls associated with conditioned basements shall be insulated from the top of the *basement wall* down to 40 feet (3048 mm) below *grade* or to the *basement floor*, whichever is less. Walls associated with unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Section N1102.1 and Section N1102.1.2.6.

N1102.2.8 Slab-on-grade floors. Slab-on-grade floors with a floor surface less than 12 inches below *grade* shall be insulated in accordance with Table N1102.1. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below *grade* shall be extended the distance provided in Table N1102.1 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches (254 mm) of soil. The top edge of the insulation installed between the *exterior wall* and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79 rad) angle away from the *exterior wall*. Slab-edge insulation is not required in jurisdictions designated by the code official as having a very heavy termite infestation.

N1102.2.9 Crawl space walls. As an alternative to insulating floors over crawl spaces, insulation of crawl space walls shall be permitted when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to the finished *grade* level and then vertically and/or horizontally for at least an additional 24 inches (610 mm). Exposed earth in unvented crawl space foundations shall be covered with a continuous Class I vapor retarder. All joints of the vapor retarder shall overlap by 6 inches (152 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152 mm) up the stem wall and shall be attached to the stem wall.

N1102.2.10 Masonry veneer. Insulation shall not be required on the horizontal portion of the foundation that supports a masonry veneer.

N1102.2.11 Thermally isolated sunroom insulation. The minimum ceiling insulation *R*-values shall be R-19 in zones 1 through 4 and R-24 in zones 5 through 8. The minimum wall *R*-value shall be R-13 in all zones. New wall(s) separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

N1102.3 Fenestration.

N1102.3.1 U-factor. An area-weighted average of fenestration products shall be permitted to satisfy the *U*-factor requirements.

N1102.3.2 Glazed fenestration SHGC. An area-weighted average of fenestration products more than 50 percent glazed shall be permitted to satisfy the solar heat gain coefficient (SHGC) requirements.

N1102.3.3 Glazed fenestration exemption. Up to 15 square feet (1.4 m²) of glazed fenestration per *dwelling unit* shall be permitted to be exempt from *U*-factor and SHGC requirements in Section N1102.1. This exemption shall not apply to the

~~U-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3~~

~~N1102.3.4 Opaque door exemption.~~ One side-hinged opaque door assembly up to 24 square feet (2.22 m^2) in area is exempted from the *U*-factor requirement in Section N1102.1.1. This exemption shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

~~N1102.3.5 Thermally isolated sunroom U-factor.~~ For zones 4 through 8 the maximum fenestration *U*-factor shall be 0.50 and the maximum skylight *U*-factor shall be 0.75. New windows and doors separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

~~N1102.3.6 Replacement fenestration.~~ Where some or all of an existing fenestration unit is replaced with a new fenestration product, including sash and glazing, the replacement fenestration unit shall meet the applicable requirements for *U*-factor and solar heat gain coefficient (SHGC) in Table N1102.1.

~~N1102.4 Air leakage.~~

~~N1102.4.1 Building thermal envelope.~~ The *building thermal envelope* shall be durably sealed to limit infiltration. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. The following shall be caulked, gasketed, weather-stripped or otherwise sealed with an air barrier material, suitable film or solid material.

- ~~1.— All joints, seams and penetrations.~~
- ~~2.— Site-built windows, doors and skylights.~~
- ~~3.— Openings between window and door assemblies and their respective jambs and framing.~~
- ~~4.— Utility penetrations.~~
- ~~5.— Dropped ceilings or chases adjacent to the thermal envelope.~~
- ~~6.— Knee walls.~~
- ~~7.— Walls and ceilings separating the garage from *conditioned spaces*.~~
- ~~8.— Behind tubs and showers on *exterior walls*.~~
- ~~9.— Common walls between *dwelling units*.~~
- ~~10.— Attic access openings.~~
- ~~11.— Rim joists junction.~~
- ~~12.— Other sources of infiltration.~~

~~N1102.4.2 Air sealing and insulation.~~ Building envelope air tightness and insulation installation shall be demonstrated to comply with one of the following options given by Section N1102.4.2.1 or N1102.4.2.2.

Table N1102.41.2 AIR BARRIER AND INSULATION INSPECTION Under Climate Zone 4, amend the flowing item:

COMPONENT	CRITERIA
Air barrier and thermal barrier	Exterior thermal envelope insulation for framed walls is installed in substantial contact and continuous alignment with building envelope air barrier. Breaks or joints in the air barrier are filled or repaired. Air-permeable insulation is not used as a sealing material.
Ceiling/attic	Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	Corners and headers are insulated. Junction of foundation and sill plate is sealed.
Windows and doors	Space between window/door jambs and framing is sealed.
Rim joists	Rim joists are insulated and include an air barrier.
Floors (including above garage and cantilevered floors)	Insulation is installed to maintain permanent contact with underside of subfloor decking. Air barrier is installed at any exposed edge of floor.
Crawlspace walls	Insulation is permanently attached to walls. Exposed earth in unvented crawlspaces is covered with Class I vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled by sprayed/blown insulation.
Garage separation	Air sealing is provided between the garage and conditioned spaces.

Recessed lighting	Recessed light fixtures are airtight, IC rated and sealed to drywall. Exception-fixtures in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior walls have insulation and an air barrier separating them from the exterior wall.
Electrical/phone box on exterior wall	Air barrier extends behind boxes or air sealed type boxes are installed.
Common wall	Air barrier is installed in common wall between dwelling units.
HVAC register boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace	Fireplace walls include an air barrier.

N1102.4.2.1 Testing option. Tested air leakage is less than 7 ACH when tested with a blower door at a pressure of 50 pascals (0.007 psi). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances.

Section N1102.4.1.2. Testing is amended to read as follows:

Section N1102.4.1.2. Testing The building or dwelling unit shall have an air leakage rate of not exceeding 5 air changes per hour when tested with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Building leakage testing shall be conducted where required by the building official. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the building official, the testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed beyond the intended weatherstripping or other infiltration control measures;
2. Dampers ~~shall be closed, but not sealed~~; including exhaust, intake, makeup air, back draft, and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior ~~or interior terminations~~ openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling system(s), where installed at the time of the test, shall be turned off; and
6. HVAC ducts shall ~~not be sealed~~; and
7. Supply and return registers, where installed at the time of the test shall ~~not be sealed~~ be fully open.

N1102.4.2.2 Visual inspection option. The items listed in Table N1102.4.2, applicable to the method of construction, are field verified. Where required by the code official, an ~~approved~~ party independent from the installer of the insulation, shall inspect the air barrier and insulation.

Section N 1102.4. Fireplaces. Is amended.

N1102.4.3 Fireplaces. New wood burning fireplaces shall have outdoor combustion air. (Deleted the requirement for gasketed doors).

N1102.4.4 Fenestration air leakage. Windows, skylights and sliding glass doors shall have an air infiltration rate of no more than 0.3 cubic foot per minute per square foot [1.5(L/s)/m²], and swinging doors no more than 0.5 cubic foot per minute per square foot [2.5(L/s)/m²], when tested according to NFRC 400 or AAMA/WDMA/CSA 101/I.S.2/A440 by an accredited, independent laboratory, and listed and ~~labeled~~ by the manufacturer.
Exception: Site-built windows, skylights and doors.

Section N1102.4.4 Rooms containing fuel-burning appliances is deleted.

N1102.4.5 Recessed lighting. Recessed luminaires installed in the ~~building thermal envelope~~ shall be sealed to limit air leakage between conditioned and unconditioned spaces. All recessed luminaires shall be IC-rated and ~~labeled~~ as meeting ASTM E 283 when tested at 1.57 psf (75 Pa) pressure differential with no more than 2.0 cfm (0.944 L/s) of air movement from the ~~conditioned space~~ to the ceiling cavity. All recessed luminaires shall be sealed with a gasket or caulk between the housing and the interior wall or ceiling covering.

SECTION N1103 SYSTEMS.

N1103.1 Controls. At least one thermostat shall be installed for each separate heating and cooling system.

N1103.1.1 Programmable thermostat. Where the primary heating system is a forced air furnace, at least one thermostat per *dwelling unit* shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day. This thermostat shall include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55°F (13°C) or up to 85°F (29°C). The thermostat shall initially be programmed with a heating temperature set point no higher than 70°F (21°C) and a cooling temperature set point no lower than 78°F (26°C).

N1103.1.2 Heat pump supplementary heat. Heat pumps having supplementary electric resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load.

N1103.2 Ducts.

N1103.2.1 Insulation Supply ducts in attics shall be insulated to a minimum of R-8. All other ducts shall be insulated to a minimum of R-6.

Exception: Ducts or portions thereof located completely inside the *building thermal envelope*.

N1103.2.2 Sealing. Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601.4 Duct tightness shall be verified by either of the following:

1. Post-construction test: Leakage to outdoors shall be less than or equal to 8 cfm (3.78 L/s) per 100 ft² (9.29 m²) of conditioned floor area or a total leakage less than or equal to 12 cfm (5.66 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler end closure. All register boots shall be taped or otherwise sealed during the test.
2. Rough-in test: Total leakage shall be less than or equal to 6 cfm (2.83 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the roughed-in system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm (1.89 L/s) per 100 ft² (9.29 m²) of conditioned floor area.

Exception: Duct tightness test is not required if the air handler and all ducts are located within *conditioned space*.

Section N1103.3.5 Building Cavities is amended to read as follows:

~~N1103.3.5 Building cavities. Building framing cavities shall not be are permitted to be used as supply ducts. Building framing cavities used as ducts or plenums shall be sealed to prevent leakage through the thermal envelope.~~

Commented [TG1]: Only City in JOCO that amended this section is Olathe. Need to discuss further.

~~N1103.3 Mechanical system piping insulation. Mechanical system piping capable of carrying fluids above 105°F (40°C) or below 55°F (13°C) shall be insulated to a minimum of R-3.~~

~~N1103.4 Circulating hot water systems. All circulating service hot water piping shall be insulated to at least R-2. Circulating hot water systems shall include an automatic or readily accessible manual switch that can turn off the hot water circulating pump when the system is not in use.~~

~~N1103.5 Mechanical ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.~~

~~N1103.6 Equipment sizing. Heating and cooling equipment shall be sized as specified in Section M1401.3.~~

~~N1103.7 Snow melt system controls. Snow and ice melting systems supplied through energy service to the building shall include automatic controls capable of shutting off the system when the pavement temperature is above 50°F (10°C) and no precipitation is falling and an automatic or manual control that will allow shutoff when the outdoor temperature is above 40°F (5°C).~~

~~N1103.8 Pools. Pools shall be provided with energy conserving measures in accordance with Sections N1103.8.1 through N1103.8.3.~~

~~N1103.8.1 Pool heaters. All pool heaters shall be equipped with a readily accessible on-off switch to allow shutting off the heater without adjusting the thermostat setting. Pool heaters fired by natural gas or LPG shall not have continuously burning pilot lights.~~

~~N1103.8.2 Time switches. Time switches that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on swimming pool heaters and pumps.~~

~~Exceptions:~~

- ~~1. Where public health standards require 24-hour pump operation.~~
- ~~2. Where pumps are required to operate solar and waste heat recovery pool heating systems.~~

~~N1103.8.3 Pool covers. Heated pools shall be equipped with a vapor retardant pool cover on or at the water surface. Pools heated to more than 90°F (32°C) shall have a pool cover with a minimum insulation value of R-12.~~

~~N1104.1 Lighting equipment. A minimum of 50 percent of the lamps in permanently installed lighting fixtures shall be high-efficacy lamps.~~

Table N1106.4 (R406.4) is amended to read as follows:

Table N1106.4 (R406.4)
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX a
4	75

- a. Where on-site renewable energy is included for compliance using ERI analysis of Section N1106.4, the building shall meet the mandatory requirements of Section 1106.2, and the building thermal envelope shall be greater than or equal to the levels of efficiency and SHGC in Table N1102.1.2 or Table N1102.1.4.

~~Section M1201.1-M1202.3, Chapter 12 is hereby deleted.~~

~~Section M1201.1-M1202.3, Chapter 12 Mechanical administration is deleted in its entirety. See Administration provisions in section 8-25.~~

~~Sections M2001, M2002, M2003, and G2452 (Boilers) are deleted.~~

Section G2408.7 is added to read as follows:

Section G2408.7 Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Section G2411.3 Arc-resistant CSST is deleted.

Section G2414.5 is amended to read as follows:

Section G2414.5 Metallic tubing. Seamless copper, aluminum alloy or steel tubing shall not be utilized for the distribution of fuel gas. Stainless steel tubing may be utilized when approved by the building official.

Section G2414.5.2 is amended to read as follows:

Section G2414.5.2. Copper tubing. Copper and brass tubing shall not be utilized to distribute natural gas nor shall it utilized to distribute any other fuel gas within a building or structure.

G2417.4. Test Pressure Measurement is amended to read as follows:

G2417.4.1 (406.4.1) Test pressure. This inspection shall include an air, CO₂, or nitrogen pressure test of not less than 10 pounds per square inch (68.9 kPa) gauge pressure.

~~Section P2501.1—P2503.9 Chapter 25 is hereby deleted.~~

Commented [TG2]: Need to put original wording back in from IRC and change the minimum 3psi to 10psi.

~~Section P2501.1—P2503.9, Chapter 25 Plumbing administration is hereby deleted in its entirety. See administration provisions in section 8-25.~~

~~Part VII, Chapter 25, Plumbing Administration, is deleted.~~

Section P2603.5.1 Sewer depth is amended to read as follows.

Section P2603.5.1 Sewer depth. Building sewers shall be installed not less than 12 inches (305 mm) below the surface of the ground.

Section 2706.1.2. Standpipes is amended to read as follows.

P2706.1.2 Standpipes. Standpipes for automatic clothes washers shall extend a minimum of 30 inches (762 mm) and a maximum of 42 inches (1067 mm) above the finished floor. The trap for a clothes washer standpipe shall be installed at a minimum of 6 inches (150 mm) maximum of 18 inches (457 mm) above the finished floor. Access shall be provided to all standpipe traps and drains for rodding.

Section P2708.2 Shower drain is amended to read as follows:

Section P2708.2 Shower drain. Shower drains shall have an outlet of not less than 2 inches (51 mm).

Section P2902.5.3 is amended to read as follows:

Section P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by a device approved by the Board of Public Utilities, Kansas City, Kansas, Water Department.

Section P2903.5 is amended to read as follows:

Section P2903.5 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. Water-hammer arrestor shall be installed where quick-closing valves are utilized. Water hammer arrestors shall be installed in accordance with manufacturer's installation instructions. Water hammer arrestors shall conform to ASSE 1010.

Exception: Each water supply line to a fixture, except tank type water closets, may terminate with an air chamber. All air chambers shall be placed in a vertical position in a tee opening. Each air chamber shall be not less than 12 inches in length and of a diameter not less than the branch it serves.

Section P2903.8.2 is amended to read as follows:

Section P2903.8.2 Minimum size. Where the developed length of the distribution line is 60 feet (18,288 mm) or less, and the available pressure at the meter is a minimum of 40 lbs. per square inch (276 kPa), the minimum size of individual distribution lines shall be not less than ½ inch (12.7 mm) diameter. Certain fixtures such as one-piece water closets and whirlpool bathtubs shall require a larger size where specified by the manufacturer. If a water heater is fed from the end of a cold-water manifold, the manifold shall be one size larger than the water heater feed.

Section P2905.4 P2906.4 is amended to read as follows:

Section P2905.4 P2906.4 Water service piping. Approval, inspection, materials and testing of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department. If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the ~~board of public utilities~~ Board of Public Utilities, such water service pipe shall conform to NSF 61 and shall conform to one of the standards listed in table P2905.4. Water service pipe or tubing installed underground and outside of the structure shall have a minimum working pressure rating of 160 psi at 73 degrees Fahrenheit (1,103 kPa at 23 degrees C). Where the water pressure exceeds 160 pounds per square inch (1,103 kPa), piping material shall have a rated working pressure equal to or greater than the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate at or before the full open valve located at the entrance to the structure. Ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.

Section P2905.4.2 P2906.4.2 is amended to read as follows:

Section P2905.4.2 P2906.4.2 Water service installation. Installation of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department. If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the board of public utilities, trenching, pipe installation and backfilling shall be in accordance with section P2604.2. Water service pipe is permitted to be located in the same trench with a building sewer provided such sewer is constructed of materials listed for underground use within a building in section P3002.1. If the building sewer is not constructed of materials listed in section P3002.1, the water service pipe shall be separated from the building sewer by a minimum of 5 feet (1,524 mm), measured horizontally, of undisturbed or compacted earth or placed on a solid ledge at least 12 inches (305 mm) above and to one side of the highest point in the sewer line.

Exception: the required separation distance shall not apply where a water service pipe crosses over a sewer pipe, provided that the water service pipe is sleeved to at least 5 feet (1,524 mm), horizontally from the sewer pipe centerline, on both sides of the crossing with pipe materials listed in Tables P2905.4, P3002.1(1), or P3002.2.

Section P2905.5.1 is added as follows:

Section P2905.5.1 Under concrete slabs. Inaccessible water distribution piping under slabs shall be copper water tube minimum Type L, brass, ductile iron pressure pipe, galvanized steel pipe, chlorinated polyvinyl chloride (CPVC) or crosslinked polyethylene (PEX) plastic pipe or tubing—all to be installed with approved fittings or bends. The minimum pressure rating for plastic pipe or tubing installed under slabs shall be 100 psi at 180 degrees Fahrenheit (689 kPa at 82 degrees Celsius).

Section 2906.6.1 Saddle tap fittings is deleted.

Table P3002.2 Building Sewer Pipe is amended as follows.

Table P3002.2 Building Sewer Pipe. Delete "PS 25, SDR 41 (PS 28), PS 35, SDR 35 (PS 46), PS 50, PS 100" from "Polyvinyl chloride (PVC) plastic pipe in sewer and drain diameters". (Remainder of Table unamended.)

Section P3005.4.2 is amended to read as follows:

Section P3005.4.2 Building drain and sewer and slope. Pipe sizes and slope shall be determined from table P3005.4.2 on the basis of drainage load in fixture units (DFU) computed from table P3004.1. The minimum size of a building sewer serving a dwelling unit shall be 4 inches.

Section P3102.1 is amended to read as follows:

Section P3102.1 Main vent required. Every building shall have a main vent that is either a vent stack or a stack vent. Such vent shall run undiminished in size and as directly as possible from the building drain through to the open air above the roof. The minimum size of a main vent for a dwelling unit shall be 3 inches.

P3105 Fixture Vents.

P3105.1 Distance of trap from vent. Exception is deleted.

Section P3114.3 is amended to read as follows:

Section P3114.3 Where permitted. Individual vents, branch vents, circuit vents and stack vents shall be permitted to terminate with a connection to air admittance valve only when it is structurally not feasible to install a hard-piped venting system and approved by the building official.

In existing construction, where the existing vent system is not accessible to the fixture location without the removal of finish materials or other existing construction

Individual- and branch-type air admittance valves shall conform to ASSE 1051. Individual and branch type air admittance valves shall vent fixtures that are on the same floor level and connect to a horizontal branch drain.

Section P3114.5 is amended to read as follows:

Section P3114.5 Access and ventilation. All air admittance valves shall be readily accessible. The valve shall be located in a ventilated space that allows air to enter the valve.

Section E3601.6.2 is amended to read as follows:

Section E3601.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service entrance conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect must be installed at the service cable entrance to the building or structure. Service disconnecting means shall not

be installed in bathrooms or closets. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

Section 3902.2 Garage and accessory building receptacles is amended to read as follows.

Section 3902.2 Garage and accessory building receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles installed in garages and grade level portions of unfinished accessory buildings used for or work areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section 3902.5 Unfinished basement receptacles is amended to read as follows.

Section 3902.5 Unfinished basement receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles unfinished basement areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section E3902.16 Arc-fault circuit interrupter protection. Exception is added as follows:

Section E3902.16 Exception: AFCI protection is not required for the smoke detector/fire alarm circuit.

Section E3902.13 Exception is added as follows:

E3902.13 Arc-fault circuit interrupter protection for branch circuit extensions or modifications

Exception: This section will not apply where existing dwelling unit premises wiring circuits make the application of this section impracticable, as determined by the building official.

Informational Note: Two examples of the application of this exception are where the existing dwelling unit has a multi-wire branch circuit or utilizes a listed panelboard for which there is no listed device for the application of AFCI protection.

E3907.9 is added as follows:

Section E3907.9 is added as follows:

Section E3907.9 Cabinets and panelboards shall not be located in a bathroom or closet.

E4002.14 Tamper-resistant receptacles is deleted.

Section AJ501.8.4 Appendix J Stairs (Existing Buildings) is added as follows:

Section AJ501.8.4 Appendix J Stairs (Existing Buildings). Any alteration to or the replacement of an existing stairway in an existing structure shall not be required to comply with the requirements of a new stairway as outlined in section R311.7 where the existing space and construction will not allow a reduction in pitch or slope.

(Code 1988, § 8-335; O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 23, 10-20-2011; Ord. No. O-29-12, § 23, 5-3-2012; Ord. No. [O-48-16](#), § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter relating to Chapter 8, Article VII – One- and Two-Family Dwellings.

BE IT ORDAINED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Sections 8-411 and 8-412 are hereby amended to read as follows.

Sec. 8-411. - International Residential Code for One- and Two-Family Dwellings—
Adopted.

- (a) *Residential code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter, and the fixing of penalties for violations hereof, the 2012 ~~2018~~ International Residential Code for One- and Two-Family Dwellings, including appendices A, B, C, E, G, H, J, K, N, P and Q with amendments, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of Ordinance No. O-57-04, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-57-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1988, § 8-334; Ord. No. O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 22, 10-20-2011; Ord. No. O-29-12, § 22, 5-3-2012; Ord. No. O-48-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-412. - Same—Amendments.

The 2012 2018 International Residential Code for One- and Two-Family Dwellings, adopted by reference in section 8-411, is amended in the following respects:

Sections R101.1—R114.2 of Chapter 1, Administration are hereby deleted. See administration provisions in section 8-25 of this chapter.

Section R202 definition of carport, portable is added as follows:

Carport, portable. A detached manufactured accessory building customarily used for the shelter or storage of vehicles and /or watercraft, including canopies used for such, which can be easily moved without disassembly, after removal of any tie-down or other anchoring provisions intended to compensate for wind displacement, and which is generally a frame covered by lightweight metal membrane material. See portable carports section R309.2.

Section R301.2(1) Table is amended to read as follows:

Section R301.2(1) International residential code data entry; table R301.2(1) Climatic and Geographic Design Criteria.

Table R301.2(1) shall include the following data:

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATE- GORY ^f	SUBJECT TO DAMAGE FROM		
	Wind Speed ^d (MPH)	Topographic Effects ^k		Weathering ^a	Frost Line Depth ^b	Termite ^c
20	115	No	A	Severe	36	Moderate to Heavy

WINTER DESIGN TEMP ^e	ICE BARRIER UNDER- LAYMENT RE- QUIRED ^h	FLOOD HAZARD ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
6°F	Yes	See Ch. 27	1000	54.7°F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 ½-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local weather experience as determined by the Building Official.
- f. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRMs and FBFM, or other flood hazard map adopted by the community, as may be amended.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effect, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

R302.1 is amended to read as follows:

302.1 Exterior walls. Construction, projections, openings, and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1).

Table R302.1(2) is deleted. Table 302.1(1) Exterior walls shall be used.

R302.2 is amended to read as follows:

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of section R302.1 for exterior walls.

Exceptions: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides. And shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

R302.2.4-6 Structural independence.

R302.2.4-6 Exception 5 is amended to read as follows:

Exception 5. Townhouses separated by a common 2-hour fire resistance rated wall as provided by section 302.2

R302.3 is amended to read as follows:

R302.3 Two-Family Dwellings. Two-Family Dwelling units shall be constructed and separated in accordance with the requirements of townhomes as set forth in this code.

R302.3. Exception 1 is deleted: Dwelling units stacked upon each other.

R302.4.2 Membrane Penetrations. Exception 2-2.1 is amended to read as follows:

R302.4.2 Exception 2(2.1) By a horizontal distance of not less than 24 inches (610 mm) except at walls or partitions constructed using parallel rows of studs or staggered studs.

Section R302.5.2 Duct Penetration is amended to read as follows:

Section R3092.5.2 Duct Penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 26 gauge (0.48 mm) sheet steel or other approved material and shall have no openings into the garage.

Exception: Supply duct openings may be permitted; provided the openings are protected by a minimum 20-minute rated fire damper(s).

Table 302.6 is amended to read as follows:

Table 302.6 DWELLING/GARAGE SEPARATION

SEPARATION	MATERIAL
From the residence and attics	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of the exterior walls within this area.
Attic access panels.	Not less than 5/8-inch Type X gypsum board or equivalent Materials approved for 1 hour fire resistive construction.

Pull down stairs	Shall be rated or be adequately protected with not less than Type 5/8-inch Type X gypsum or equivalent materials approved for 1 hour fire resistive construction.
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~~Section R303.3 Bathrooms is amended to read as follows:~~

~~Section R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 M²), one-half of which must be openable.~~

~~Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be 50 cfm (24 L/s) for intermittent ventilation or 20 cfm (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or to an attic ventilated in accordance with section R806. The point of discharge of the exhaust air shall be at least three feet from any opening into the building. A point of discharge in the attic space must discharge at a roof vent or soffit vent.~~

~~Section R303.4 of the 2012 2018 International Residential Code is hereby amended to read as follows:~~

~~R303.4 Mechanical ventilation. Where the air infiltration rate of a dwelling unit is less than three (3) air changes per hour when tested with a blower door at a pressure of 0.2 inch w.c. (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3 M1505.4. (History: Ord. BC-2936 §36, 2012)~~

~~Section R306.5 is added to read as follows:~~

~~Section R306.5 New Single-family dwellings toilet facilities. Toilet facilities shall be provided within 500 feet (measured from the property line adjacent to the street for platted subdivisions along the public way) for all new single-family dwellings starting from the time of the first footing inspection until facilities are available in the dwelling. If the facilities are not located on the job site, the location of the required facilities shall be posted on the job site or other certification provided to the building official to verify the availability of toilet facilities. The facilities on the site shall be removed prior to issuance of a temporary certificate of occupancy.~~

~~R309.2 Carports is added to read as follows:~~

~~R309.2 Carports. Carports shall be open on at least two sides. Carport floor surfaces shall be of approved noncombustible material. Carports not open on at least two sides shall be considered a garage and shall comply with the provisions of this section for garages.~~

~~Exceptions:~~

~~1: Asphalt surfaces shall be permitted at ground level in carports.~~

2: Portable carports shall be assembled to comply with the manufacturer's instructions and anchored to the ground in compliance with one of the following methods. At a minimum there must be an anchoring point on each side of the carport for every 50 square feet of area covered by the carport.

- 1) One continuous 8 inches wide by 36 inches deep concrete stem wall on each longitudinal side of the carport with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing.
- 2) A 4 inches thick concrete slab that extends beyond the perimeter of the carport in each direction with threaded anchor bolts embedded in the slab, deepened to 8 inches at each anchorage location, to match the carport manufacturer's recommended spacing.
- 3) Bolting the support legs, or adjacent cross support, to an existing concrete slab that is a minimum of 4 inches thick, to match the carport manufacturer's recommended anchorage spacing. The method of attaching the upright frame to the slab must be shown in the application for building permit.
- 4) Install concrete footings under each leg and bolt the legs, or adjacent cross support, to the new footings with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing. The new footings are to be approximately 1 foot x 1 foot x 2 foot deep. The method of attaching the upright frame to the footing must be shown in the application for building permit.
- 5) An alternate anchoring design that provides a permanently paved hard surface floor and anchors the portable carport to the ground and that is approved by the building official. If an alternative method is proposed, complete installation details must be provided for review.

The plans and details submitted must clearly indicate the method of anchoring and the flooring to be used. If new concrete footings are to be installed, they must be inspected when formed and prior to pouring of concrete. In all cases, a final inspection must be requested by the applicant.

Fabric covered carports: All fabric covered carports or similar facilities shall comply with City setback requirements in the zone in which they are located. Unless the facility is considered a structure under the Building Code, no building permit shall be required for their placement. Fabric covered facilities shall be properly maintained, cleaned, and repaired as necessary. There shall be no electricity or other utilities provided to fabric covered carports, or similar facilities.

Section R309.5 Fire sprinklers in private garages is amended to read as follows:

R309.5 Fire sprinklers are optional in private garages. The garage walls shall be designed based on Table R302.1(1). Sprinklers in garages shall be connected to an automatic sprinkler system that complies with section P2904. Garage fire sprinklers shall be residential sprinklers or quick response sprinklers, designed to provide a density of 0.05 gpm/sq. ft. garage doors shall not be considered with respect to sprinkler placement.

Section R311.7.5.1 Riser height is amended to read as follows:

Section R311.7.5.1 Riser height. The maximum riser height shall be 7¾ inches (196 mm). The riser height shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighths of an inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing or tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch diameter (102 mm) sphere.

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a maximum rise of 8 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R311.5.3.2 Tread depth is amended to read as follows:

Section R311.5.3.2 Tread depth. The minimum tread depth shall be 10 inches (254 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and do not have to be within 3/8 inch (9.5 mm) of the rectangular tread depth.

Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stairs. Within any flight of stairs, the greatest winder tread depth at the walkline shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a minimum tread of 9 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R312.1.1 is amended to read as follows:

Section R312.1.1 Guards required. Guards shall be located along open-sided walking surfaces, including stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically from the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

In addition, guards are required at retaining walls over 30 inches above grade when walking surfaces are within ten feet of the high side of the retaining wall.

Section R313.1 Townhouse automatic sprinkler systems, is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic fire sprinkler system is optional in townhouses. ~~Fire sprinkler system design for townhouses shall comply with section P2904.~~

R313.2 1 and 2 family dwellings automatic fire systems, is amended to read as follows:

R313.2 An automatic sprinkler system is optional in 1 and 2 family dwellings. ~~Fire sprinkler system design for 1 and 2 family dwellings shall comply with section P2904 or NFPA 13D.~~

Section R326.2 is added to read as follows:

R326.2 Swimming Pools and Spas shall be protected by barriers per Section 305, Barrier Requirements, of the 2018 ISPS, International Swimming Pool and Spa Code as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended by this Section.

Section 305.2.1.1 Barrier Height and Clearance: The top of the barrier shall not be less than 72 inches above grade where measured on the side of the barrier that faces away from the pool or spa.

Section R402.1 Wood Foundations:

R402.1 Wood Foundation systems are not allowed. All other references in this code to wood foundations systems are null and void.

Section R403.1.1 Footing reinforcement is amended to read as follows:

Section R403.1.1.1. Continuous footing reinforcement. Continuous footings for basement foundation walls shall have minimum continuous reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum of three inches (76 mm) clear from the bottom of the footing.

Section R403.1.1.2 Column pads is amended added to read as follows:

Section R403.1.1.2 Column pads. Column pads shall be a minimum of 24 inches (610 mm) by 24 inches (610 mm) and eight inches (203 mm) deep. Reinforcement shall consist of a minimum of three No. 4 bars each way, uniformly spaced.

Section R404.4 Retaining walls is amended to read as follows:

Section R404.4 Retaining walls that are not laterally supported at the top and that retain in excess of 48 inches of unbalanced fill shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against later sliding and overturning.

Section R405.2 Water discharge is added to read as follows:

Section R405.2 Water discharge. Roof water and water from intermittent sources such as sump pumps, foundation drains, gutters downspouts and similar sources shall not discharge closer than three (3) feet from the foundation or to an approved drainage system.

~~R501.3 Fire protection of floors is deleted.~~

Section R801.3 Roof drainage is amended to read as follows:

Section R801.3 Roof drainage. All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface at least 3 feet from foundation walls or to an approved drainage system.

~~Part IV Energy Conservation is deleted.~~

Part IV Energy Conservation is added.

~~Part IV Energy Conservation.~~

~~Chapter 11. ENERGY EFFICIENCY~~

~~SECTION N1101 GENERAL~~

~~N1101.1 Scope.~~ This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

~~Exception: Portions of the building envelope that do not enclose conditioned space.~~

~~N1101.2 Compliance.~~ Compliance shall be demonstrated by either meeting the requirements of the *International Energy Conservation Code* or meeting the requirements of this chapter. Climate zones from Figure N1101.2 or Table N1101.2 shall be used in determining the applicable requirements from this chapter.

**Table N1101.2 CLIMATE ZONES, MOISTURE REGIMES AND
WARM-HUMID DESIGNATIONS BY STATE, COUNTY AND TERRITORY**

Key:

A-Moist, B-Dry, C-Marine, Absence of moisture designation indicates moisture regime is irrelevant.

Asterisk (*) indicates a warm humid location.

Kansas – Wyandotte – Zone 4A

N1101.3 Identification. Materials, systems and *equipment* shall be identified in a manner that will allow a determination of compliance with the applicable provisions of this chapter.

N1101.4 Building thermal envelope insulation. An *R*-value identification mark shall be applied by the manufacturer to each piece of *building thermal envelope* insulation 12 inches (305 mm) or more wide. Alternately, the insulation installers shall provide a certification listing the type, manufacturer and *R*-value of insulation installed in each element of the *building thermal envelope*. For blown or sprayed insulation (fiberglass and cellulose), the initial installed thickness, settled thickness, settled *R*-value, installed density, coverage area and number of bags installed shall be listed on the certification. For sprayed polyurethane foam (SPF) insulation, the installed thickness of the area covered and *R*-value of installed thickness shall be listed on the certificate. The insulation installer shall sign, date and post the certificate in a conspicuous location on the job site.

N1101.4.1 Blown or sprayed roof/ceiling insulation. The thickness of blown in or sprayed roof/ceiling insulation (fiberglass or cellulose) shall be in written in inches (mm) on markers that are installed at least one for every 300 square feet, throughout the attic space. The markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness with numbers 1 inch (25 mm) high. Each marker shall face the attic access opening. Spray polyurethane foam thickness and *R*-value shall be listed on the certificate provided by the insulation installer.

N1101.4.2 Insulation mark insulation. Insulating materials shall be installed such that the manufactures *R*-value mark is readily observable upon inspection.

N1101.5 Fenestration product rating. *U*-factors of fenestration products (windows, doors and skylights) shall be determined in accordance with NFRC 100 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled U*-factor shall be assigned a default *U*-factor from Tables N1101.5(1) and N1101.5(2). The solar heat gain coefficient (SHGC) of glazed fenestration products (windows, glazed doors and skylights) shall be determined in accordance with NFRC 200 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled* SHGC shall be assigned a default SHGC from Table N1101.5(3).

Table N1101.5(1) DEFAULT GLAZED FENESTRATION U-FACTORS

FRAME TYPE	SINGLE PANE	DOUBLE PANE	SKYLIGHT	
			Single	Double
Metal	1.2	0.8	2	1.3
Metal with thermal break	1.1	0.65	1.9	1.1

Nonmetal or metal-clad	0.95	0.55	1.75	1.05
Glazed block	0.6			

Table N1101.5(2) DEFAULT DOOR U-FACTORS

DOOR TYPE	U-FACTOR
Uninsulated metal	1.2
Insulated metal	0.6
Wood	0.5
Insulated, nonmetal edge, max 45% glazing, any glazing double pane	0.35

Table N1101.5(3) DEFAULT GLAZED FENESTRATION SHGC

SINGLE GLAZED		DOUBLE GLAZED		GLAZED BLOCK
Clear	Tinted	Clear	Tinted	
0.8	0.7	0.7	0.6	0.6

N1101.6 Insulation product rating. The thermal resistance (*R*-value) of insulation shall be determined in accordance with the CFR Title 16, Part 460, in units of $\text{h} \cdot \text{ft}^2 \cdot ^\circ\text{F}/\text{Btu}$ at a mean temperature of 75°F (24°C).

N1101.7 Installation. All materials, systems and equipment shall be installed in accordance with the manufacturer's installation instructions and the provisions of this code.

N1101.7.1 Protection of exposed foundation insulation. Insulation applied to the exterior of basement walls, crawl space walls and the perimeter of slab-on-grade floors shall have rigid, opaque and weather-resistant protective covering to prevent the degradation of the insulation's thermal performance. The protective covering

shall cover the exposed exterior insulation and extend a minimum of 6 inches (152 mm) below grade.

N1101.8 Above code programs. The *building official* or other authority having *jurisdiction* shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this chapter. Buildings *approved* in writing by such an energy efficiency program shall be considered in compliance with this chapter.

N1101.9 Certificate. A permanent certificate shall be posted on or in the electrical distribution panel. The certificate shall not cover or obstruct the visibility of the circuit directory *label*, service disconnect *label* or other required *labels*. The certificate shall be completed by the builder or registered *design professional*. The certificate shall list the predominant *R*-values of insulation installed in or on ceiling/roof, walls, foundation (slab, *basement wall*, crawlspace wall and/or floor) and ducts outside *conditioned spaces*; *U*-factors for fenestration; and the solar heat gain coefficient (SHGC) of fenestration. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the types and efficiencies of heating, cooling and service water heating *equipment*. Where a gas-fired unvented room heater, electric furnace and/or baseboard electric heater is installed in the residence, the certificate shall list "gas-fired unvented room heater," "electric furnace" or "baseboard electric heater," as appropriate. An efficiency shall not be listed for gas-fired unvented room heaters, electric furnaces or electric base board heaters.

SECTION N1102 BUILDING THERMAL ENVELOPE

N1102.1 Insulation and fenestration criteria. The *building thermal envelope* shall meet the requirements of Table N1102.1 based on the climate zone specified in Table N1101.2.

N1102.1.1 R-value computation. Insulation material used in layers, such as framing cavity insulation and insulating sheathing, shall be summed to compute the component *R*-value. The manufacturer's settled *R*-value shall be used for blown insulation. Computed *R*-values shall not include an *R*-value for other building materials or air films.

N1102.1.2 U-factor alternative. An assembly with a *U*-factor equal to or less than that specified in Table N1102.1.2 shall be permitted as an alternative to the *R*-value in Table N1102.1.

N1102.1.3 Total UA alternative. If the total *building thermal envelope* UA (sum of *U*-factor times assembly area) is less than or equal to the total UA resulting from using the *U*-factors in Table N1102.1.2, (multiplied by the same assembly area as in the proposed building), the building shall be considered in compliance with Table N1102.1. The UA calculation shall be done using a method consistent with the ASHRAE *Handbook of Fundamentals* and shall include the thermal bridging effects of framing materials. The SHGC requirements shall be met in addition to UA compliance.

**Table N1102.1 INSULATION AND FENESTRATION REQUIREMENTS
BY COMPONENT^a**

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^k	FLOOR R-VALUE	BASEMENT ^c WALL R-VALUE	SLAB ^d R-VALUE AND DEPTH	CRAWL SPACE ^e WALL R-VALUE
4 except Marine	0.35	0.60	NR	38	13	5/10	19	10/13	10, 2 ft	10/13
5 and Marine-4	0.35	0.60	NR	38	20 or 13 + 5 ^h	13/17	30 ^f	10/13	10, 2 ft	10/13

—a. *R*-values are minimums. *U*-factors and solar heat gain coefficient (SHGC) are maximums. R-19 batts compressed in to nominal 2 × 6 framing cavity such that the *R*-value is reduced by R-1 or more shall be marked with the compressed batt *R*-value in addition to the full thickness *R*-value.

—b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

—c. The first *R*-value applies to continuous insulation, the second to framing cavity insulation; either insulation meets the requirement.

—d. R-5 shall be added to the required slab edge *R*-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.

—e. There are no SHGC requirements in the Marine Zone.

—f. Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.2 and Table N1101.2.

- ~~g. Or insulation sufficient to fill the framing cavity, R-19 minimum.~~
- ~~h. "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25% or less of the exterior, R-5 sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25% of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.~~
- ~~i. For impact-rated fenestration complying with Section R301.2.1.2, the maximum *U*-factor shall be 0.75 in zone 2 and 0.65 in zone 3.~~
- ~~j. For impact-resistant fenestration complying with Section R301.2.1.2 of the *International Residential Code*, the maximum SHGC shall be 0.40.~~
- ~~k. The second *R*-value applies when more than half the insulation is on the interior.~~

Table N1102.1.2 EQUIVALENT *U*-FACTORS^a

CLIMATE ZONE	FENESTRATION <i>U</i> -FACTOR	SKYLIGHT <i>U</i> -FACTOR	CEILING <i>U</i> -FACTOR	FRAME WALL <i>U</i> -FACTOR	MASS WALL <i>U</i> -FACTOR ^b	FLOOR <i>U</i> -FACTOR	BASEMENT WALL <i>U</i> -FACTOR	CRAWL SPACE WALL <i>U</i> -FACTOR
4 except Marine	0.35	0.60	0.030	0.082	0.141	0.047	0.059	0.065
5 and Marine 4	0.35	0.60	0.030	0.060	0.082	0.033	0.059	0.065

~~a. Nonfenestration *U*-factors shall be obtained from measurement, calculation or an approved source.~~

~~b. When more than half the insulation is on the interior, the mass wall *U*-factors shall be a maximum of 0.17 in zone 1, 0.14 in zone 2, 0.12 in zone 3, 0.10 in zone 4 except Marine and the same as the frame wall *U*-factor in Marine zone 4 and in zones 5 through 8.~~

—c.—Basement wall *U*-factor of 0.360 in warm-humid climates as defined by Figure N1101.2 and Table N1101.2.

N1102.2 Specific insulation requirements.

N1102.2.1 Ceilings with attic spaces. When Section N1102.1 would require R-38 in the ceiling, R-30 shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends over the wall top plate at the eaves. Similarly R-38 shall be deemed to satisfy the requirement for R-49 wherever the full height of uncompressed R-38 insulation extends over the wall top plate at the eaves. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3.

N1102.2.2 Ceilings without attic spaces. Where Section N1102.1 would require insulation levels above R-30 and the design of the roof/ceiling assembly does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-30. This reduction of insulation from the requirements of Section N1102.1 shall be limited to 500 square feet (46 m²) of ceiling area. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.2.3 Access hatches and doors. Access doors from *conditioned spaces* to unconditioned spaces (e.g., attics and crawl spaces) shall be weather-stripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all *equipment* which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the *attic* access is opened and to provide a permanent means of maintaining the installed *R*-value of the loose fill insulation.

N1102.2.4 Mass walls. Mass walls, for the purposes of this chapter, shall be considered above-grade walls of concrete block, concrete, insulated concrete form (ICF), masonry cavity, brick (other than brick veneer), earth (adobe, compressed earth block, rammed earth) and solid timber/logs.

N1102.2.5 Steel-frame ceilings, walls and floors. Steel-frame ceilings, walls and floors shall meet the insulation requirements of Table N1102.2.5 or shall meet the *U*-factor requirements in Table N1102.1.2. The calculation of the *U*-factor for a steel-frame envelope assembly shall use a series-parallel path calculation method.

Exception: In climate zones 1 and 2, the continuous insulation requirements in Table N1102.2.5 shall be permitted to be reduced to R-3 for steel frame wall assemblies with studs spaced at 24 inches (610 mm) on center.

Table N1102.2.5 STEEL-FRAME CEILING, WALL AND FLOOR INSULATION (*R*-VALUE)

WOOD FRAMER-VALUE REQUIREMENT	COLD-FORMED STEEL EQUIVALENT R-VALUE ^a
Steel Truss Ceilings^a	
R-30	R-38 or R-30 + 3 or R-26 + 5
R-38	R-49 or R-38 + 3
R-49	R-38 + 5
Steel Joist Ceilings^b	
R-30	R-38 in 2 × 4 or 2 × 6 or 2 × 8 R-49 in any framing
R-38	R-49 in 2 × 4 or 2 × 6 or 2 × 8 or 2 × 10
Steel Framed Wall	
R-13	R-13 + 5 or R-15 + 4 or R-21 + 3 or R-0 + 10
R-19	R-13 + 9 or R-19 + 8 or R-25 + 7
R-21	R-13 + 10 or R-19 + 9 or R-25 + 8
Steel Joist Floor	
R-13	R-19 in 2 × 6 R-19 + R-6 in 2 × 8 or 2 × 10
R-19	R-19 + R-6 in 2 × 6 R-19 + R-12 in 2 × 8 or 2 × 10

—For SI: 1 inch = 25.4 mm.

—a. Cavity insulation *R*-value is listed first, followed by continuous insulation *R*-value.

—b. Insulation exceeding the height of the framing shall cover the framing.

N1102.2.6 Floors. Floor insulation shall be installed to maintain permanent contact with the underside of the subfloor decking.

N1102.2.7 Basement walls. Exterior walls associated with conditioned basements shall be insulated from the top of the *basement wall* down to 10 feet (3048 mm) below *grade* or to the *basement* floor, whichever is less. Walls associated with unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Section N1102.1 and Section N1102.1.2.6.

N1102.2.8 Slab-on-grade floors. Slab-on-grade floors with a floor surface less than 12 inches below *grade* shall be insulated in accordance with Table N1102.1. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below *grade* shall be extended the distance provided in Table N1102.1 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches (254 mm) of soil. The top edge of the insulation installed between the *exterior wall* and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79 rad) angle away from the *exterior wall*. Slab-edge insulation is not required in jurisdictions designated by the code official as having a very heavy termite infestation.

N1102.2.9 Crawl space walls. As an alternative to insulating floors over crawl spaces, insulation of crawl space walls shall be permitted when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to the finished *grade* level and then vertically and/or horizontally for at least an additional 24 inches (610 mm). Exposed earth in unvented crawl space foundations shall be covered with a continuous Class I vapor retarder. All joints of the vapor retarder shall overlap by 6 inches (152 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152 mm) up the stem wall and shall be attached to the stem wall.

N1102.2.10 Masonry veneer. Insulation shall not be required on the horizontal portion of the foundation that supports a masonry veneer.

N1102.2.11 Thermally isolated sunroom insulation. The minimum ceiling insulation *R*-values shall be R-19 in zones 1 through 4 and R-24 in zones 5 through 8. The minimum wall *R*-value shall be R-13 in all zones. New wall(s) separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

N1102.3 Fenestration.

N1102.3.1 U-factor. An area-weighted average of fenestration products shall be permitted to satisfy the *U*-factor requirements.

N1102.3.2 Glazed fenestration SHGC. An area-weighted average of fenestration products more than 50 percent glazed shall be permitted to satisfy the solar heat gain coefficient (SHGC) requirements.

N1102.3.3 Glazed fenestration exemption. Up to 15 square feet (1.4 m^2) of glazed fenestration per *dwelling unit* shall be permitted to be exempt from *U*-factor and SHGC requirements in Section N1102.1. This exemption shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.3.4 Opaque door exemption. One side-hinged opaque door assembly up to 24 square feet (2.22 m^2) in area is exempted from the *U*-factor requirement in Section N1102.1.1. This exemption shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.3.5 Thermally isolated sunroom U-factor. For zones 4 through 8 the maximum fenestration *U*-factor shall be 0.50 and the maximum skylight *U*-factor shall be 0.75. New windows and doors separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

N1102.3.6 Replacement fenestration. Where some or all of an existing fenestration unit is replaced with a new fenestration product, including sash and glazing, the replacement fenestration unit shall meet the applicable requirements for *U*-factor and solar heat gain coefficient (SHGC) in Table N1102.1.

N1102.4 Air leakage.

N1102.4.1 Building thermal envelope. The *building thermal envelope* shall be durably sealed to limit infiltration. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. The following shall be caulked, gasketed, weather-stripped or otherwise sealed with an air barrier material, suitable film or solid material.

1. All joints, seams and penetrations.
2. Site-built windows, doors and skylights.
3. Openings between window and door assemblies and their respective jambs and framing.
4. Utility penetrations.
5. Dropped ceilings or chases adjacent to the thermal envelope.
6. Knee walls.
7. Walls and ceilings separating the garage from *conditioned spaces*.
8. Behind tubs and showers on *exterior walls*.
9. Common walls between *dwelling units*.
10. Attic access openings.
11. Rim joists junction.
12. Other sources of infiltration.

N1102.4.2 Air sealing and insulation. Building envelope air tightness and insulation installation shall be demonstrated to comply with one of the following options given by Section N1102.4.2.1 or N1102.4.2.2.

Table N1102.41.2 AIR BARRIER AND INSULATION INSPECTION Under Climate Zone 4, amend the flowing item:

COMPONENT	CRITERIA
Air barrier and thermal barrier	Exterior thermal envelope insulation for framed walls is installed in substantial contact and continuous alignment with building envelope air barrier. Breaks or joints in the air barrier are filled or repaired. Air-permeable insulation is not used as a sealing material.
Ceiling/attic	Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	Corners and headers are insulated. Junction of foundation and sill plate is sealed.
Windows and doors	Space between window/door jambs and framing is sealed.
Rim joists	Rim joists are insulated and include an air barrier.
Floors (including above garage and cantilevered floors)	Insulation is installed to maintain permanent contact with underside of subfloor decking. Air barrier is installed at any exposed edge of floor.
Crawlspace walls	Insulation is permanently attached to walls. Exposed earth in unvented crawlspaces is covered with Class I vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled by sprayed/blown insulation.

Garage separation	Air sealing is provided between the garage and conditioned spaces.
Recessed lighting	Recessed light fixtures are airtight, IC rated and sealed to drywall. Exception: fixtures in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior walls have insulation and an air barrier separating them from the exterior wall.
Electrical/phone box on exterior wall	Air barrier extends behind boxes or air sealed type boxes are installed.
Common wall	Air barrier is installed in common wall between dwelling units.
HVAC register boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace	Fireplace walls include an air barrier.

~~N1102.4.2.1 Testing option.~~ Tested air leakage is less than 7 ACH when tested with a blower door at a pressure of 50 pascals (0.007 psi). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances.

~~N1102.4.2.2 Visual inspection option.~~ The items listed in Table N1102.4.2, applicable to the method of construction, are field verified. Where required by the code official, an *approved* party independent from the installer of the insulation, shall inspect the air barrier and insulation.

~~Section N 1102.4. Fireplaces.~~ Is amended.

~~N1102.4.3 Fireplaces.~~ New wood-burning fireplaces shall have outdoor combustion air. (Deleted the requirement for gasketed doors).

N1102.4.4 Fenestration air leakage. Windows, skylights and sliding glass doors shall have an air infiltration rate of no more than 0.3 cubic foot per minute per square foot [1.5(L/s)/m²], and swinging doors no more than 0.5 cubic foot per minute per square foot [2.5(L/s)/m²], when tested according to NFRC 400 or AAMA/WDMA/CSA 101/I.S.2/A440 by an accredited, independent laboratory, and listed and ~~labeled~~ by the manufacturer.

Exception: Site-built windows, skylights and doors.

N1102.4.5 Recessed lighting. Recessed luminaires installed in the ~~building thermal envelope~~ shall be sealed to limit air leakage between conditioned and unconditioned spaces. All recessed luminaires shall be IC-rated and ~~labeled~~ as meeting ASTM E 283 when tested at 1.57 psf (75 Pa) pressure differential with no more than 2.0 cfm (0.944 L/s) of air movement from the ~~conditioned space~~ to the ceiling cavity. All recessed luminaires shall be sealed with a gasket or caulk between the housing and the interior wall or ceiling covering.

SECTION N1103 SYSTEMS.

N1103.1 Controls. At least one thermostat shall be installed for each separate heating and cooling system.

N1103.1.1 Programmable thermostat. Where the primary heating system is a forced air furnace, at least one thermostat per ~~dwelling unit~~ shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day. This thermostat shall include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55°F (13°C) or up to 85°F (29°C). The thermostat shall initially be programmed with a heating temperature set point no higher than 70°F (21°C) and a cooling temperature set point no lower than 78°F (26°C).

N1103.1.2 Heat pump supplementary heat. Heat pumps having supplementary electric resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load.

N1103.2 Ducts.

N1103.2.1 Insulation Supply ducts in attics shall be insulated to a minimum of R-8. All other ducts shall be insulated to a minimum of R-6.

Exception: Ducts or portions thereof located completely inside the ~~building thermal envelope~~.

N1103.2.2 Sealing. Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601.4 Duct tightness shall be verified by either of the following:

1. Post-construction test: Leakage to outdoors shall be less than or equal to 8 cfm (3.78 L/s) per 100 ft² (9.29 m²) of conditioned floor area or a total

leakage less than or equal to 12 cfm (5.66 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler end closure. All register boots shall be taped or otherwise sealed during the test.

2. Rough-in test: Total leakage shall be less than or equal to 6 cfm (2.83 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the roughed-in system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm (1.89 L/s) per 100 ft² (9.29 m²) of conditioned floor area.

Exception: Duct tightness test is not required if the air handler and all ducts are located within *conditioned space*.

N1103.3 Mechanical system piping insulation. Mechanical system piping capable of carrying fluids above 105°F (40°C) or below 55°F (13°C) shall be insulated to a minimum of R-3.

N1103.4 Circulating hot water systems. All circulating service hot water piping shall be insulated to at least R-2. Circulating hot water systems shall include an automatic or *readily accessible* manual switch that can turn off the hot water circulating pump when the system is not in use.

N1103.5 Mechanical ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

N1103.6 Equipment sizing. Heating and cooling *equipment* shall be sized as specified in Section M1401.3.

N1103.7 Snow melt system controls. Snow and ice melting systems supplied through energy service to the building shall include automatic controls capable of shutting off the system when the pavement temperature is above 50°F (10°C) and no precipitation is falling and an automatic or manual control that will allow shutoff when the outdoor temperature is above 40°F (5°C).

N1103.8 Pools. Pools shall be provided with energy conserving measures in accordance with Sections N1103.8.1 through N1103.8.3.

N1103.8.1 Pool heaters. All pool heaters shall be equipped with a *readily accessible* on-off switch to allow shutting off the heater without adjusting the thermostat setting. Pool heaters fired by natural gas or LPG shall not have continuously burning pilot lights.

N1103.8.2 Time switches. Time switches that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on swimming pool heaters and pumps.

Exceptions:

1. ~~Where public health standards require 24-hour pump operation.~~
2. ~~Where pumps are required to operate solar- and waste-heat-recovery pool heating systems.~~

~~N1103.8.3 Pool covers.~~ Heated pools shall be equipped with a vapor retardant pool cover on or at the water surface. Pools heated to more than 90°F (32°C) shall have a pool cover with a minimum insulation value of R-12.

~~N1104.1 Lighting equipment.~~ A minimum of 50 percent of the lamps in permanently installed lighting fixtures shall be *high-efficacy lamps*.

~~Section M1201.1-M1202.3, Chapter 12 is hereby deleted.~~

~~Section M1201.1-M1202.3, Chapter 12 Mechanical administration is deleted in its entirety. See Administration provisions in section 8-25.~~

Sections M2001, M2002, M2003, and G2452 (Boilers) are deleted.

Section G2408.7 is added to read as follows:

Section G2408.7 Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Section G2411.3 Arc-resistant CSST is deleted.

Section G2414.5 is amended to read as follows:

Section G2414.5 Metallic tubing. Seamless copper, aluminum alloy or steel tubing shall not be utilized for the distribution of fuel gas. Stainless steel tubing may be utilized when approved by the building official.

Section G2414.5.2 is amended to read as follows:

Section G2414.5.2. Copper tubing. Copper and brass tubing shall not be utilized to distribute natural gas nor shall it utilized to distribute any other fuel gas within a building or structure.

G2417.4. Test Pressure Measurement is amended to read as follows:

G2417.4.1 (406.4.1) Test pressure. This inspection shall include an air, CO₂, or nitrogen pressure test of not less than 10 pounds per square inch (68.9 kPa) gauge pressure.

Commented [TG1]: Need to put original wording back in from IRC and change the minimum 3psi to 10psi.

~~Section P2501.1—P2503.9 Chapter 25 is hereby deleted.~~

~~Section P2501.1—P2503.9, Chapter 25 Plumbing administration is hereby deleted in its entirety. See administration provisions in section 8-25.~~

Part VII, Chapter 25, Plumbing Administration, is deleted.

Section P2603.5.1 Sewer depth is amended to read as follows.

Section P2603.5.1 Sewer depth. Building sewers shall be installed not less than 12 inches (305 mm) below the surface of the ground.

Section 2706.1.2. Standpipes is amended to read as follows.

P2706.1.2 Standpipes. Standpipes for automatic clothes washers shall extend a minimum of 30 inches (762 mm) and a maximum of 42 inches (1067 mm) above the finished floor. The trap for a clothes washer standpipe shall be installed at a minimum of 6 inches (150 mm) maximum of 18 inches (457 mm) above the finished floor. Access shall be provided to all standpipe traps and drains for rodding.

Section P2708.2 Shower drain is amended to read as follows:

Section P2708.2 Shower drain. Shower drains shall have an outlet of not less than 2 inches (51 mm).

Section P2902.5.3 is amended to read as follows:

Section P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by a device approved by the Board of Public Utilities, Kansas City, Kansas, Water Department.

Section P2903.5 is amended to read as follows:

Section P2903.5 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. Water-hammer arrestor shall be installed where quick-closing valves are utilized. Water hammer arrestors shall be installed in accordance with manufacturer's installation instructions. Water hammer arrestors shall conform to ASSE 1010. Exception: Each water supply line to a fixture, except tank type water closets, may terminate with an air chamber. All air chambers shall be placed in a vertical position in a tee opening. Each air chamber shall be not less than 12 inches in length and of a diameter not less than the branch it serves.

Section P2903.8.2 is amended to read as follows:

Section P2903.8.2 Minimum size. Where the developed length of the distribution line is 60 feet (18,288 mm) or less, and the available pressure at the meter is a minimum of 40 lbs. per square inch (276 kPa), the minimum size of individual distribution lines shall be not less than ½ inch (12.7 mm) diameter. Certain fixtures such as one-piece water closets and whirlpool bathtubs shall require a larger size where specified by the manufacturer. If a water heater is fed from the end of a cold-water manifold, the manifold shall be one size larger than the water heater feed.

Section P2905.4 P2906.4 is amended to read as follows:

Section P2905.4 P2906.4 Water service piping. Approval, inspection, materials and testing of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department.

If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the ~~board of public utilities~~ Board of Public Utilities, such water service pipe shall conform to NSF 61 and shall conform to one of the standards listed in table P2905.4. Water service pipe or tubing installed underground and outside of the structure shall have a minimum working pressure rating of 160 psi at 73 degrees Fahrenheit (1,103 kPa at 23 degrees C). Where the water pressure exceeds 160 pounds per square inch (1,103 kPa), piping material shall have a rated working pressure equal to or greater than the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate at or before the full open valve located at the entrance to the structure. Ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.

Section P2905.4.2 P2906.4.2 is amended to read as follows:

Section P2905.4.2 P2906.4.2 Water service installation. Installation of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department. If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the board of public utilities, trenching, pipe installation and backfilling shall be in accordance with section P2604.2. Water service pipe is permitted to be located in the same trench with a building sewer provided such sewer is constructed of materials listed for underground use within a building in section P3002.1. If the building sewer is not constructed of materials listed in section P3002.1, the water service pipe shall be separated from the building sewer by a minimum of 5 feet (1,524 mm), measured horizontally, of undisturbed or compacted earth or placed on a solid ledge at least 12 inches (305 mm) above and to one side of the highest point in the sewer line.

Exception: the required separation distance shall not apply where a water service pipe crosses over a sewer pipe, provided that the water service pipe is sleeved to at least 5 feet (1,524 mm), horizontally from the sewer pipe centerline, on both sides of the crossing with pipe materials listed in Tables P2905.4, P3002.1(1), or P3002.2.

Section P2905.5.1 is added as follows:

Section P2905.5.1 Under concrete slabs. Inaccessible water distribution piping under slabs shall be copper water tube minimum Type L, brass, ductile iron pressure pipe, galvanized steel pipe, chlorinated polyvinyl chloride (CPVC) or crosslinked polyethylene (PEX) plastic pipe or tubing—all to be installed with approved fittings or bends. The minimum pressure rating for plastic pipe or tubing installed under slabs shall be 100 psi at 180 degrees Fahrenheit (689 kPa at 82 degrees Celsius).

Section 2906.6.1 Saddle tap fittings is deleted.

Table P3002.2 Building Sewer Pipe is amended as follows.

Table P3002.2 Building Sewer Pipe. Delete "PS 25, SDR 41 (PS 28), PS 35, SDR 35 (PS 46), PS 50, PS 100" from "Polyvinyl chloride (PVC) plastic pipe in sewer and drain diameters". (Remainder of Table unamended.)

Section P3005.4.2 is amended to read as follows:

Section P3005.4.2 Building drain and sewer and slope. Pipe sizes and slope shall be determined from table P3005.4.2 on the basis of drainage load in fixture units (DFU) computed from table P3004.1. The minimum size of a building sewer serving a dwelling unit shall be 4 inches.

Section P3102.1 is amended to read as follows:

Section P3102.1 Main vent required. Every building shall have a main vent that is either a vent stack or a stack vent. Such vent shall run undiminished in size and as directly as possible from the building drain through to the open air above the roof. The minimum size of a main vent for a dwelling unit shall be 3 inches.

P3105 Fixture Vents.

P3105.1 Distance of trap from vent. Exception is deleted.

Section P3114.3 is amended to read as follows:

Section P3114.3 Where permitted. Individual vents, branch vents, circuit vents and stack vents shall be permitted to terminate with a connection to air admittance valve only when it is structurally not feasible to install a hard-piped venting system and approved by the building official.

In existing construction, where the existing vent system is not accessible to the fixture location without the removal of finish materials or other existing construction

Individual- and branch-type air admittance valves shall conform to ASSE 1051. Individual and branch type air admittance valves shall vent fixtures that are on the same floor level and connect to a horizontal branch drain.

Section P3114.5 is amended to read as follows:

Section P3114.5 Access and ventilation. All air admittance valves shall be readily accessible. The valve shall be located in a ventilated space that allows air to enter the valve.

Section E3601.6.2 is amended to read as follows:

Section E3601.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service entrance conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect must be installed at the service cable entrance to the building or structure. Service disconnecting means shall not be installed in bathrooms or closets. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

Section 3902.2 Garage and accessory building receptacles is amended to read as follows.

Section 3902.2 Garage and accessory building receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles installed in garages and grade level portions of unfinished accessory buildings used for or work areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section 3902.5 Unfinished basement receptacles is amended to read as follows.

Section 3902.5 Unfinished basement receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles unfinished basement areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section E3902.16 Arc-fault circuit interrupter protection. Exception is added as follows:

Section E3902.16 Exception: AFCI protection is not required for the smoke detector/fire alarm circuit.

Section E3902.13 Exception is added as follows:

E3902.13 Arc-fault circuit interrupter protection for branch circuit extensions or modifications

Exception: This section will not apply where existing dwelling unit premises wiring circuits make the application of this section impracticable, as determined by the building official.

Informational Note: Two examples of the application of this exception are where the existing dwelling unit has a multi-wire branch circuit or utilizes a listed panelboard for which there is no listed device for the application of AFCI protection.

E3907.9 is added as follows:

Section E3907.9 is added as follows:

Section E3907.9 Cabinets and panelboards shall not be located in a bathroom or closet.

E4002.14 Tamper-resistant receptacles is deleted.

Section AJ501.8.4 Appendix J Stairs (Existing Buildings) is added as follows:

Section AJ501.8.4 Appendix J Stairs (Existing Buildings). Any alteration to or the replacement of an existing stairway in an existing structure shall not be required to comply with the requirements of a new stairway as outlined in section R311.7 where the existing space and construction will not allow a reduction in pitch or slope.

(Code 1988, § 8-335; O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 23, 10-20-2011; Ord. No. O-29-12, § 23, 5-3-2012; Ord. No. [O-48-16](#), § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk



Staff Request for Commission Action

Tracking No. 211483

Full Commission Meeting Date: 4/28/22

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 4/4/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 03/24/2022	<u>Contact Name:</u> Misty Brown	<u>Contact Phone:</u> x5067	<u>Contact Email:</u> mbrown@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A resolution of support for Neighborhood Business Revitalization (NBR) Organizations in all of Wyandotte County, including Edwardsville and Bonner Springs and authorization to review and develop additional policies pertaining to NBR organizations.				
<u>Action Requested:</u> To approve.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> NBR Policy Development Resolution				

RESOLUTION NO. _____

**A RESOLUTION OF SUPPORT FOR NEIGHBORHOOD BUSINESS
REVITALIZATION ORGANIZATIONS IN ALL OF WYANDOTTE COUNTY
AND AUTHORIZING AND DIRECTING REVIEW AND DEVELOPMENT OF
POLICIES PERTAINING TO NEIGHBORHOOD BUSINESS
REVITALIZATION ORGANIZATIONS.**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (hereinafter “Unified Government”) supports and wishes to continue to support neighborhoods in all of Wyandotte County through development of services to current and prospective neighborhoods of Wyandotte County; and

WHEREAS, the Unified Government has allocated funds in the past for Neighborhood Business Revitalization (NBR) Organizations of Wyandotte County; and

WHEREAS, the NBR Organizations contract with the Unified Government and agree to work and serve in partnership with the Unified Government to address economic, social, and civic issues that will improve the quality of life for its identified service area in Wyandotte County; and

WHEREAS, there are currently eight NBRs in Wyandotte County, that service identified areas but none of the eight serve Edwardsville and Bonner Springs, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

1. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas wishes to support neighborhoods in all of Wyandotte County in a fair and fiscally responsible manner.

2. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas wishes to utilize county funds to support and contract with a NBR organization that would service an identified area in Edwardsville and Bonner Springs, Kansas.

3. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas directs and authorizes additional review and development of policies surrounding NBR organizations to address the application process, term, boundaries, performance reviews, community satisfaction, contractual requirements, and funding sources.

4. That any development or change of existing NBR policy shall not be implemented until formal action is taken by the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas.

5. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

ADOPTED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS _____ DAY OF _____, 2022.

Tyrone Garner, Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to Form:

Misty S. Brown, Chief Counsel



Staff Request for Commission Action

Tracking No. 211442

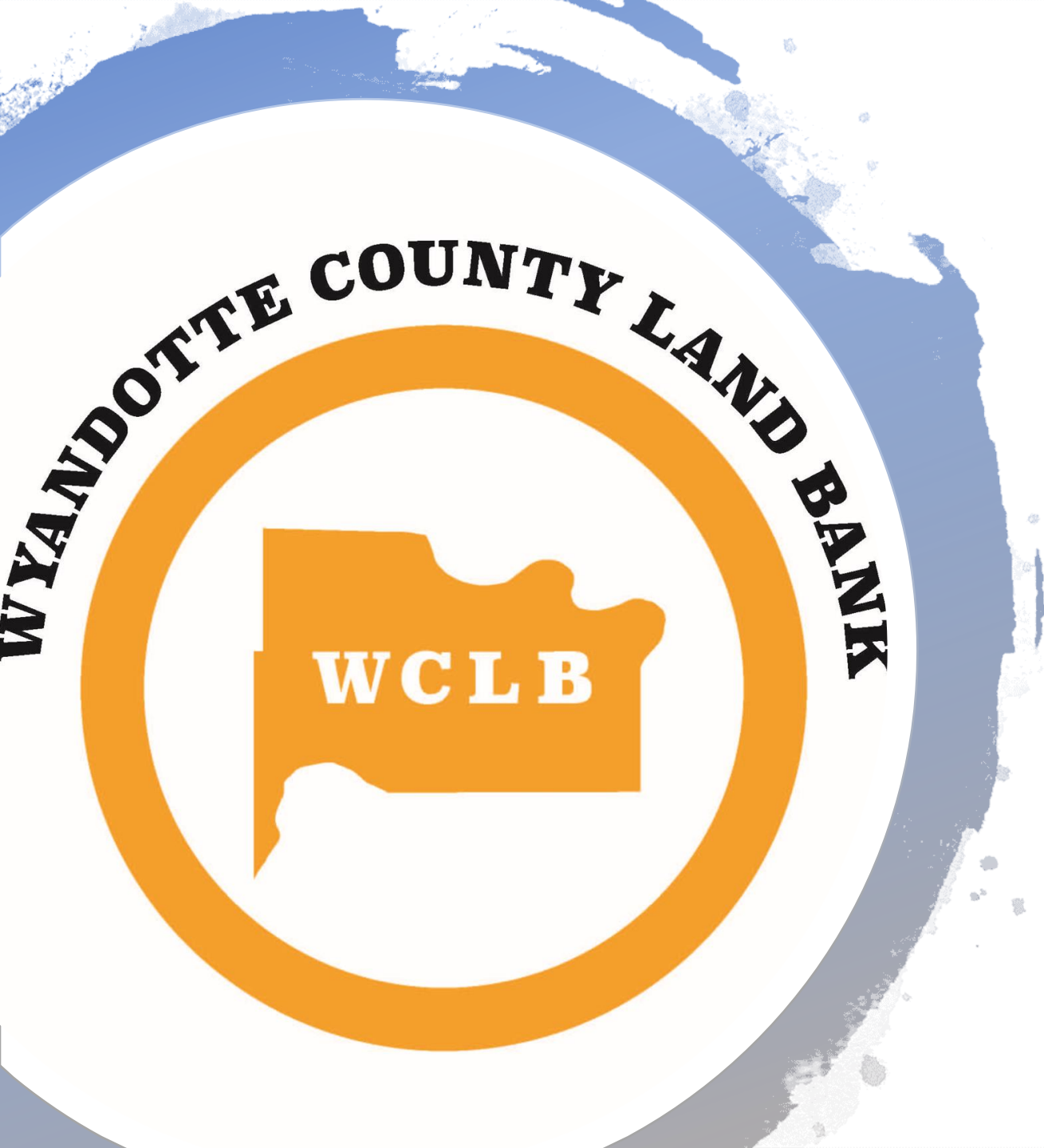
Full Commission Meeting Date: 4/28/22

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 4/4/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 03/23/2022	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Land Bank Manager. 3 Single Family Homes 30 Multi Family Units 3 Garages				
<u>Action Requested:</u> Approve and forward to Land Bank Board of Trustees				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 4.4.22 Land Bank Standing Committee, NCD Memo Land Bank Options 04.04.22				



Neighborhood & Community Development Standing Committee

April 4th, 2022

Single Family Homes

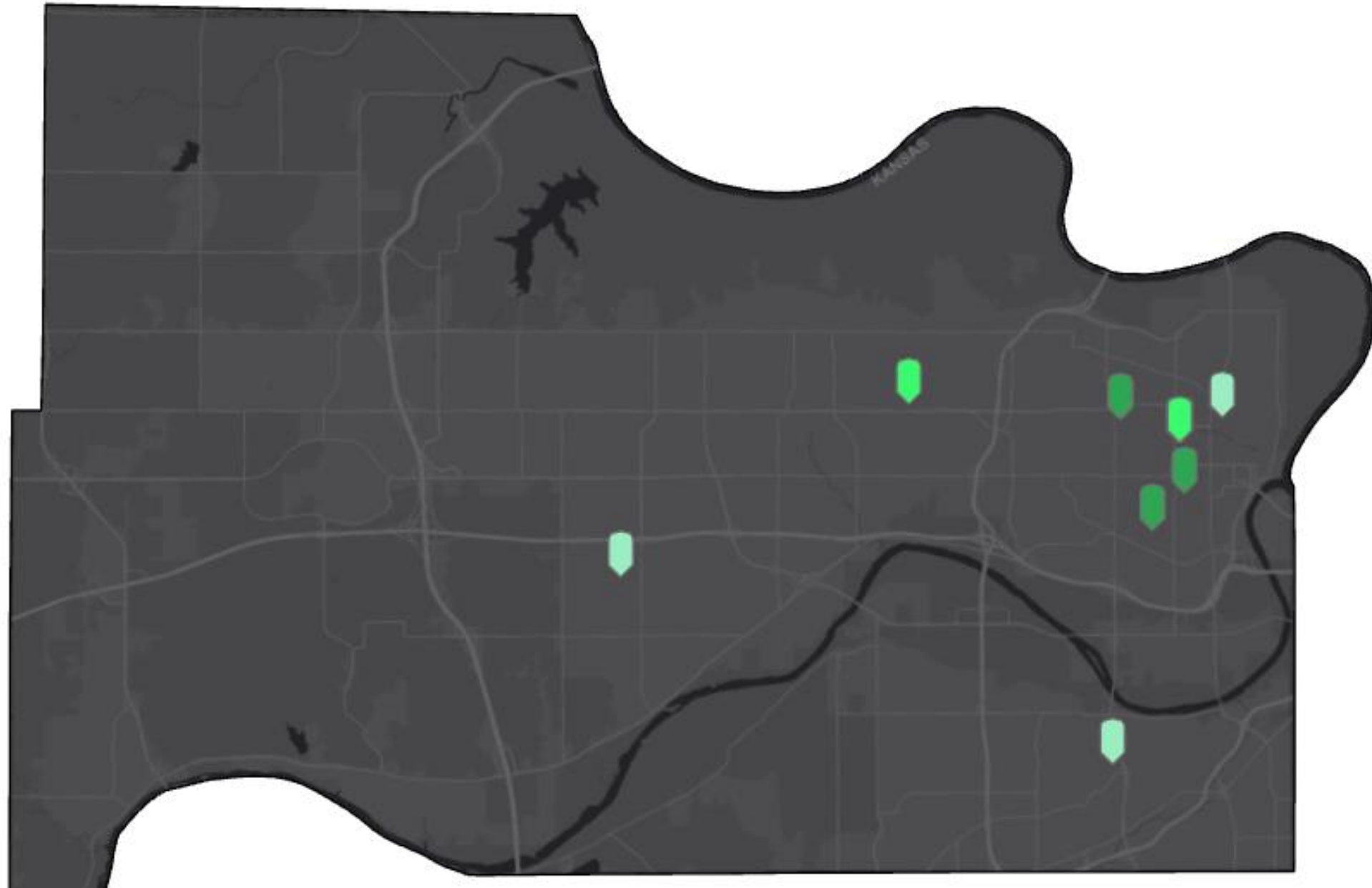
3

Multi Family Units

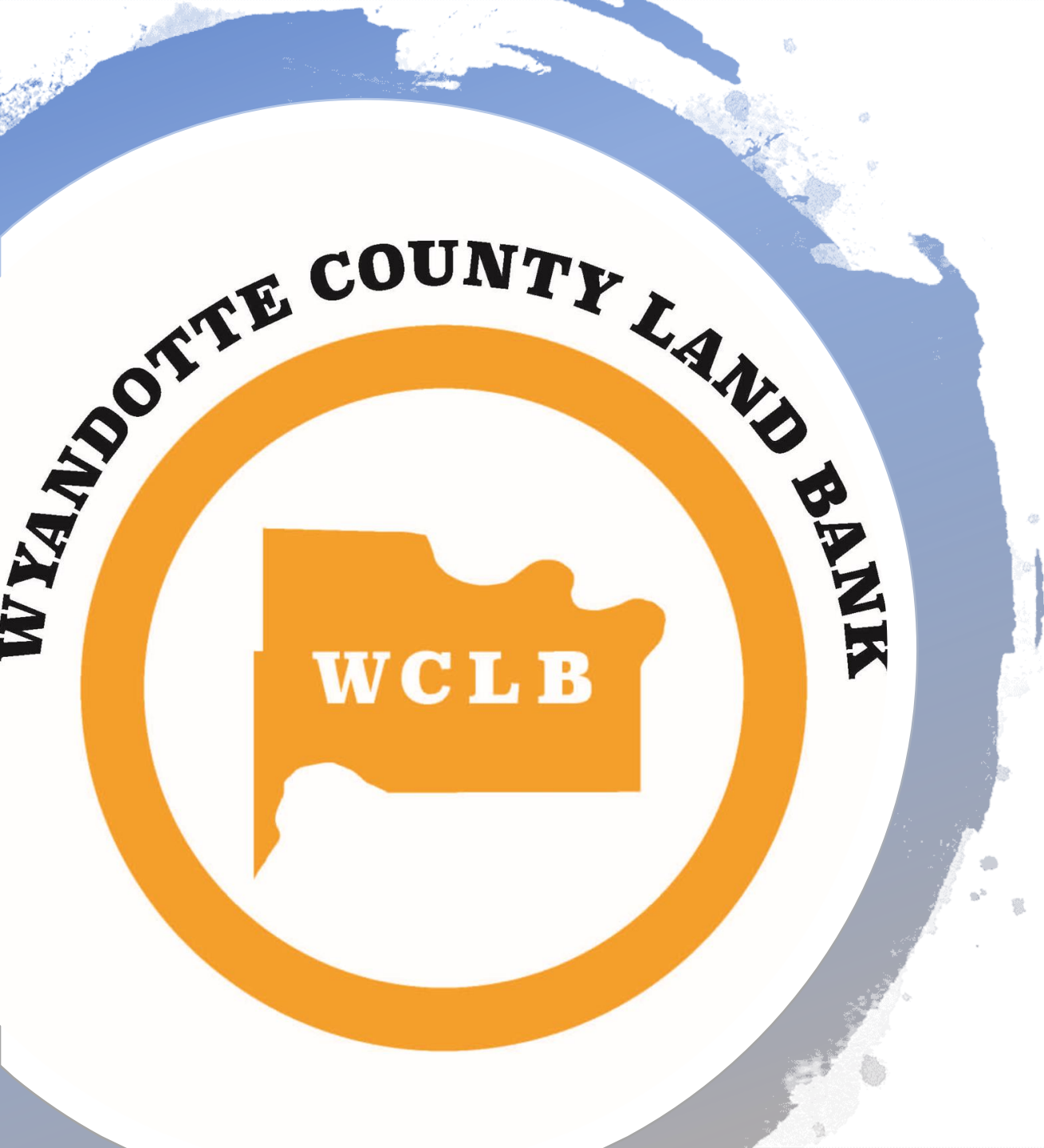
30

Garages

3



Total New Units **36**



Option Agreements

Agenda Item – A
Single Family Homes

3



OPTION AGREEMENTS DARRICK & JAMIE SHIPLEY



Requesting Land Bank Lot

1 N 80th Ter - 017906

New Construction

Single Family Home

Zoning

R-1 Single Family District

Frontage

77Ft





OPTION AGREEMENTS DARRICK & JAMIE SHIPLEY



Building Details

3 Beds / 2 Baths

1,196 SqFt

Timeline

1 year to complete

Experience

Built one home

20 years of construction/project management

Next steps

1. Building permit
2. Proof of funds to cover building estimate

Comments

Staff Advisory Committee

Land Bank Advisory Board





OPTION AGREEMENTS

GORDILLO RAMON HERNANDEZ



Requesting Land Bank Lot

1960 N 6th ST – 140670

Currently owns

1964 N 6th St - 140669

New Construction

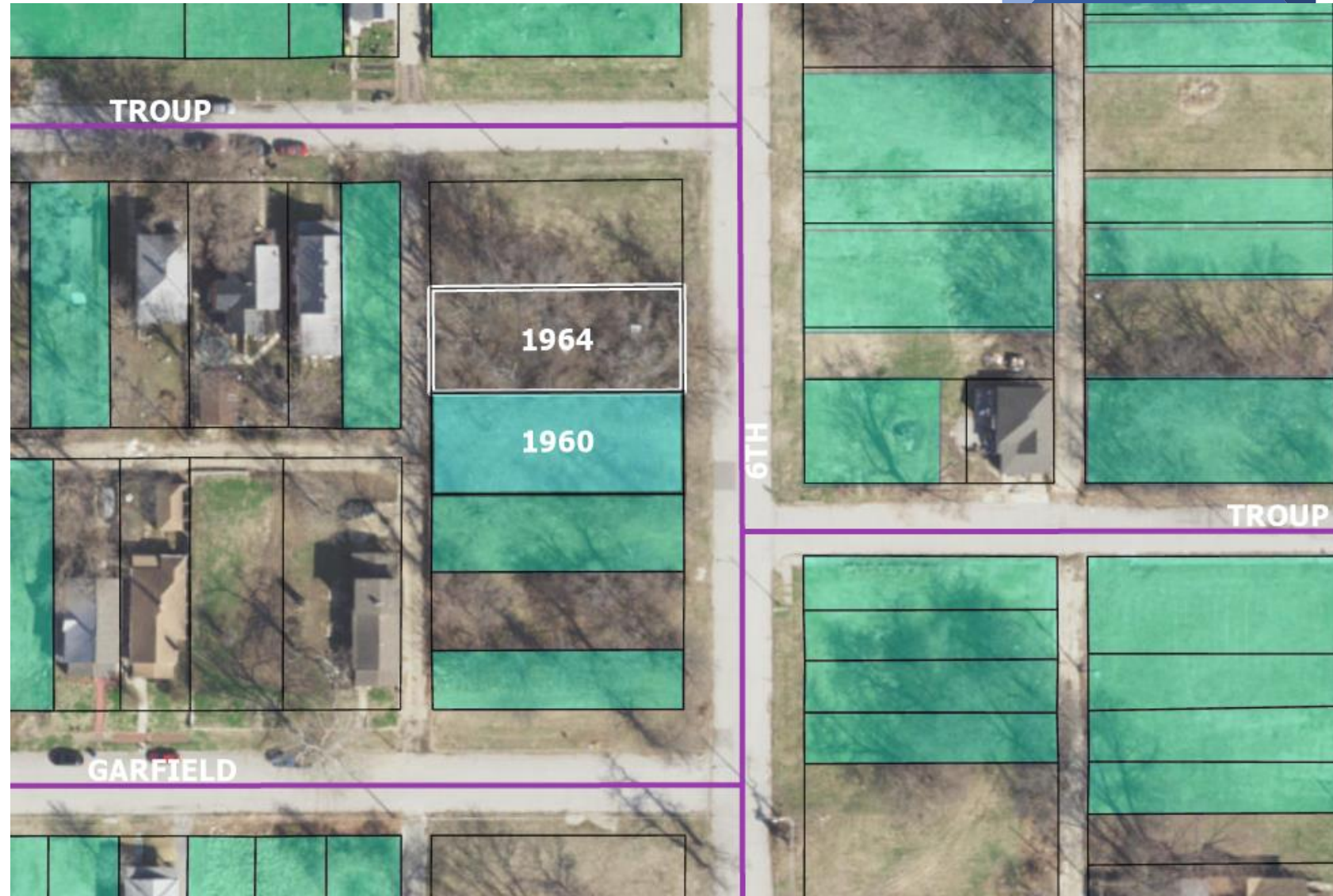
Single Family Home

Zoning

RP-5 Planned Apartment District

Frontage

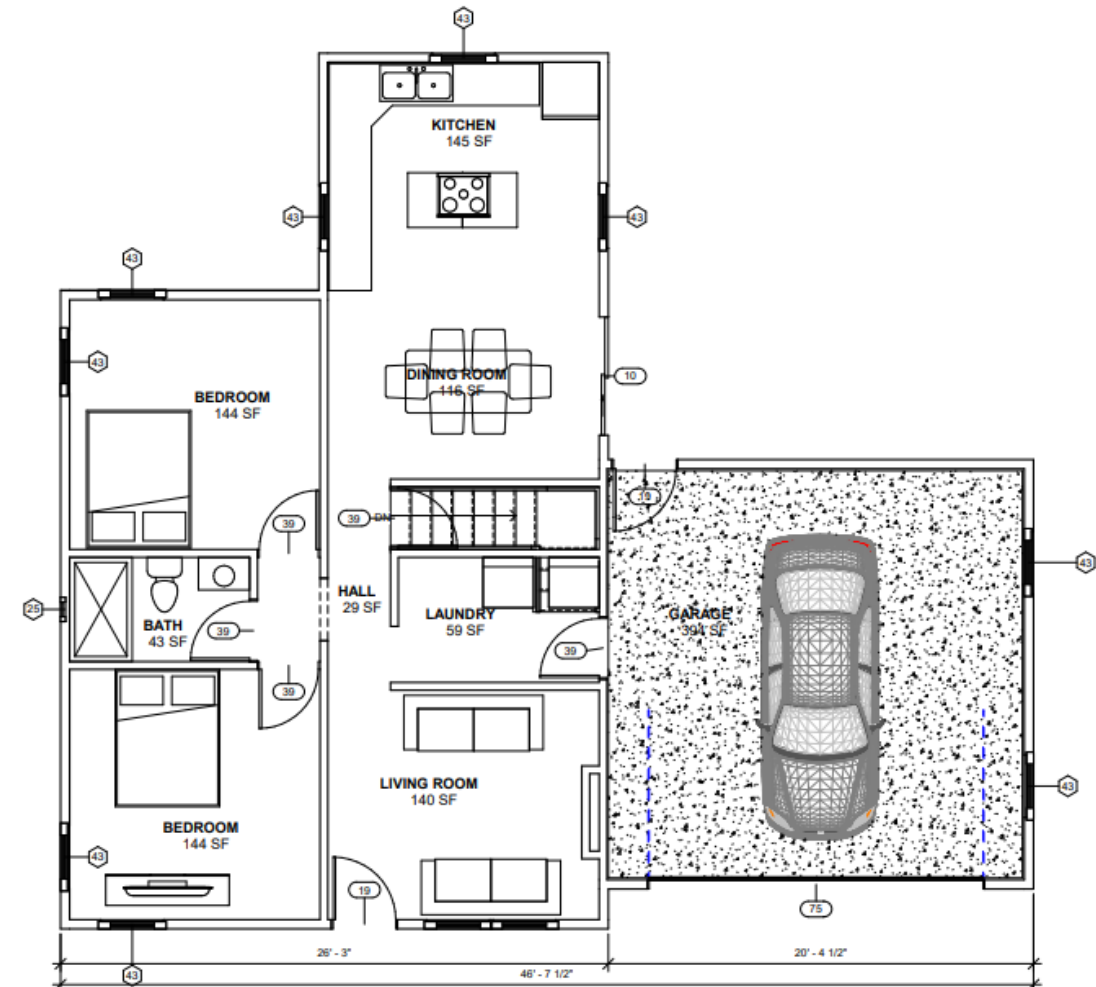
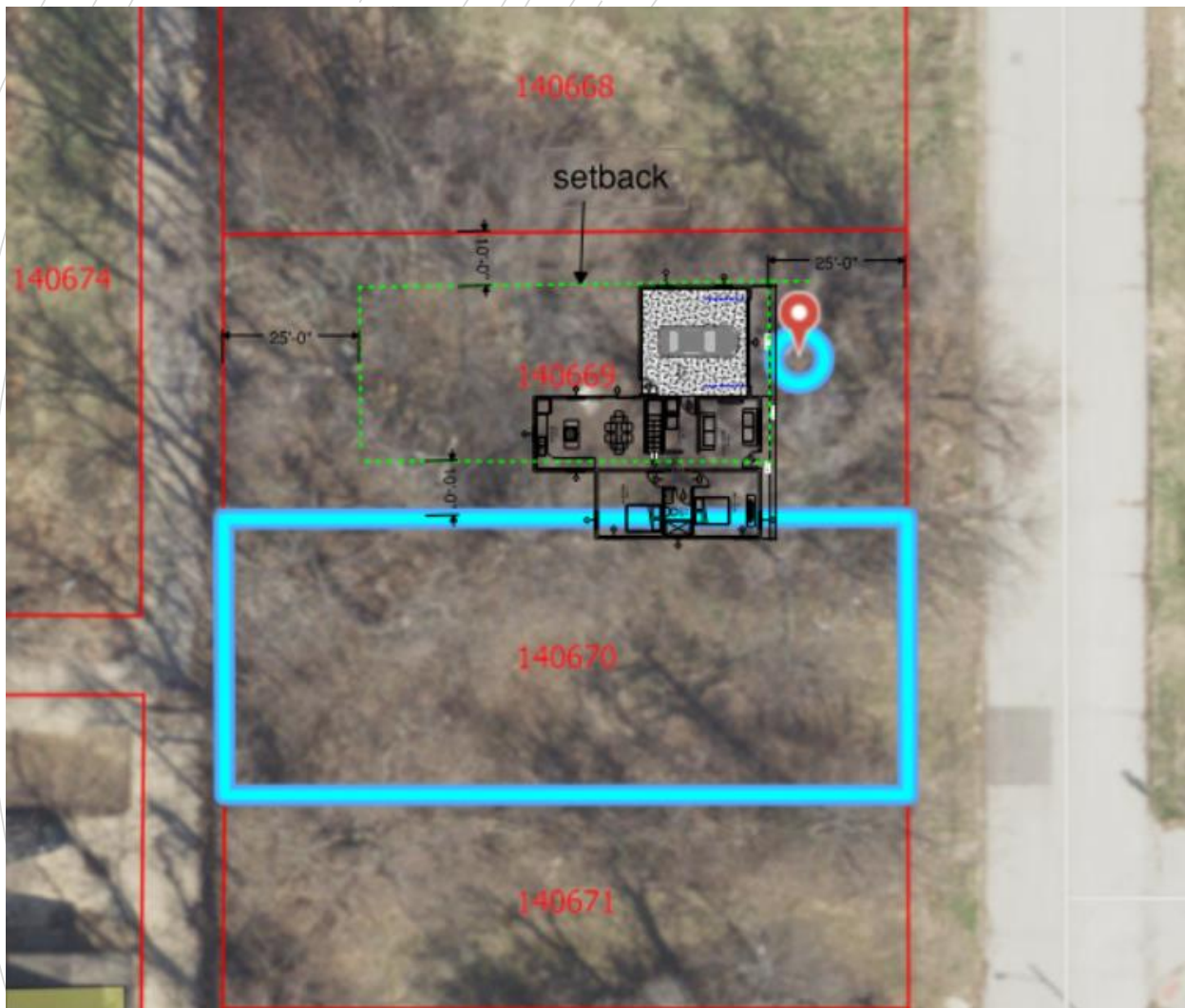
50Ft





OPTION AGREEMENTS

GORDILLO RAMON HERNANDEZ





OPTION AGREEMENTS

GORDILLO RAMON HERNANDEZ



Building Details

2 Beds / 1 Bath
961 SqFt

Timeline

Project Start – May 2022
Project Completion – December 2022

Experience

15+ years of construction

Next steps

1. Building permit
2. Proof of funds to cover building estimate
3. Combine lots
4. Narrow lot review

Comments

Staff Advisory Committee
Requires a narrow lot review which might change the design of the home
Land Bank Advisory Board





OPTION AGREEMENTS

GORDILLO RAMON HERNANDEZ



Northeast Area Master Plan

LOWER-MEDIUM DENSITY RESIDENTIAL The Lower-Medium Density Residential district is intended to promote infill development and investment by allowing additional units compared to the Single Family district, while preserving the overall character of existing neighborhoods. Lower-Medium Density Residential areas must follow the narrow lot design guidelines.

Allowed Building Types

Single Family Homes, Townhomes, Duplexes



- | | | |
|--|--|--|
|  Neighborhood Mixed Use |  Business Park/Light Industrial |  Lower-Medium Density Residential |
|  Gateway/Neighborhood Commercial Hub |  Industrial |  Single Family |
|  Commercial |  Historic and Institutional |  Parks and Open Space |
|  Highway Commercial |  Medium-Higher Density Residential | |



OPTION AGREEMENTS

ARTHUR BABICK



Requesting Land Bank Lots

2007 S 19th St - 112309

New Construction

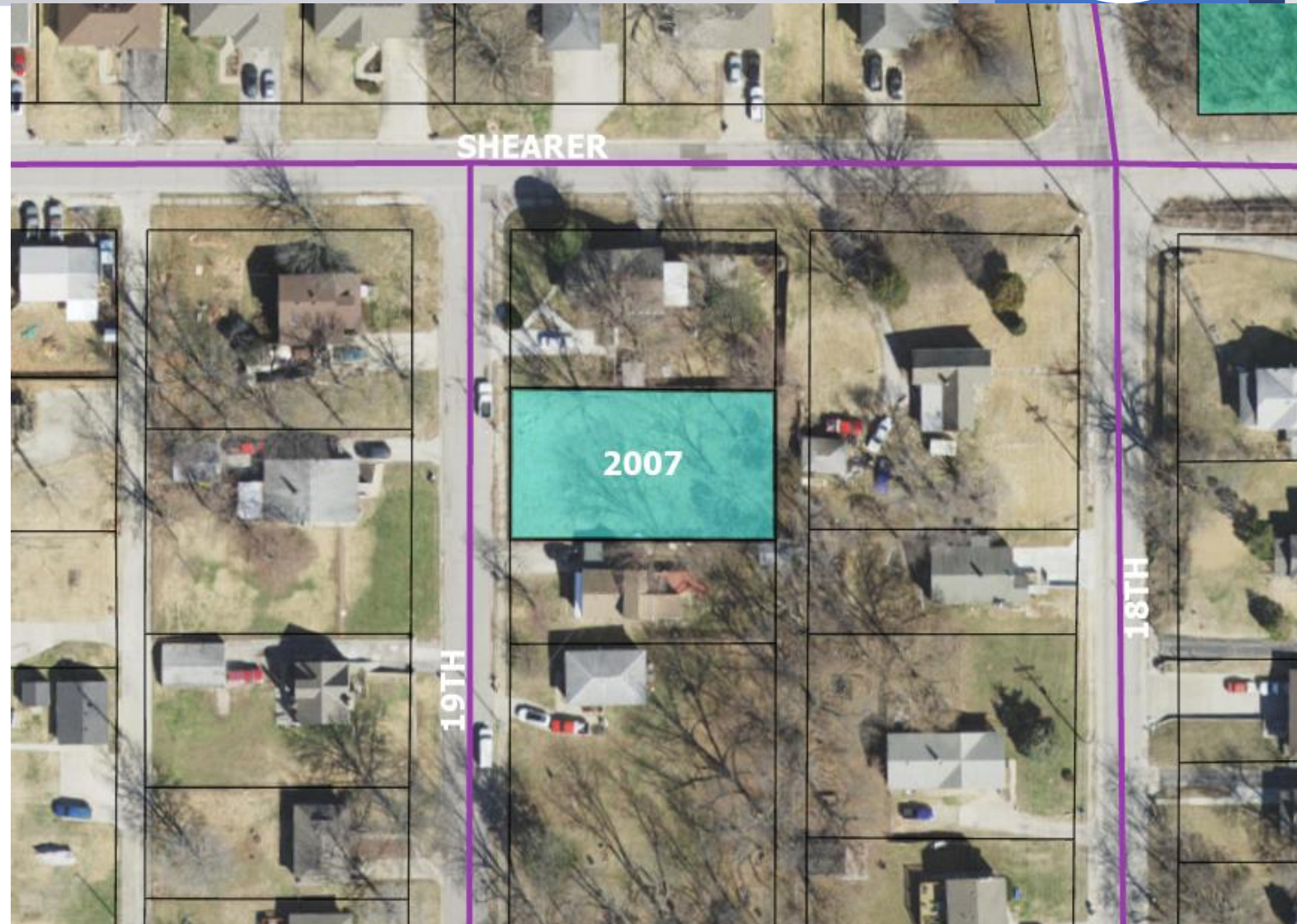
Moving a Single Family Home

Zoning

R-1 Single Family District

Frontage

75ft





OPTION AGREEMENTS

ARTHUR BABICK



Building Details

4 Beds / 3 Baths

1,800 SqFt

Timeline

Project Start – May 2022

Project Completion – September 2022

Next steps

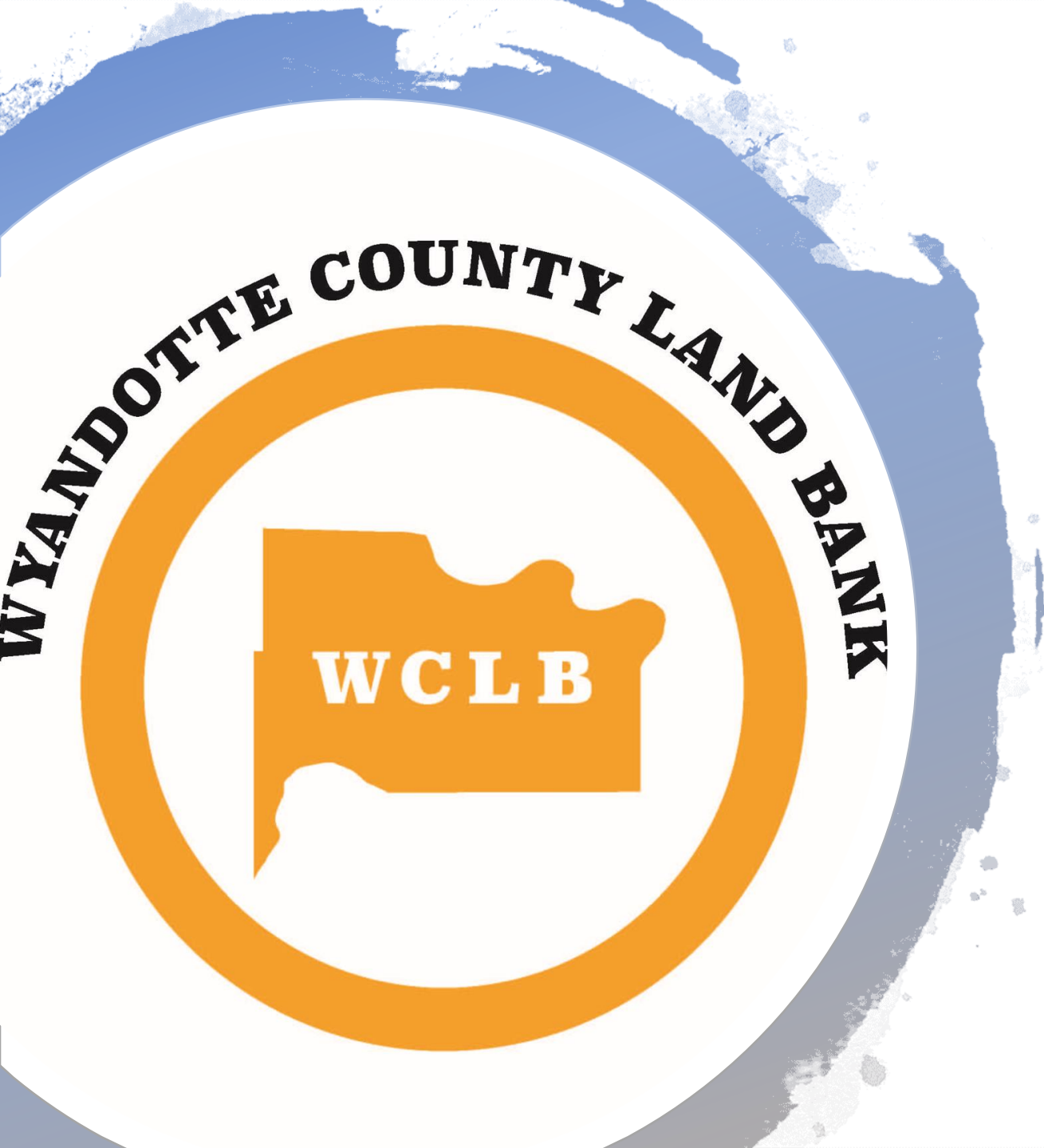


Comments

Staff Advisory Committee

Land Bank Advisory Board

A Single Family Residence moved from another location (2911 W 47th Ter, Westwood, KS 66205). The Foundation and basement will be built before moving the house to sit on it. The house will also be rehabbed.



Option Agreements

Agenda Item – B

Multi Family

30 Units



OPTION AGREEMENTS

RAJ BHATIA



Requesting Land Bank Lot

2110 N 51st St - 917814

New Construction

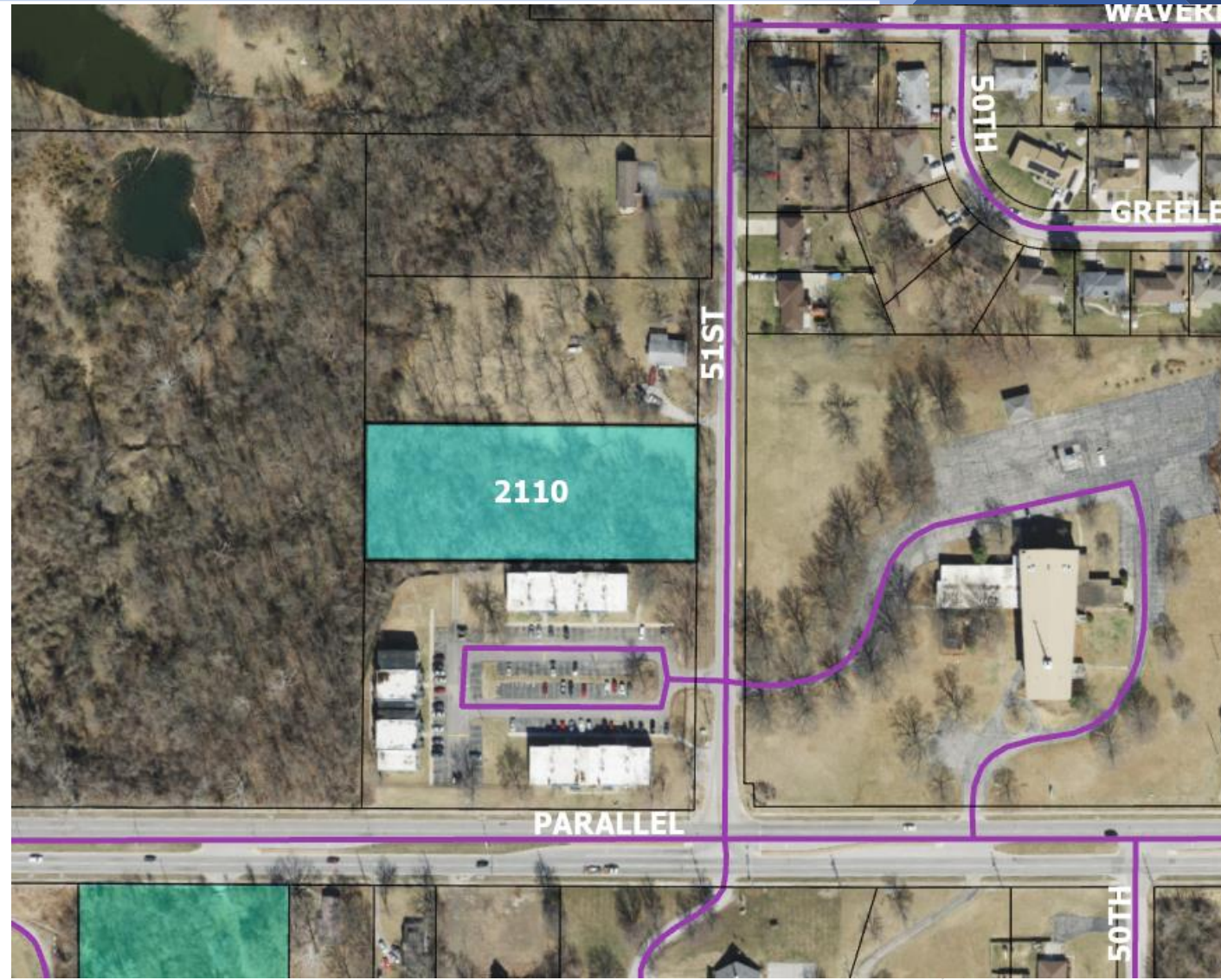
2 Story Row Housing - 24 units

Zoning

RP-5 Planned Apartment District

Frontage

176Ft





OPTION AGREEMENTS

RAJ BHATIA



Building Details

- 24 units
- 2 & 3 Bedrooms 2 & 2.5 Baths
- 1,110 Sq Ft per unit
- 1 car garage

Timeline

- Project Start – May 2022
- Project Completion –December 2022

Next steps

1. Change of zone (**Public Meeting**)
2. Building permit
3. Proof of funds

Comments

Staff Advisory Committee

Need to comply with the multi family design guidelines

Land Bank Advisory Board



Project Goals

1. Build quality, affordable, family friendly housing
2. Create net-zero energy efficient building with solar energy capture
3. Create model community with modern building techniques



OPTION AGREEMENTS

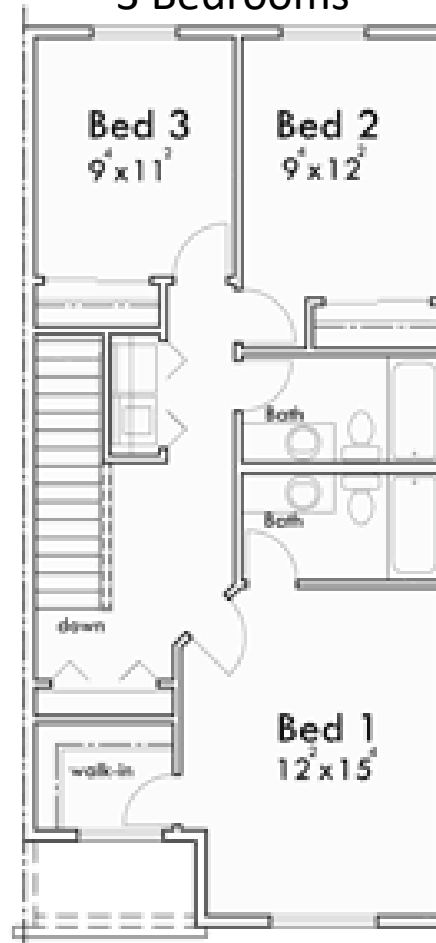
RAJ BHATIA



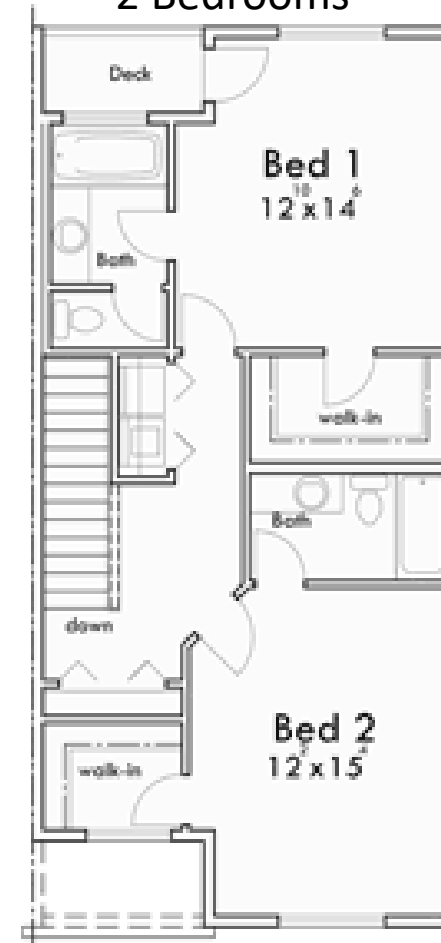
Experience

- Raj Bhatia is President of Vastu Capital LLC, a Kansas Corporation
- Vastu Capital is requesting the option to develop the land(s) mentioned here.
- Raj is a Certified Professional Project Manager for 20+ years
- A Real Estate Agent
- Owner/ manager rental properties
- Supported by team of Architect, Engineer, Builder
 - RB Architecture Engineering Construction
 - Build SMART
 - Tim Weatherly - Class A General Contractor, Certified Passive House Builder

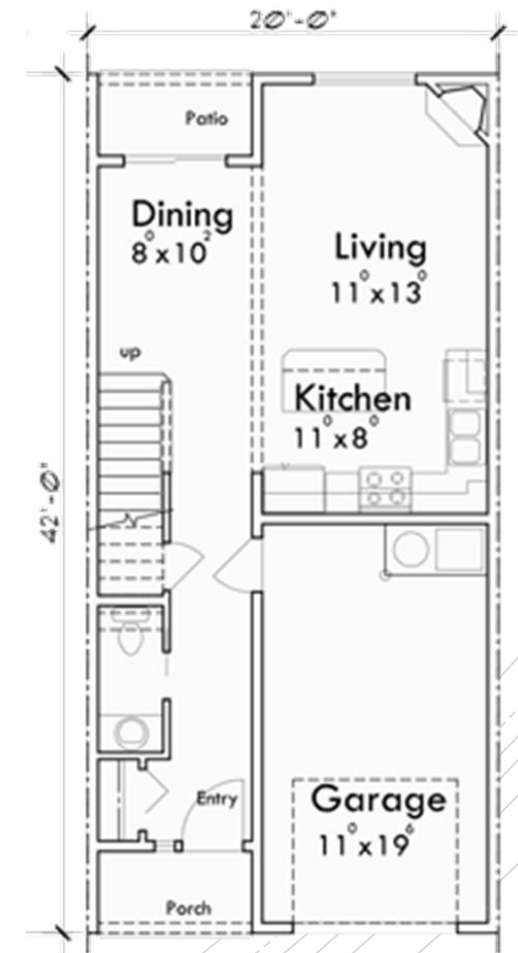
Upper Level
3 Bedrooms



Upper Level
2 Bedrooms



Main Level





OPTION AGREEMENTS SAMUEL ROARK



Requesting Land Bank Lots

928 New Jersey Ave - 081121

934 New Jersey Ave - 081119

936 New Jersey Ave - 080671

Currently Owns

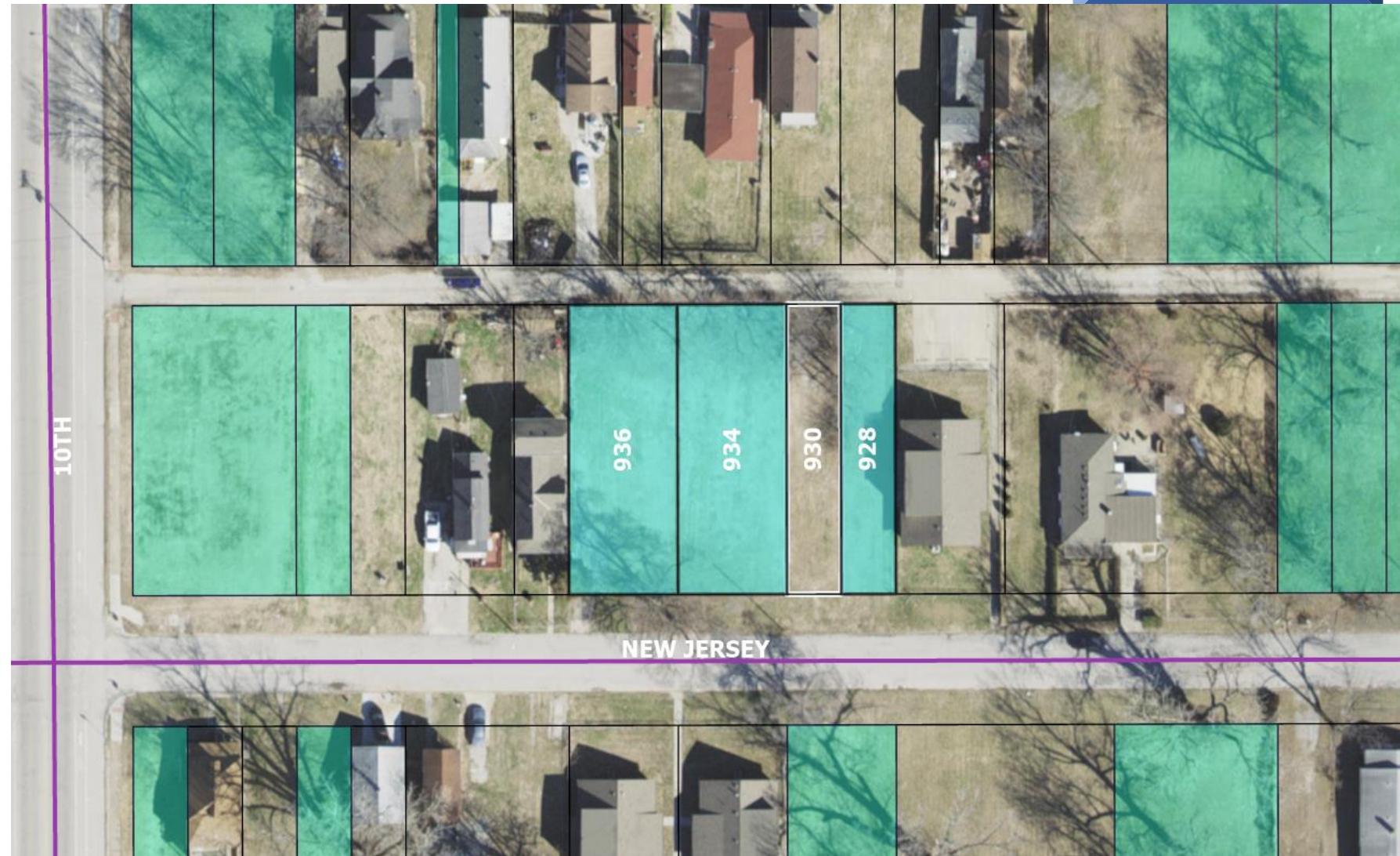
930 New Jersey Ave - 081120

New Construction

3 Duplexes

Zoning

RP-5 Planned Apartment District





OPTION AGREEMENTS SAMUEL ROARK



Building Details (Per Unit)

2 Beds / 1 Bath / 1 Laundry
900 SqFt

Timeline

Project Start 2022
Project Completion – 2023

Next steps

1. Building permit
2. Narrow lot design guideline review
3. Proof of funds to cover building estimate

Comments

Staff Advisory Committee
Require a narrow lot design guideline review

Land Bank Advisory Board





OPTION AGREEMENTS SAMUEL ROARK



Northeast Area Master Plan

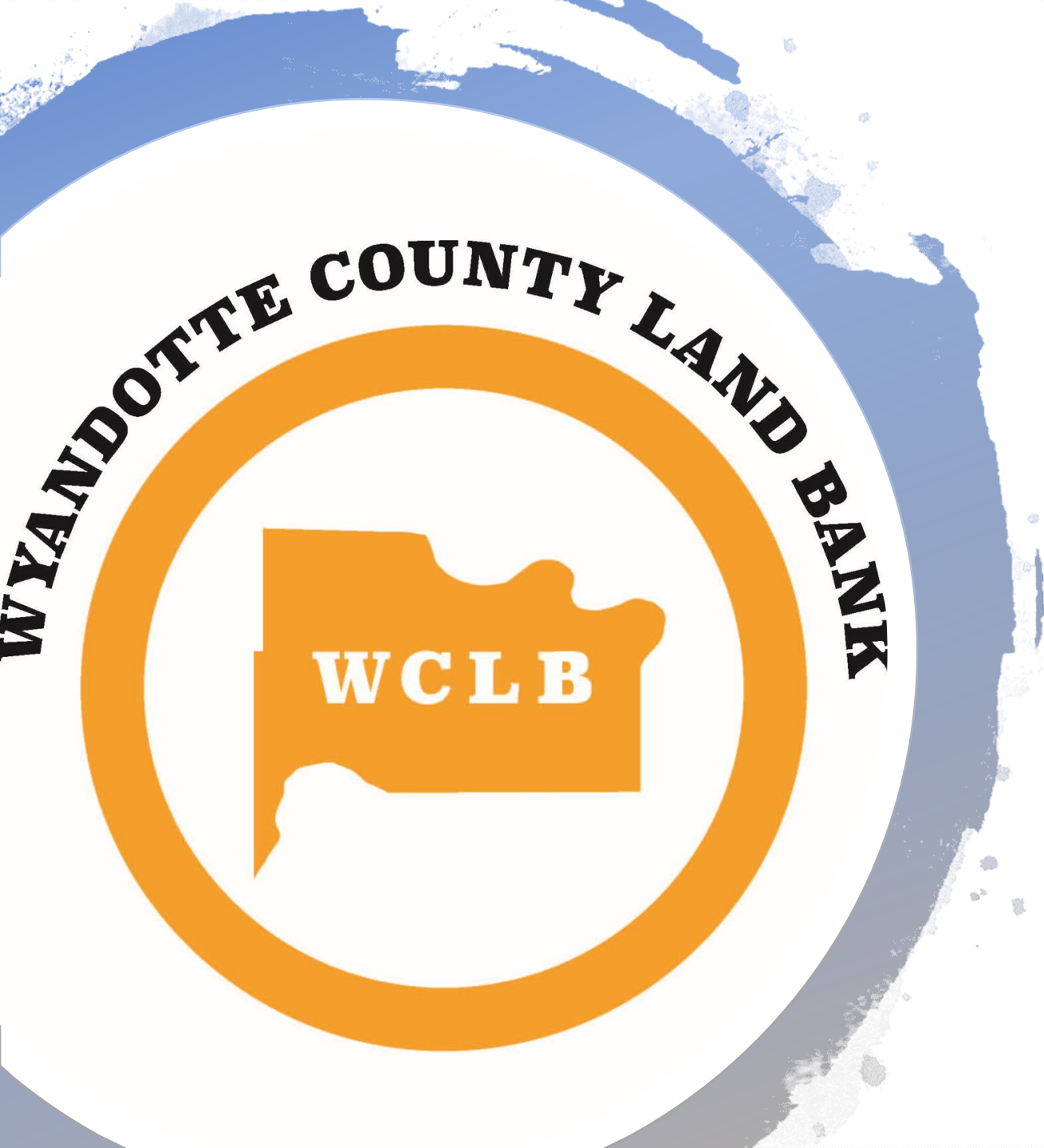
LOWER-MEDIUM DENSITY RESIDENTIAL The Lower-Medium Density Residential district is intended to promote infill development and investment by allowing additional units compared to the Single Family district, while preserving the overall character of existing neighborhoods. Lower-Medium Density Residential areas must follow the narrow lot design guidelines.

Allowed Building Types

Single Family Homes, Townhomes, Duplexes



	Neighborhood Mixed Use		Business Park/Light Industrial		Lower-Medium Density Residential
	Gateway/Neighborhood Commercial Hub		Industrial		Single Family
	Commercial		Historic and Institutional		Parks and Open Space
	Highway Commercial		Medium-Higher Density Residential		



Option Agreements

Agenda Item – C

Garages

3



OPTION AGREEMENTS CRISTINA RODRIGUEZ



Requesting Land Bank Lot

1948 N 17th ST – 116411

Currently owns

1952 N 17th St - 116412

New Construction

Garage

Zoning

R-2 Two Family District

Frontage

40Ft





OPTION AGREEMENTS CRISTINA RODRIGUEZ



Timeline

Project Start – May 2022

Project Completion – December 2022

Next steps

1. Building permit
2. Join lots together
3. Proof of funds to cover building estimate

Comments

Staff Advisory Committee

Garage should be built off alley

Land Bank Advisory Board





OPTION AGREEMENTS CRISTINA RODRIGUEZ



Northeast Area Master Plan

LOWER-MEDIUM DENSITY RESIDENTIAL The Lower-Medium Density Residential district is intended to promote infill development and investment by allowing additional units compared to the Single Family district, while preserving the overall character of existing neighborhoods. Lower-Medium Density Residential areas must follow the narrow lot design guidelines.

Allowed Building Types

Single Family Homes, Townhomes, Duplexes



	Neighborhood Mixed Use		Business Park/Light Industrial		Lower-Medium Density Residential
	Gateway/Neighborhood Commercial Hub		Industrial		Single Family
	Commercial		Historic and Institutional		Parks and Open Space
	Highway Commercial		Medium-Higher Density Residential		



OPTION AGREEMENTS LEANDRO CHAVEZ



Requesting Land Bank Lot

909 Ann Ave - 080645

Currently owns

911 Ann Ave - 080646

New Construction

3 Car Garage

Zoning

R-1B Single Family District

Frontage

30Ft





OPTION AGREEMENTS LEANDRO CHAVEZ



Timeline

6 Months

Next steps

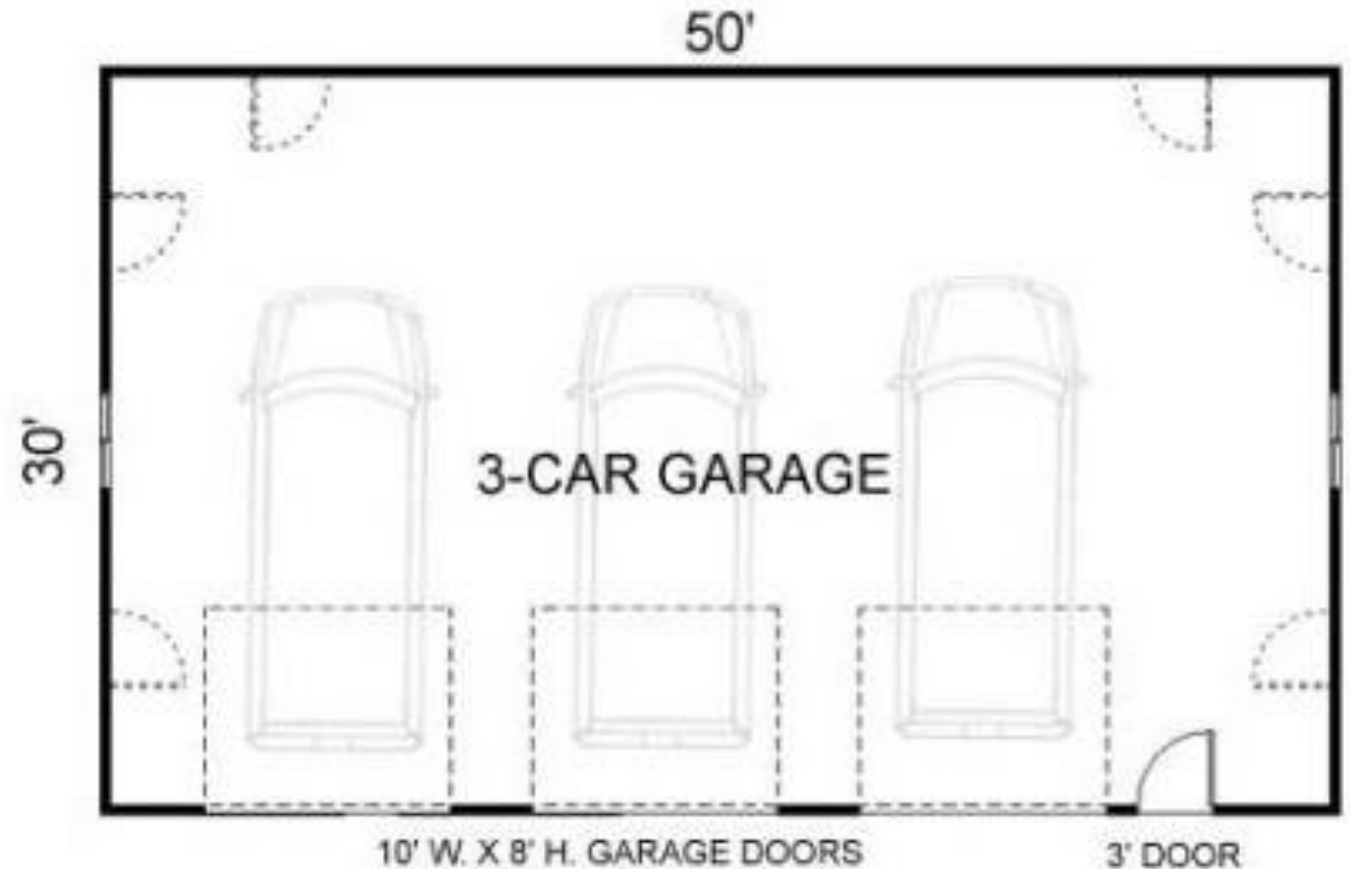
1. Building permit
2. Join lots together
3. Proof of funds to cover building estimate

Comments

Staff Advisory Committee

Home already has driveway access from Ann Ave
other larger lots on the block.

Land Bank Advisory Board





OPTION AGREEMENTS MARTHA OCHOA



Requesting Land Bank Lot

216 N 12th ST - 103102

Currently owns

212 N 12th ST - 103101

New Construction

Garage

Zoning

R-1(B) Single Family District

Frontage

50ft





OPTION AGREEMENTS

MARTHA OCHOA



Building Details

2 Car Garage

Timeline

Project Start – April 2022

Project Completion – July 2022

Next Steps

1. Join lots together
2. Building permit
3. Proof of funds to cover building estimate

Comments

Staff Advisory Committee

This is a 50ft lot and could be better used for a new home.

Land Bank Advisory Board





Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Land Bank Manager
DATE: March 24, 2022
SUBJECT: Option applications for consideration

The following **option application(s)** are being presented at the 04/04/2022 meeting:

A. New Construction - Single Family Homes – 3 Homes

1. Darrick & Jamie Shipley
 - i. 1 N 80th Ter - 017906
2. Gordillo Ramon Hernandez
 - i. 1960 N 6th St – 140670
 - ii. Currently owns – 1964 N 6th ST – 140669
 - iii. *Comments* – The applicant currently owns the adjoining property to the Land Bank property. The plan was to build a home on the lot that the applicant owns. The house plan will not fit on the lot due to the setback requirements. They are requesting the adjoining land bank lot so the home will fit on the lots.
 - iv. *Staff Comments* - As per the Northeast Area Master Plan, this will require a Narrow Lot Design Guidelines review. This means it must be in compliance with said guidelines. The Land Bank will send the narrow lot design guidelines to the applicant. If they do not comply with any of these standards, they will have to seek a variance with the Board of Zoning Appeals.
3. Arthur Babick
 - i. 2007 S 19th St – 112309
 - ii. *Comments* – The applicant wants to move an entire home from 2911 W 47th Ter Westwood Kansas to a Land Bank lot. The original plan was to demo the home and build a new home. The applicant views this as waste of resources to tear down the home and send it to the landfill. The new plan is to recycle the home by moving it to a new location and to rehab the home. They are currently working with a contractor that moves homes.

B. New Construction – Multi Family – 30 units

1. Raj Bhatia – 24 units
 - i. 2110 N 51st St - 917814
 - ii. *Summary* – plan to build 2 story townhomes
 - iii. *Staff comments* - This is a split zoned parcel, which means the parcel has two zoning categories within it. The zoning will need to be changed to RP-3. Also they need to comply with the multi family design guidelines. Any deviation from these guidelines, will need to specifically request said deviation from the Planning Commission during their entitlement and at the public hearing.
2. Samuel Roark – 3 Duplexes
 - i. 928 New Jersey Ave – 081121
 - ii. 934 New Jersey Ave – 081119
 - iii. 936 New Jersey Ave – 080671
 - iv. Currently owns – 930 New Jersey Ave - 081120
 - v. *Summary* – The applicant currently owns 930 New Jersey Ave. The project is using the 3 Land Bank lots and the 1 owned by the applicant to build 3 duplexes.
 - vi. *Staff comments* – would require Narrow Lot Design Guideline reviews as per the NE Area Master Plan
 - vii. *Douglas Sumner Neighborhood Group* - The applicant presented his vision for the project during the 3/8/22 neighborhood meeting. The neighborhood group held a special meeting on 3/22/22 to finalize their recommendations for the project. The Land Bank is waiting for the recommendations from the meeting.

C. New construction – Garage - 3

1. Cristina Rodriguez
 - i. 1948 N 17th ST – 116411
 - ii. Currently owns 1952 N 17th St – 116412
 - iii. *Staff comments* – the garage should be built off the alley
2. Leandro Chavez
 - i. 909 Ann Ave – 080645
 - ii. Currently owns – 911 Ann Ave -080646
 - iii. *Staff comments* –Usually we recommend alley access to the garage, but since the home already has driveway access off of Ann Ave the garage could work. Also, as the adjacent corner lot is so big, a bigger interior lot is okay.
3. Martha Ochoa
 - i. 216 N 12th St – 103102
 - ii. Currently owns – 212 N 12th st – 103101
 - iii. *Summary* – was held in the last standing committee meeting for a clear understanding of why the driveway was built 25ft and not 10ft.
 - iv. *Public Works comments* –
Why is the driveway to big?
They were given a permit to do a 10ft. wide driveway @ 212 b/c that is the max. of what they are allowed with small front yard. They poured it 25 ft anyways after the fact. If they own 216 as well, a 25ft is the max they can have. Generally speaking, a front yard for example, should have 60% grass, max 40% pavement
What happens if they are not approved for the land bank lot?
By code, they should cut 15ft off of the driveway and return it to grass.
Permit dates

Issued – 10/21/21 Completed work -11/18/21

Was the 10ft driveway width given to the applicant?

Yes and the 10ft width is also on the permit.

- v. *Land Bank Advisory Board comments* – should we be rewarding people with land for not following the rules.