

ARTICLE II. - BUILDING AND RESIDENTIAL CODES*

- Sec. 6-26. - Building Code—Adopted.
- Sec. 6-27. - Same—Amendments.
- Sec. 6-28. - Same—Copies on file.
- Sec. 6-29. - Same—Adoption of rules and regulations.
- Sec. 6-30. - Residential code—Adopted.
- Sec. 6-31. - Same—Amendments.
- Sec. 6-32. - Same—Copies on file.
- Sec. 6-33. - Same—Adoption of rules and regulations.
- Secs. 6-34—6-70. - Reserved.

Sec. 6-26. - Building Code—Adopted.

The International Building Code, 2006 Edition, as published by the International Code Council, Inc., 5203 Leesburg Pike, Suite 600, Falls Church, Virginia, 22041, excluding all appendices, is hereby adopted and incorporated herein by reference, subject to such amendments thereto as are set forth in section 6-27 of the Sedgwick County Code, and shall be referred to herein as the "building code." The building code is hereby adopted as the commercial building code for the unincorporated area of the county, and for those second- and third-class cities located therein which have by action of their governing bodies adopted the building code in the same form as herein contained and which have entered into a separate agreement with the county for enforcement within their municipal boundaries, and conferring jurisdiction upon the county for all prosecutorial function relating thereto. Any reference therein to the International Residential Code, for One- and Two-Family Dwellings, shall be construed as a reference to the current Sedgwick County residential code for one- and two-family dwellings.

(Res. No. 280-1995, § 1, 12-20-95; Res. No. 233-98, § 1, 12-30-98; Res. No. 12-03, § 1, 1-15-03; Res. No. 263-07, § 1, 12-14-07)

State law reference—Adoption by reference authorized, K.S.A. 12-3303.

Sec. 6-27. - Same—Amendments.

Changes, additions, and deletions to the building code and the appendices thereto are adopted only as set forth hereinafter:

SECTION 101, GENERAL

Section 101.4, Referenced is deleted in its entirety.

101.4.1 Electrical. The provisions of the current Sedgwick County Electrical Code shall apply to the installation of electrical systems, including, alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Whenever used in the Building Code, the term "ICC Electrical Code" shall be construed to mean the current Sedgwick County Electrical Code.

101.4.2 Gas. The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connection of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the current Sedgwick County Mechanical Code shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems. Whenever

used in the Building Code, the term "International Mechanical Code" shall be construed to mean the current Sedgwick County Mechanical Code.

101.4.4 Plumbing. The provisions of the current Sedgwick County Plumbing Code shall apply to the installation, alterations repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems. Whenever used in the Building Code, the term "International Plumbing Code" shall be construed to mean the current Sedgwick County Plumbing Code.

Section 101.4.5 Property maintenance of the standard code is deleted in its entirety.

101.4.6 Fire prevention. The provisions of the current Sedgwick County Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. Whenever used in the Building Code, the term "International Fire Code" shall be construed to mean the current Sedgwick County Fire Code.

Section 101.4.7 Energy is deleted in its entirety.

SECTION 102, APPLICABILITY

102.6 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.

SECTION 103 is hereby adopted and re-titled DEPARTMENT OF CODE ENFORCEMENT

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official. For the maintenance of existing properties, see the International Property Maintenance Code.

SECTION 105, PERMITS

Section 105.1.1 Annual is deleted in its entirety.

Section 105.1.2 Annual permit records is deleted in its entirety.

Section 105.2 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 resolutions, laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1.

One-story detached accessory structures classified as Group S or U occupancies, provided the floor area does not exceed 200 square feet (13.9 m²).

2.

Playhouses or tree houses having single or multi-level floors with or without roofs.

3.

Concrete or masonry fences not over 4 feet (1,219 mm) in height, measured from the bottom of the footing to the top of the wall and other fences not over 6 feet (2,438 mm) in height.

4. Oil derricks.
5. Retaining walls that are not over 4 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.
6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
7. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
8. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finishes.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Prefabricated swimming pools accessory to a Group R, Division 3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (19,000 L) and are installed entirely above ground.
11. Swings and other playground equipment.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.
14. Interior platforms not over 200 square feet (18.58 m²) in area, nor more than 30 inches (762 mm) above the adjacent floor.
15. Exterior decks, stoops and porches not more than 30 inches (762 mm) above grade without overhead structures and not over any basement or story below.
16. Emergency board-up or securing of a building and installing temporary bracing after a fire, storm, vehicle damage or other disaster, which caused the building to be open or unsafe.
17. Repair or replacement roofing or siding materials not exceeding 400 square feet (37.16 m²).
18. Repair or replacement of interior gypsum wallboard on non-fire rated walls or ceiling when the total area does not exceed 100 square feet (9.29 m²), and provided that no framing, electrical, mechanical or plumbing changes are made. The remainder of this section, Electrical, Gas, Mechanical and Plumbing is deleted in its entirety.
Section 105.2.3 Public service agency is deleted in its entirety.

SECTION 106, CONSTRUCTION DOCUMENTS

106.3.4.1 General. 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 building official shall be notified in writing by the owner 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 phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by Chapter 17, 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. See also duties and [as] specified in Chapter 17.

SECTION 107, TEMPORARY STRUCTURES AND USES

107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the ICC Electrical Code current Sedgwick County Electrical Code.

SECTION 108, FEES is deleted in its entirety.

SECTION 108, Fees is hereby adopted and shall read as follows:

108.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

108.2 Permit fees. The fee for each permit shall be as set forth below.

108.2.1 Commercial permits. The fee for each commercial permit shall be as set forth in Table 108.2.

108.2.2 Residential permits. The fee for each residential permit shall be as set forth in the current Sedgwick County one- and two-family dwelling code.

108.2.3 Value. The determination of value or valuation under any of the provisions of this code shall be made by the building official. For the purpose of this section, the value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, mechanical, elevators, fire-extinguishing systems and any other permanent equipment. The building official shall, when deemed necessary, require reasonable substantiation of value stated in any application for permit or other form that may be prescribed.

108.2.4 Issuance fee. A permit issuance fee of fifteen dollars (\$15.00) shall be charged for each permit which is issued under the provisions of this code, and shall be in addition to the other permit fees set forth herein.

TABLE 108.2
BUILDING PERMIT FEES
(In addition to the issuance fee imposed by §108.2.4)

Other Inspections and Fees:

1. Inspections outside of normal business hours (minimum charge—two hours) \$30.00 per hr*
2. Reinspections fees assessed under provisions of Section 305(g) \$30.00 per hr*
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour) \$30.00

per hr*

4.

Additional plan review required by changes, additions or revisions to approved plans (minimum charge—one-half hour) \$30.00 per hr*

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

108.3 Plan review fees. When the valuation of the proposed commercial construction exceeds \$1,000 and a plan or other data is required to be submitted, a plan review fee shall be paid. Said plan review fee shall be sixty-five percent (65%) of the building permit fee shown in Table No. 108.2. The department of code enforcement shall remit twenty-five percent (25%) of the plan review fee so collected to the county fire district to compensate for checking plans for compliance with applicable law and fire safety provisions.

108.4 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

108.5 Investigation Fees. Work without a Permit.

108.5.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

108.5.2 Fee. An investigation fee, in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same fee set forth in Table 108.2. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any other penalty prescribed by law.

108.6 Fee Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 109, INSPECTIONS

109.3 Required inspections. The building official, upon notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.11.

Section 109.3.3 Lowest floor elevation is deleted in its entirety.

Section 109.3.3 is hereby adopted and shall read as follows:

109.3.3 Floodplain inspections lowest floor elevation. Floodplain inspections shall be governed by the Sedgwick County Floodplain Management Code, Section 13-1, et seq., of the Sedgwick County Code.

109.3.5 Lath and gypsum board inspection is deleted in its entirety.

109.3.7 Energy efficiency inspection is deleted in its entirety.

109.3.9 Special inspection is deleted in its entirety.

Section 109.3.11 is hereby adopted and shall read as follows:

109.3.11 Service drive inspection. Service drive inspections shall be made in accordance with the current Sedgwick County Service Drive Code.

SECTION 112, BOARD OF APPEALS is deleted in its entirety.

SECTION 112 is hereby adopted and shall read as follows:

SECTION 112, BOARD OF APPEALS

112.1 General, membership and duties. The board of building examiners and appeals shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the Building Code and to determine the suitability of alternate materials and types of construction. The board of building examiners and appeals shall consist of six (6) members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the county. The board shall consist of one (1) architect licensed by the State of Kansas, one (1) structural engineer licensed by the State of Kansas, and four (4) contractors currently licensed by Sedgwick County (two (2) contractors whose major business is residential construction and two (2) contractors whose major business is commercial construction). The building official shall be an ex-officio member of the board and provide technical information to the board. The building official shall act as secretary of the board, but the building official shall not have a vote upon any matter before the board. The county counselor shall provide legal counsel for the board. The board members shall be appointed by the board of county commissioners to serve for terms of three (3) years. The members of the board of building examiners and appeals presently holding appointments shall continue as members of the board for the term of their appointment and until their successors have been duly appointed, qualified, and sworn to the oath of office before the Sedgwick county clerk.

112.1.1 The board may make an annual review of the building code and shall recommend to the board of county commissioners such changes in the Building Code as are necessary to be consistent with modern methods of construction.

112.1.2 The board shall adopt reasonable rules and regulations for conducting its business and shall render all findings and decisions in writing to the building official with a duplicate copy to the applicant or appellant.

112.1.3 Any order of the board of building examiners and appeals made as a result of a hearing under this sub-section may be appealed to the district court of the eighteenth judicial district.

112.1.4 Any applicant or appellant desiring to use alternate materials or types of construction shall guarantee payment of all expenses for any tests deemed necessary by the board.

112.2 Limitations of authority. The board shall have no authority relative to interpretation of the administrative provisions of the Building Code nor shall the board be empowered to waive requirements of the Building Code.

SECTION 113, VIOLATIONS is deleted in its entirety.

Section 113 is hereby adopted and shall read as follows:

113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, demolish, convert, occupy, equip, use, or maintain any building or structure in the unincorporated area of the county, or cause or permit the same to be done, contrary to or in violation of the Building Code.

113.2 Notice of violation and order to comply. Whenever the building official or any code enforcement

officer authorized under this article has probable cause to believe that a person, firm or corporation is committing or has committed a violation of any provision of the Building Code, the building official or such code enforcement officer may first cause a notice of violation and order to comply to be served upon said person, firm or corporation responsible therefor.

Such notice shall:

1. Be in writing;
2. Include a description of the real estate and/or the street address sufficient for identification;
3. Specify the violation(s) which exists and the correction(s) ordered;
4. Allow a reasonable time for the performance of any act it requires.

Such notice shall be deemed to be properly served upon such alleged violator if a copy thereof is delivered to such alleged violator personally, or, if not found, a copy thereof is left at such alleged violator's place of abode with a person of suitable age and discretion who shall be informed of the contents thereof. Such notice shall also be deemed to be properly served upon the alleged violator if a copy thereof is sent by mail to such alleged violator's last known address, or, if the letter with a copy is returned showing it has not been delivered, a copy thereof is posted in a conspicuous place on or about the building or structure affected by the notice.

113.3 Prosecution of violation. In case any notice of violation and order to comply authorized herein is not complied with, the building official or such code enforcement officer may request the county counselor to institute an appropriate action or proceeding against the person, firm, or corporation responsible for the violation:

1. To restrain, correct, or remove the violation or to compel such person, firm, or corporation to refrain from any further execution of work;
2. To restrain or correct the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion, demolition, equipping, use, or maintenance of such building or structure or part thereof;
3. To require the removal of work in violation;
4. To prevent the maintenance, occupation or use of the building, structure, or part thereof which is erected, constructed, enlarged, altered, repaired, moved, improved, removed, demolished, converted, equipped, used or maintained in violation of the Building Code or in violation of a plan or specification under which an approval, permit or certificate was issued.

In addition, or in the alternative, the building official or code enforcement officer may proceed with the penalties provision set forth in Section 113.4.

113.4 Violation penalties.

113.4.1 Issuance of uniform complaint and notice to appear. Whenever the building official or a code enforcement officer authorized under this article has probable cause to believe that a person, firm, or corporation is committing or has committed a violation of any provision of the Building Code, the building official or such code enforcement officer may serve upon such accused person a uniform complaint and notice to appear, or in the alternative, may sign a complaint against the accused person and cause a notice to appear to be issued according to the provisions of K.S.A. 19-4701, et seq., the code for the enforcement of county codes and resolutions. Pursuant to K.S.A. 19-101d, prosecution for any such violation shall be conducted in the manner provided by law in the district court under the code for the enforcement of county codes and resolutions as provided by K.S.A. 19-4701, et seq. Writs or processes necessary for the prosecution of such violations shall be substantially in the form of writs and process as shown in K.S.A. 19-4738. The county shall provide all necessary supplies, forms and records at its own expense.

113.4.2 Procedures. Procedures for prosecution of violations of the Building Code and this article shall be pursuant to chapter 8 of the Sedgwick County Code.

113.4.3 Classification of violations and schedule of fines. An accused person who shall be convicted in the district court for violation of any provision of the Building Code or this article shall be deemed guilty of a violation thereof and in accordance with K.S.A. 19-4716, shall be subject to payment of a fine which shall be fixed by the Court at a sum not to exceed \$500.00; provided further, the minimum fine for any violation of this article shall be assessed according to the classification of violations and schedules of fines in section 8-5 of the Sedgwick County Code and subject to the enhancements contained therein, and each and every violation of this article shall be a class G violation; except that a violation of Section 105.1 (Fail to obtain required permit) shall be a class G violation; except that a violation of Section 116.1 (Fail to obtain required license), shall be a class I violation; except that Section 116.7 (Truth in Advertising), shall be a class I violation; except that a violation of section 109.6 (Approval required), shall be a class I violation.

113.4.4 Separate Offense. Each day that any violation of the Building Code or of this article occurs after the passage of the reasonable time for performance of any act required by a Notice of Violation(s) and Order(s) to Comply has been served in accordance with the terms and provisions hereof shall constitute a separate offense and shall be punishable as a separate violation. Provided, however, that if any person, firm or corporation is found guilty of a violation hereunder and it shall appear to the Court that the violation complained of as prescribed in this article is continuing, then in addition to the penalty as set forth, the Court may enter such order as it deems appropriate to cause the violation to be abated.

113.4.5 Effect of Permit. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of the Building Code or of this article. No permit presuming to give authority to violate or cancel the provisions hereof shall be valid, except insofar as the work or use which it authorized is lawful. The issuance or granting of a permit or approval of plans shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of the Building Code or of this article or of any other county code or resolution or from revoking any certificate of approval when issued in error.

Section 116 is hereby adopted and shall read as follows:

SECTION 116, LICENSES AND CERTIFICATE REQUIRED.

Section 116 is added to the standard Building Code establishing a contractors license for building contractors, requirements and penalties for violations thereof; and for the process of suspension and revocation thereof.

116.1 Building Contractors License Required. It shall be unlawful for any person, firm, corporation, or other entity, to engage in the business of contracting to perform, provide, broker or sub-contract for building construction without first having secured a building contractors license, except as permitted herein.

Exception: No building contractors license is required of a person, firm, corporation or governmental entity not engaged in the business of building construction who performs building construction only for such person, firm, corporation or governmental entity and only on existing buildings and/or on existing premises that are owned, leased, operated or managed by such person, firm. Building construction by said person upon new buildings and new additions to existing buildings is prohibited. The person for which such building construction is permitted by this exception shall be required to obtain all permits and inspections otherwise required by the Building Code.

116.2 Obtaining a license. To obtain an appropriate building contractors license, a person shall:

1. File a completed application with the board of building examiners and appeals on forms provided by the department of code enforcement, identifying the classification of contractor license sought by the proposed licensee, which classification shall be one of the following:

(a) Class A. Unlimited commercial or residential. A class A license shall entitle the licensee to contract to build unlimited commercial and residential buildings and structures, and shall entitle the licensee to those privileges held by holders of class B, C, S-1, S-2, S-5 and S-6 licenses.

(b) Class B. Three-story or less. A class B license shall entitle the licensee to contract to build structures of three stories or less in height, whether commercial or residential, and to contract to perform non-structural remodeling of buildings or structures not exceeding three stories in height, and shall entitle the licensee to those privileges held by holders of class C, S-1, S-2, S-5 and S-6 licenses.

(c) Class C. One- and two-family residential and accessory structure. A class C license shall entitle the licensee to contract to build one- and two-family residential structures and accessory buildings to such residential structures, and to perform residential remodeling, and shall entitle the licensee to those privileges held by holders of class S-1, S-2, and S-5 licenses.

(d) Class L-_____. Limited. A Class L-_____ license shall entitle the licensee to contract and build based upon limitations placed on the license by the building official or the board of building examiners and appeals. The class L-_____ license may be issued for any other class of license and the fee for the class L-_____ license shall be the same as the classification provided to the licensee.

(e) Class S. Specialty. A class S license shall entitle the licensee to contract to install any one of the following, according to the subclass of specialty license obtained:

S-1.

Roofing/siding

S-2.

Swimming pool

S-3.

Fire sprinkler system contractor. No S-3 Fire Sprinkler System contractor License will be issued or renewed without written approval of the Sedgwick County Fire Department.

S-4.

Mobile/manufactured home

S-5.

Wrecking

S-6.

Wireless Communication Towers

A separate class S license shall be required for each and every subclass and a separate license fee shall be collected therefor.

(f)

Class I-_____. Inactive. A class I-_____ license shall entitle the licensee to retain the license status most recently held prior to becoming inactive upon payment of the license fee which shall be the same as that required for the most recently held active license. An inactive license shall be renewed at each renewal rotation, and if such inactive license is not renewed, it shall be deemed expired, and the provisions relating to obtaining a new license shall apply. An inactive licensee is not required to comply with the provisions of subparagraphs (4), (5), and (6) hereof during the inactive period. The licensee shall comply with all licensing provisions when the licensee engages in any work which requires an active license. Once an inactive license becomes active it may not be returned to inactive status until the next renewal rotation.

2. Pay an application fee in the amount of \$50.00.

3. Pass either the Block Test or the ICC test for general contractors in the State [of] Kansas, or the board of building examiners and appeals examination for the license applied for. The "Block Tests," now administered by Thomson Prometric, 1260 Energy Lane, St. Paul, Minnesota 55108, or the ICC test, administered by International Code Council, 900 Montclair Road, Birmingham, Alabama 35213, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure. Applicants may show satisfactory evidence to the building official of a valid ICBO certificate for general contractors in lieu of taking the examinations identified above. Those persons who were licensed as required by this article on December 31, 1991, and whose license has not subsequently lapsed or been suspended or revoked, shall not be required to pass any such examination. Applicants who show satisfactory evidence to the building official or to the board of building examiners and appeals of experience commensurate to that required by this article may thereupon be issued a license limited to one particular project.

4. Pay the appropriate license fee as provided below in Section 116.3.

5. Submit proof of insurance in the following amounts:

(a)

Worker's compensation insurance for all employees to be engaged in work on any site regulated by the Building Code.

(b)

Comprehensive general liability insurance in an amount not less than three hundred thousand dollars (\$300,000) each occurrence and aggregate for bodily injury and property damage combined. Certificates of insurance submitted as required herein shall indicate that the Sedgwick County Department of Code Enforcement shall be given at least thirty (30) days advance written notice of any cancellation or material change in coverage of such insurance.

6.

Agree to obtain all required permits.

7.

Agree to comply with the truth in advertising requirements hereof.

116.3 License fee.

1. Building contractor's licenses issued on or after January 1, 2009, shall be sold in two (2) year county-wide increments, and are valid for two (2) years, and are therefor referred to as "biennial" licenses.

(a) Triennial licenses in effect at the time of the adoption of this section that expire on December 31, 2008, shall be renewed biennially as set forth above.

(b) Building contractor's licenses issued after the adoption of this section, but prior to January 1, 2009, shall expire on December 31, 2008, and shall thereafter be renewed biennially as set forth above. The license fee charged for such licenses shall be prorated, based on the current year of a two-year cycle ending on December 31, 2008, according to the fee schedule set forth in Section R116.3.2.

2. A license is renewable up to March 1st after expiration of any license period. The building contractor's biennial license fees are as follows for the year 2009, and biennially thereafter:

A - \$300.00

B - \$250.00

C - \$200.00

D - \$200.00

3. The license fee charged to new applicants will be prorated, based on the current year of the two-year cycle. License fees are subject to change with the Sedgwick County Board of County Commissioners approval, and the official current license fee schedule shall be maintained by the Building Official.

116.4 Renewal of license. To renew a building contractor's license, a person shall file an application as provided in Section 116.2(1), and shall pay the license fee as provided in Section 116.3.

116.5 Violations of building contractors license requirements; hearing; penalties. At the request of the building official, a hearing before the board of building examiners and appeals shall be held to determine whether there has been any violation of any of the licensing requirements contained herein and whether the building contractor's license should be suspended or revoked. If any violation is found, the board may order any or all of the following:

1. No further building permits will be issued to the violating licensee until such time as the violation is abated.
2. All inspections of further work performed by the violating licensee will be suspended until such time as the violation is abated, excepting extreme hazard or life-safety inspection.
3. A license review, subjecting the violating licensee to possible suspension or revocation of the building contractor's license.

If a contractor license is revoked as provided herein, the violating licensee shall be barred from obtaining another contractor license for a period of twelve (12) months from the date of the revocation order. Following a suspension or revocation period, a violating licensee who wishes to obtain a building contractor's license shall follow the application procedure set forth in Section 116.2, and shall be required to pass the examination described in Section 116.2(3).

116.6 Lapse of license. A contractor license that has not been suspended or revoked, but for which the renewal fee has not been submitted on or before March 1st following the expiration of a license period, shall be deemed to have lapsed. Renewal of a lapsed license shall be allowed upon the person's request, filing of a completed application, payment of an application fee as required in Section 116.2(2), and compliance with the requirements of Section 116.2(3).

116.7 Truth in Advertising Requirements.

116.7.1 Applicability. On or after July 1, 1993, any person, corporation, or entity required by this section to obtain a Building Contractors License shall be subject to this section.

116.7.2 Definition. For the purposes of this section, advertising or advertisement means the inclusion of any business card, announcement, contract bid proposal, or other written or broadcast statement, including telephone directory display advertisements, but shall not include any white or yellow page listings in telephone directories.

116.7.3 Violations. It shall be a violation for any person, firm, corporation, or other entity that does not hold a valid Building Contractors License in good standing, to advertise or maintain any advertising or advertisement that:

1. Advertises as a building contractor or general contractor;
2. Appends the person's, or other entity's name to, or in connection with, the title "building contractor";
3. Appends the person's, or other entity's name to any other words that tend to represent the person or entity as a building contractor;

2006 INTERNATIONAL BUILDING CODE SHALL BE AMENDED AS FOLLOWS:

305.2 Day care. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than ten children older than 2 1/2 years of age shall be classified as a Group E occupancy.

308.2 Group I-1. This occupancy shall include buildings, structures or parts thereof housing more than 16 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

- Residential board and care facilities
- Assisted living facilities
- Halfway houses
- Group homes
- Congregate care facilities
- Social rehabilitation facilities
- Alcohol and drug centers
- Convalescent facilities

A facility such as the above with ten or fewer persons shall be classified as a Group R-3 or shall comply with the International Residential Code in accordance with Section 101.2. A facility such as above, housing at least eleven and not more than 16 persons, shall be classified as Group R-4.

308.5 Group I-4, day care facilities. This group shall include buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage or adoption and in a place other than the home of the person cared for. A facility such as the above with ten or fewer persons shall be classified as a Group R-3 or shall comply with the International Residential Code in accordance with Section 101.2. Places of worship during religious functions are not included.

308.5.1 Adult care facility. A facility that provides accommodations for less than 24 hours for more than ten unrelated adults and provides supervision and personal care services shall be classified as Group I-4.

Exception: A facility where occupants are capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group A-3.

310.1 Residential Group R. Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I; or when not regulated by the International Residential Code in accordance with Section 101.2. Residential occupancies shall include the following:

R-1. Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

- Boarding houses (transient)
- Hotels (transient)
- Motels (transient)

R-2. Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

- Apartment houses
- Boarding houses (non-transient)
- Convents

Dormitories
Fraternities and sororities
Hotels (non-transient)
Monasteries
Motels (non-transient)
Vacation timeshare properties

Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units.

Adult facilities that provide accommodations for ten or fewer persons of any age for less than 24 hours.

Child care facilities that provide accommodations for ten or fewer persons of any age for less than 24 hours. Congregate living facilities with 16 or fewer persons.

Adult and child care facilities that are within a single- family home are permitted to comply with the International Residential Code.

R-4. Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 16 occupants, excluding staff. Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code.

406.1.4 Separation. Separations shall comply with the following:

1.

The private garage shall be separated from the dwelling unit and its attic area by means of a minimum 1/2-inch (12.7 mm) gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a 5/8-inch Type X gypsum board or equivalent. 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) thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

2.

Ducts in a private garage and ducts penetrating the walls or ceilings separating the dwelling unit from the garage shall be constructed of a minimum 26 gage (0.48 mm sheet steel and shall have no openings into the garage.

3.

A separation is not required between a Group R-3 and U carport, provided the carport is entirely open on two or more sides and there are not enclosed areas above.

406.2.7 Mixed separation. A repair garage shall not be located within, or attached to, a building occupied for any other purpose, unless separated from the other occupancies as prescribed in Section 508.3. Such separation shall be continuous and un-pierced, except for openings leading to salesrooms, storage areas, or offices, operated in connection with such garages, and provided such openings are equipped with fire assemblies conforming to the requirements of Chapter 7.

Exception: Storage areas, administrative and clerical offices, waiting rooms and similar rooms that do not exceed twenty-five percent (25%) of the floor area of the repair facility.

406.3.4 Uses. Mixed uses shall be allowed in the same building as an open parking garage subject to the provisions of Sections 508.3, 402.7.1, 406.3.13, 509.3, 509.4 and 509.7.

Exception: The grade-level tier may contain an office, waiting room, and toilet rooms having a total combined area of not more than 1,000 sq. ft. (93m²). Such areas need not be separated from the open parking garage.

412.2.3 Floor surface. Floors shall be graded and drained to prevent water or fuel from remaining on the floor. Floor drains shall discharge through an oil separator to the sanitary sewer.

Exception: Aircraft hangars with individual lease spaces not exceeding 2,000 square feet (186 m²) each in which servicing, repairing or washing is not conducted and fuel is not dispensed shall have floors that are graded toward the door, but shall not require a separator.

507.3 Sprinklered, one story. The area of a one-story, Group B, E, F, M or S building or a one-story Group A1, A2, or A-4 building, of other than Type V construction, shall not be limited when the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1 and is surrounded and adjoined by public ways or yards not less than 60 feet (18,288 mm) in width.

Exceptions:

1.

Buildings and structures of Type I and II construction for rack storage facilities that do not have access by the public shall not be limited in height, provided that such buildings conform to the requirements of Sections 507.2 and 903.3.1.1 and NFPA 230.

2.

The automatic sprinkler system shall not be required in areas occupied for indoor participant sports, such as tennis, skating, swimming and equestrian activities in occupancies in Group A-4, provided that:

2.1.

Exit doors directly to the outside are provided for occupants of the participant sports areas; and

2.2.

The building is equipped with a fire alarm system with manual fire alarm boxes installed in accordance with Section 907.

3.

Group A-1 and A-2 occupancies of other than Type V construction shall be permitted, provided:

3.1.

All Group A and E occupancies are separated from other spaces as required for separated uses in Section 508.3.3.4 with no reduction allowed in the fire-resistance rating of the separation based upon the installation of an automatic sprinkler system;

3.2.

Each Group A and E occupancy shall not exceed the maximum allowable area permitted in Section 503.1; and

3.3.

All required exits shall discharge directly to the exterior.

507.6 Group A-3 buildings. The area of a one-story, Group A-3 building of Type II construction shall not be limited when all of the following criteria are met:

1. The building shall not have a stage other than a platform.
2. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
3. The assembly floor shall be located at or within 21 inches (533 mm) of street or grade level and all exits are provided with ramps complying with Section 1010.1 to the street or grade level. Exception: Building elements that are part of a religious practice or ceremony with a design capacity of less than 10 persons.
4. The building shall be surrounded and adjoined by public ways or yards not less than 60 feet (18,288 mm) in width.

Table 508.2 shall be amended to read as follows:

TABLE 508.2
INCIDENTAL USE AREAS

| ROOM OR AREA | SEPARATION |
|---|--|
| Furnace room where largest piece of equipment is over 400,000 BTU per hour input | 1 hour or provide automatic fire-extinguishing system |
| Boilers over 15 psi and 10 horsepower | 1 hour or provide automatic fire-extinguishing system |
| Refrigerant machinery rooms | 1 hour or provide automatic fire-extinguishing system |
| Automotive parking garage in other than Group R-3 | 2 hours |
| Incinerator rooms | 2 hours and automatic sprinkler system |
| Paint shops, not classified as a Group H, located in occupancies other than Group F | 2 hours; or 1 hour and provide automatic fire-extinguishing systems |
| Laboratories and vocational shops, not classified as Group H, located in Group E and 1-2 occupancies | 1 hour or provide automatic fire-extinguishing system |
| Laundry rooms over 100 square feet | 1 hour |
| Group 1—3 padded cells | 1 hour |
| Waste and linen collection room over 100 square feet | 1 hour |
| Stationary lead-acid battery systems having a liquid capacity of more than 100 gallons used for facility standby power, emergency power or uninterrupted power supplies | 1-hour fire barriers and floor-ceiling assemblies in Group B, F, H, M, S and U occupancies. 2-hour fire barriers and floor-ceiling assemblies in Group A, E, I and R occupancies |

For SI: 1 square foot = 0.0929 m², 1 pound per square inch = 6.9 kPa, 1 British thermal unit per hour = 0.293 watts, 1 horsepower = 746 watts, 1 gallon = 3.785 L.

Table 601 shall be amended as follows:

TABLE 601^(h)
FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (hours)

| BUILDING ELEMENT | TYPE I | | TYPE II | | TYPE III | | TYPE IV | TYPE V | |
|--|----------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------|-------------------|---|
| | A | B | A ^e | B | A ^e | B | HT | A ^e | B |
| Structural Frame ^a | 3 ^b | 2 ^b | 1 | 0 | 1 | 0 | HT | 1 | 0 |
| Bearing walls | | | | | | | | | |
| Exterior ^g | 3 | 2 | 1 | 0 | 2 | 2 | 2 | 1 | 0 |
| Interior | 3 ^b | 2 ^b | 1 | 0 | 1 | 0 | 1/HT | 1 | 0 |
| Nonbearing walls and partitions | | | | | | | | | |
| Exterior | See Table 602 | | | | | | | | |
| Interior ^f | 0 | 0 | 0 | 0 | 0 | 0 | See Section 602.4.6 | 0 | 0 |
| Floor construction including supporting beams and joists | 2 | 2 | 1 | 0 | 1 | 0 | HT | 1 | 0 |
| Roof construction including | 1 | 1 ^{c, d} | 1 ^{c, d} | 0 ^{c, d} | 1 ^{c, d} | 0 ^{c, d} | HT | 1 ^{c, d} | 0 |

supporting beams
and joists

For SI: 1 foot = 304.8mm.

- a. The structural frame shall be considered to the columns and the girders, beams, trusses and spandrels having direct connections to the column and bracing members designed to carry gravity loads. The members of floor or roof panels, which have no connections to the columns shall be considered secondary members and not a part of the structural frame.
- b. Roof supports: Fire-resistance ratings of structural frame and bearing walls are permitted to be reduced by 1 hour where supporting a roof only.
- c. Except in Group F-1, H, M, and S-1 occupancies, fire protection of structural members shall not be required, including protection of roof framing and decking where every part of the roof construction is 20 feet or more above any floor immediately below.
Fire-retardant-treated wood members shall be allowed to be used for such unprotected members.
- d. In all occupancies, heavy timber shall be allowed where 1-hour or less fire-resistance rating is required.
- e. An approved automatic sprinkler system in accordance with Section 903.3.1.1 shall be allowed to be substituted for 1-hour fire-resistance-rated construction, provided such system is not otherwise required by other provisions of this code or used for an allowable area increase in accordance with Section 506.3 or an allowable height increase in accordance with Section 504.2. The 1-hour substitution for the fire resistance of exterior walls shall not be permitted.
- f. Not less than the fire-resistance rating required by other sections of this code.
- g. Not less than the fire-resistance rating based on fire separation distance (See 602).
- h. Canopies under which temporary transactions occur, or the loading and unloading of passengers of private or pleasure-type motor vehicles may be of non-combustible construction, subject to the following conditions:
 1. The canopy is open on three or more sides and is not more than 1000 square feet (92.90m²).
 2. Canopy structures shall not be located in areas where building openings are prohibited or openings are required to be protected by Table 602.
 3. Buildings or portions thereof with exits having canopy structures located over the exit discharge shall be provided with an alternate means of egress as required by Section 1015.2.1.
 4. Exterior walls adjacent to the canopy shall be protected with not less than 1-hour fire-resistive construction from grade to a point 10 feet (3,048 mm) above the canopy roof. Unprotected openings are permitted in the adjacent walls below the roof structure unless required elsewhere.

Table 704.8 shall be amended to read as follows:

TABLE 704.8
MAXIMUM AREA OF EXTERIOR WALL OPENINGS

| CLASSIFICATION | FIRE SEPARATION DISTANCE (feet) | | | | | | | |
|----------------|---------------------------------|---------------------------------|--------------------------------------|-------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------|
| | less than 3 ^{i,j} | 3 to less than 5 ^{c,g} | 5 to less than 10 ^{c,e,g,h} | 10 to less than 15 ^{d,e,g} | 15 to less than 20 ^{d,g} | 20 to less than 25 ^{d,g} | 25 to less than 30 ^{d,g} | 30 or greater |
| Unprotected | Not permitted | Not permitted ^c | 10% ⁱ | 15% ⁱ | 25% ⁱ | 45% ⁱ | 75% ⁱ | No limit ^b |
| Protected | Not permitted | 15% | 25% | 45% | 75% | No limit ^b | No limit ^b | No limit ^b |

For SI: 1 foot = 304.8 mm.

- a. Values given are percentage of the area of the exterior wall.
- b. See Section 704.7 for unexposed surface temperature.
- c. For occupancies in Group R-3, the maximum percentage of unprotected and protected exterior wall openings shall be 25 percent.
- d. The area of openings in an open parking structure with a fire separation distance of greater than 10 feet shall not be limited.
- e. For occupancies in Group H-2 or H-3, unprotected openings shall not be permitted for openings with a fire separation distance of 15 feet or less.
- f. For requirements for fire walls for buildings with differing roof heights, see Section 705.6.1.
- g. The area of unprotected and protected openings is not limited for occupancies in Group R-3, with a fire separation

- h. distance greater than 5 feet.
- i. For special requirements for Group U occupancies, see Section 406.1.2.
- j. Buildings whose exterior bearing wall, exterior non-bearing wall and exterior structural frame are not required to be fire-resistance rated by Table 601 or 602 shall be permitted to have unlimited unprotected openings.
- k. Includes accessory buildings to Group R-3.

704.11 Parapets. Parapets shall be provided on exterior walls of buildings.

Exceptions: A parapet need not be provided on an exterior wall where any of the following conditions exist:

1. The wall is not required to be fire-resistance rated in accordance with Table 602 because of fire separation distance.
2. The building has an area of not more than 1,000 square feet (93 m²) on any floor.
3. Walls that terminate at roofs of not less than 2-hour fire-resistance-rated construction or where the roof, including the deck and supporting construction, is constructed entirely of noncombustible materials.
4. One-hour fire-resistance-rated exterior walls that terminate at the underside of the roof sheathing, deck or slab, provided:
 - 4.1. Where the roof/ceiling framing elements are parallel to the walls, such framing and elements supporting such framing shall not be of less than 1-hour fire-resistance-rated construction for a width of 4 feet (1,220 mm) for Groups R and U and 10 feet (3,048 mm) for other occupancies, measured from the interior side of the wall.
 - 4.2. Where roof/ceiling framing elements are not parallel to the wall, the entire span of such framing and elements supporting such framing shall not be of less than 1-hour fire-resistance-rated construction.
 - 4.3. Openings in the roof shall not be located within 5 feet (1,524 mm) of the 1-hour fire-resistance rated exterior wall for Groups R and U and 10 feet (3,048 mm) for other occupancies, measured from the interior side of the wall.
 - 4.4. The entire building shall be provided with not less than a Class B roof covering.
5. In Groups R-2 and R-3 where the entire building is provided with a Class C roof covering, the exterior wall shall be permitted to terminate at the underside of the roof sheathing or deck in Type III, IV and V construction, provided:
 - 5.1. The roof sheathing or deck is constructed of approved noncombustible materials or of fire-retardant-treated wood for a distance of 4 feet (1,220 mm); or
 - 5.2. The roof is protected with 0.625-inch (16 mm) Type X gypsum board directly beneath the underside of the roof sheathing or deck, supported by a minimum of nominal 2-inch (51 mm) ledgers attached to the sides of the roof framing members for a minimum distance of 4

feet (1,220 mm).

6.

Where the wall is located no closer than 5 feet (1,524 mm) to the property line or assumed property line.

705.1 General. Each portion of a building separated by one or more fire walls that comply with the provisions of this section shall be considered a separated building. The extent and location of such fire walls shall provide a complete separation. Where a fire wall also separates groups that are required to be separated by a fire barrier wall, the most restrictive requirements of each separation shall apply.

Exception:

1.

Area separation walls constructed prior to the adoption of this code may be increased in length by not more than 25 percent (25%) of the length of the existing wall, not to exceed thirty (30) feet. The method of construction and fire rating of the additional wall length shall be in general conformance to that of the existing wall.

2.

Where building separation is required, the firewall may be constructed in accordance with the provision of a two-hour fire barrier per Section 706. If no firewall coincides with that of a required fire barrier, then the most restrictive requirement shall apply. For allowable area purposes, the building is considered as one structure with no benefit from the firewall.

706.5 Continuity. Fire barriers shall extend from the top of the floor/ceiling assembly below to the underside of the floor or roof slab or deck above and shall be securely attached thereto. Such fire barriers shall be continuous through concealed spaces, such as the space above a suspended ceiling. The supporting construction for fire barrier walls shall be protected to afford the required fire-resistance rating of the fire barrier supported, except for 1-hour fire-resistance-rated incidental use area separations as required by Table 508.2 in buildings of Type IIB, IIIB and VB construction. Hollow vertical spaces within a fire barrier shall be fire blocked in accordance with Section 717.2 at every floor level.

Exceptions:

1.

The maximum required fire-resistance rating for assemblies supporting fire barriers separating tank storage as provided for in Section 415.6.2.1 shall be 2 hours, but not less than required by Table 601 for the building construction type.

2.

Shaft enclosures shall be permitted to terminate at a top enclosure complying with Section 707.12.

3.

The supporting construction of a fire barrier which extends through a concealed space of an exterior architectural element does not require protection where the use below has little or no impact to fire loading.

715.5.7.2 Size limitations. The total area of windows shall not exceed 25 percent (25%) of the area of a common wall with any room.

Exception:

Window openings of unlimited area may be glazed with approved fixed laminated glass, subject to the following conditions:

1.

The glass shall be protected by a sprinkler system served by a domestic line and equipped with quick-response sprinklers approved by the Fire Department. The sprinkler system shall completely wet the entire surface of the glass wall when actuated.

2.

The laminated glass shall be in a gasketed non-combustible frame so installed that the glazing system may deflect without breaking (loading) the glass before the sprinkler system operates.

3.

Obstructions such as curtain rods, drapery traverse rods, curtains, drapes of similar material shall not be installed over the sprinkler heads and glazing.

For the purpose of this section, non-combustible doors with approved fixed laminated glass may be considered as window openings, when subject to the above conditions. The above doors shall comply with Sections 715.4.7 and 715.4.7.1.

901.1 Scope. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems. Where buildings, or portions thereof, are divided into fire areas so as not to exceed the limits established for requiring a fire protection system in accordance with this chapter, such fire areas shall be separated by fire barriers having a fire-resistance rating of not less than that determined in accordance with Table 508.3.3 and Section 706.

Exception:

Buildings constructed prior to the adoption of this code may have a non-conforming fire area increased by not more than 25 percent (25%) of the fire area limitation, for the occupancy classification, as specified under Section 903.2. All additions to the fire area shall be considered as accumulative and subject to the limitations of the construction type.

[F] 903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1.

The fire area exceeds 12,000 square feet (1,115 m²) for Type IIB, IIIB, VA, and VB construction, or the basic allowable area for the construction type per Table 503 for the remaining construction types.

2.

The fire area is located on a floor other than the level of exit discharge.

3.

The fire area contains a multi-theater complex.

[F] 903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1.

The fire area exceeds 5,000 square feet (465 m²);

2.

The fire area has an occupant load of 300 or more; or

3.

The fire area is located on a floor other than the level of exit discharge.

[F] 903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1.

The fire area exceeds 12,000 square feet (1,115 m²) for Type IIB, IIIB, VA, and VB construction, or the basic allowable area for the construction type per Table 503 for the remaining construction types.

2.

The fire area is located on a floor other than the level of exit discharge.

Exception:

Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

[F] 903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1.

The fire area exceeds 12,000 square feet (1,115 m²) for Type IIB, IIIB, VA and VB construction, or the basic allowable area for the construction type per Table 503 for the remaining construction types.

2.

The fire areas are located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

[F] 903.2.3 Group F-1. An automatic sprinkler system shall be provided throughout all buildings where a Group F-1 occupancy exceeds the basic allowable area for the construction type per Table 503 for the remaining construction types; or where more than three stories in height; or where the combined fire area on all floors, including mezzanines, exceed double the basic allowable areas for the construction type per Table 503.

[F] 903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exceptions:

1.

Apartment buildings of eight (8) units or less.

2.

Group R-3 occupancies.

[F] 903.2.8 Group S-1. An automatic sprinkler system shall be provided throughout all buildings where the fire area containing a Group S-1 occupancy exceeds the basic allowable area for the construction type per Table 503 for the remaining construction types; or where more than three stories in height; or where the combined fire area on all floors, including mezzanines, exceed double the basic allowable areas for the construction type per Table 503.

[F] 903.2.9 Group S-2. An automatic sprinkler system shall be provided throughout buildings having a fire area that exceeds 12,000 square feet and classified as enclosed parking garages in accordance with Section 406.4 or where located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

[F] 903.2.9.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 12,000 square feet (1,115 m²).

[F] 903.2.10.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm) in width and 48 inches (1,219 mm) in height. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior side of the structure.

[F] 907.2.1 Group A. A manual fire alarm system shall be installed in rooms containing Group A occupancies having an occupant load of 300 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception:

Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system and the alarm notification appliances will activate upon sprinkler water flow.

[F] 907.2.3 Group E. A manual fire alarm system shall be installed in Group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

[F] 907.2.10.1.2 Groups R-2, R-3, R-4 and I-1. Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes except in Group R-3 occupancies.
3. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Section 907.2.10.1.4 Additions, alterations or repairs to Group R shall be amended to read as follows:

Where an addition, alteration or repair to an individual dwelling unit or guestrooms in Group R requires a permit, smoke alarms shall be installed within that individual dwelling unit or guestrooms in accordance with this section. Where one or more sleeping rooms are added to or created in an existing Group R, smoke alarms shall be installed in accordance with this section.

Exception: Smoke alarms located in an existing individual dwelling unit, sleeping room or guestroom may remain as previously approved unless the addition, alteration or repair results in the removal of interior wall or ceiling finishes exposing the structure within the sleeping area. In all cases, smoke alarms shall comply with Section 907.2.10.2.

[F] 910.2.1 Group F-1 or S-1. Buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 50,000 square feet.

Exception:

Areas completely separated by non-combustible partitions so that no one area exceeds 50,000 square feet. Openings shall be provided with approved automatic or self-closing devices to ensure closure of the opening.

Table 1004.1.1 shall be amended to read as follows:

Table 1004.1.1
MAXIMUM FLOOR AREA ALLOWANCE PER OCCUPANT

| OCCUPANCY | FLOOR AREA IN SQ. FT. PER OCCUPANT |
|--|------------------------------------|
| Accessory storage areas, mechanical equipment rooms, agricultural building | 300 gross |
| Aircraft hangars | 500 gross |
| Airport terminal | |
| Concourse | 100 gross |
| Waiting areas | 15 gross |
| Baggage claim | 20 gross |

| | | |
|--|-------------------------------|--------------------|
| Baggage handling | | 300 gross |
| | Assembly | |
| Gaming floors (keno, slots, etc.) | | 11 gross |
| Assembly with fixed seats | | See Section 1004.7 |
| | Assembly without fixed seats | |
| Concentrated (chairs only - not fixed) | | 7 net |
| Standing space | | 5 net |
| Un-concentrated (tables and chairs) | | 15 net |
| Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas | | 7 net |
| Business areas | | 100 gross |
| Courtrooms - other than fixed seating areas | | 40 net |
| Dormitories | | 50 gross |
| | Educational | |
| Classroom area | | 20 net |
| Shops and other vocational room areas | | 50 net |
| Exercise room | | 50 gross |
| H-5 Fabrication and manufacturing areas | | 200 gross |
| Industrial areas | | 200 gross |
| | Institutional areas | |
| Inpatient treatment areas | | 240 gross |
| Outpatient areas | | 100 gross |
| Sleeping rooms | | 120 gross |
| Kitchen commercial | | 200 gross |
| | Library | |
| Reading rooms | | 50 net |
| Stack area | | 100 gross |
| Locker rooms | | 50 gross |
| | Mercantile | |
| Basement and grade floor areas | | 30 gross |
| Areas on other floors | | 60 gross |
| Storage, stock, shipping areas | | 300 gross |
| Parking garages | | 200 gross |
| Residential | | 200 gross |
| | Skating rinks, swimming pools | |
| Rink and pool | | 50 gross |
| Decks | | 15 gross |
| Stages and platform | | 15 net |
| Accessory storage areas, mechanical, equipment room | | 300 gross |
| Warehouse | | 500 gross |

For SI: 1 square foot = 0.0929 m.

1003.5 Elevation change. Where changes in elevation of less than 12 inches (305 mm) exist in the means of egress, sloped surfaces shall be used. Where the slope is greater than one unit vertical in 20 units horizontal (5-percent slope), ramps complying with Section 1010 shall be used. Where the difference in elevation is 6 inches (152 mm) or less, the ramp meets the requirements of the current Americans with Disabilities Act (ADA).

Exceptions:

1.

A single step with a maximum riser height of 7 inches is permitted for buildings with occupancies in Groups F, H, R-2 and R-3 and Groups S and U at exterior doors not required to be accessible.

2.

A stair with a single riser or with two risers and a tread is permitted at locations not required to be

accessible, provided that the risers and treads comply with Section 1009.3, the minimum depth of the tread is 7 inches and at least one handrail complying with Section 1012 is provided within 30 inches (762 mm) of the centerline of the normal path of egress travel on the stair.

3.

A step is permitted in aisles serving seating that has a difference in elevation less than 12 inches (305 mm) at locations not required to be accessible, provided that the risers and treads comply with Section 1025.11 and the aisle is provided with a handrail complying with Section 1025.13.

Any change in elevation in a corridor serving Non-ambulatory persons in a Group I-2 occupancy shall be by means of a ramp or sloped walkway.

1006.3 Illumination emergency power. The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. In the event of power supply failure, an emergency electrical system shall automatically illuminate the following areas:

1.

Aisles and unenclosed egress stairways in rooms and spaces that require two or more means of egress.

2.

Corridors, exit enclosures and exit passageways in buildings required to have two or more exits.

3.

Exterior egress components at other than the level of exit discharge until exit discharge is accomplished for buildings required to have two or more exits.

4.

Interior exit discharge elements, as permitted in Section 1024.1, in buildings required to have two or more exits.

The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 2702.

1006.4 Performance of system. Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 foot-candle (11 lux) and a minimum at any point of 0.1 foot-candle (1 lux) measured along the path of egress at floor level. Such system shall be certified by the building official and the Sedgwick County Fire Department.

Exception:

Emergency lighting facilities shall be placed at intervals not to exceed 50 feet (15,240 mm) on center, or 25 feet (7,620 mm) in any one direction along the entire path of egress. Obstructions or changes in direction of exit travel shall not be considered the conclusion of the emergency light facility.

1007.1 Accessible means of egress required. Accessible means of egress shall comply with this section. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one means of egress is required by Section 1015.1 or 1019.1 from any accessible space, each accessible portion of the space shall be served by not less than two accessible means of egress.

1008.1.4 Floor elevation. There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 unit vertical in 12 units horizontal (2-percent slope).

Exceptions:

1.

Doors serving individual dwelling units in Groups R-2 and R-3 where the following apply:

1.1.

A door is permitted to open at the top step of an interior flight of stairs, provided the door does not swing over the top step.

1.2.

Screen doors and storm doors are permitted to swing over stairs or landings.

1.3.

A door is permitted to open at the top step of a flight of interior stairs in an attached garage, provided the door does not swing over the top step.

1.4.

A door is permitted to open at the top step of a flight of exterior stairs from a patio provided there are no more than four (4) risers.

2.

Exterior doors as provided for in Section 1003.5, Exception 1, and Section 1018.2, which are not on an accessible route.

3.

In Group R-3 occupancies not required to be Accessible units, Type A units or Type B units, the landing at an exterior doorway shall not be more than 7.75 inches (197 mm) below the top of the threshold, provided the door, other than an exterior storm or screen door, does not swing over the landing.

4.

Variations in elevation due to differences in finish materials, but not more than 0.5 inch (12.7 mm).

5.

Exterior decks, patios or balconies that are part of Type B dwelling units, have impervious surfaces and that are not more than 4 inches (102 mm) below the finished floor level of the adjacent interior space of the dwelling unit.

6.

Doors serving building equipment rooms that are not normally occupied.

Section 1009.0 Stairways. Stairways shall comply with Sections 1009.1 through 1009.11.2 with the following added exception:

Exception:

Stairs or ladders used only to attend equipment are exempt from the requirements of this section.

1009.2 Headroom. Stairways shall have a minimum headroom clearance of 80 inches (2,032 mm) measured vertically from a line connecting the edge of the nosing. Such headroom shall be continuous above the stairway to the point where the line intersects the landing below, one tread depth beyond the bottom riser. The minimum clearance shall be maintained the full width of the stairway and landing.

Exception:

1.

Spiral stairways complying with Section 1009.8 are permitted a 78-inch (1,981 mm) headroom clearance.

2.

Stairways within an individual dwelling unit of Group R-2 and R-3 are permitted a 78-inch (1,981 mm) headroom clearance.

1009.10 Handrails. Stairways shall have handrails on each side and shall comply with Section 1012.

Exceptions:

1.

Aisle stairs complying with Section 1025 provided with a center handrail need not have additional handrails.

2.

Stairways within dwelling units, spiral stairways and aisle stairs serving seating only on one side are permitted to have a handrail on one side only.

3.

The following do not require handrails:

3.1.

Decks, patios and walkways that have a single change in elevation where the landing depth on each side of the change of elevation is greater than what is required for a landing.

3.2.

In Group R-3 occupancies, a change in elevation consisting of a single riser at an entrance or egress door.

3.2.

Changes in room elevations of only one riser within dwelling units and sleeping units in Group R-2 and R-3 occupancies do not require handrails.

3.4.

Stairways having less than four risers and serving permanent platforms within auditoriums used for entertainment or presentation, provided that required exits from the platform do not utilize the stairways.

SECTION 1011. EXIT SIGNS

1011.1 Where required. Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Exit sign placement shall be such that no point in a corridor is more than 100 feet (30,480 mm) or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign. Exit signs required at doors shall not be located more than 12 feet above the finish floor, nor more than 2 feet from either edge of the door.

Exceptions:

1.

Exit signs are not required in rooms or areas that require only one exit or exit access.

2.

Main exterior exit doors or gates that are obviously and clearly identifiable as exits need not have exit signs where approved by the building official.

3.

Exit signs are not required in occupancies in Group U and individual sleeping units or dwelling units in Group R-1, R-2 or R-3.

4.

Exit signs are not required in sleeping areas in occupancies in Group I-3.

5.

In occupancies in Groups A-4 and A-5, exit signs are not required on the seating side of vomitories or openings into seating areas where exit signs are provided in the concourse that are readily apparent from the vomitories. Egress lighting is provided to identify each vomitory or opening within the seating area in an emergency.

1012.5 Handrail extensions. Handrails shall return to a wall, guard or the walking surface or shall be continuous to the handrail of an adjacent stair flight or ramp run. At stairways where handrails are not continuous between flights, the handrails shall extend horizontally at least 12 inches (305 mm) beyond the top riser and continue to slope for the depth of one tread beyond the bottom riser. At ramps where handrails are not continuous between runs, the handrail shall extend horizontally above the landing twelve (12) inches (305 mm) minimum beyond the top and bottom ramps.

Exceptions:

1. Handrails within a dwelling unit that is not required to be accessible need extend only from the top riser to the bottom riser.
2. Aisle handrails in Group A occupancies in accordance with Section 1025.13.
3. In buildings served by an accessible ramp or elevator, the handrails need to extend only from the top riser to the bottom riser.

1013.1 Where required. Guards shall be located along open-sided walking surfaces, mezzanines, industrial equipment platforms, stairways, ramps and landings that 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. Where glass is used to provide a guard or as a portion of the guard system, the guard shall also comply with Section 2407. 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.

Exception: Guards are not required for the following locations:

1. On the loading side of loading docks or piers.
2. On the audience side of stages and raised platforms, including steps leading up to the stage and raised platforms.
3. On raised stage and platform floor areas, such as runways, ramps and side stages used for entertainment or presentations.
4. At vertical openings in the performance area of stages and platforms.
5. At elevated walking surfaces appurtenant to stages and platforms for access to and utilization of special lighting or equipment.
6. Along vehicle service pits not accessible to the public.
7. In assembly seating where guards in accordance with Section 1025.14 are permitted and provided.
8. At window wells a protective cover designed to a minimum of 20 pounds per square foot (.96 KN m²) uniformly distributed live load may be substituted for guards. The window well covers shall be provided with an emergency egress hatch located above the ladder or stairway, with the minimum egress opening maintained. The force required to open the egress hatch shall not exceed 30 pounds (133.45 N). Window well covers and grates shall be constructed of materials approved for exterior use.

1013.3 Opening limitations. Open guards shall have balusters or ornamental patterns such that a 4-inch-diameter (102 mm) sphere cannot pass through any opening up to a height of 34 inches (864 mm). From a height of 34 inches (864 mm) to 42 inches (1,067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter shall not pass.

Exceptions:

1. The triangular openings formed by the riser, tread and bottom rail at the open side of a stairway

shall be of a maximum size such that a sphere of 6 inches (152 mm) in diameter cannot pass through the opening.

2.

At elevated walking surfaces for access to and use of electrical, mechanical or plumbing systems or equipment guards shall have balusters or be of solid materials such that a sphere with a diameter of 21 inches (533 mm) cannot pass through any opening.

3.

In areas that are not open to the public within occupancies in Group I-3, F, or S, balusters, horizontal intermediate rails or other construction shall not permit a sphere with a diameter of 21 inches (533 mm) to pass through any opening.

4.

In assembly seating areas, guards at the end of aisles where they terminate at a fascia of boxes, balconies and galleries shall have balusters or ornamental patterns such that a 4-inch-diameter (102 mm) sphere cannot pass through any opening up to a height of 26 inches (660 mm). From a height of 26 inches (660 mm) to 42 inches (1,067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter shall not pass.

5.

Within individual dwelling units and sleeping units in Group R-2 and R-3 occupancies, openings for required guards on the sides of stair treads shall not allow a sphere of 4.5 inches (114.17 mm) to pass through.

1017.1 Construction. Corridors shall be fire-resistance rated in accordance with Table 1017.1. The corridor walls required to be fire-resistance rated shall comply with Section 708 for fire partitions.

Exceptions:

1.

A fire-resistance rating is not required for corridors in occupancy in Group E where each room that is used for instruction has at least one door directly to the exterior and rooms for assembly purposes have at least one-half of the required means of egress doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.

2.

A fire-resistance rating is not required for corridors contained within a dwelling or sleeping unit in occupancy in Group R.

3.

A fire-resistance rating is not required for corridors in open parking garages.

4.

A fire-resistance rating is not required for corridors in occupancy in Group B which is a space requiring only a single means of egress complying with Section 1015.1.

5.

A fire-resistance rating is not required for corridors not exceeding 20 feet (6,096 mm) in length, when they provide direct, obvious and unobstructed means of travel to an exit; or until egress is provided from the building, provided all openings, except the entrance to the corridor, are protected with self-closing doors of non-combustible construction or solid wood core, not less than 1 $\frac{3}{8}$ inches (35 mm) in thickness or fixed glazing. Use of rolling or sliding doors shall not be permitted, unless equipped with a closing device which operates with the actuation of an approved listed smoke detector.

CHAPTER 11- ACCESSIBILITY is deleted in its entirety.

1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with current Sedgwick County Mechanical Code.

1208.2 Minimum ceiling heights. Occupiable spaces, habitable spaces and corridors shall have a ceiling

height of not less than 7 feet 6 inches (2,286 mm). Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than 7 feet (2,134 mm).

Exceptions:

1.

In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1,219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.

2.

If any room in a building has a sloped ceiling, the prescribed ceiling height for the room is required in one-half the area thereof. Any portion of the room measuring less than 5 feet (1,524 mm) from the finished floor to the ceiling shall not be included in any computation of the minimum area thereof.

3.

Mezzanines constructed in accordance with Section 505.1.

4.

Basement rooms having a ceiling height of not less than 6 feet 8 inches (2,033 mm) with not less than 6 feet 4 inches (1,922 mm) clear height under beams, girders, ducts and similar obstructions.

1210.1 Floors. Toilet and bathing room floors shall have a smooth, hard, nonabsorbent surface that extends upward onto the walls at least 6 inches (152 mm).

Exceptions:

1.

Dwelling units

2.

Toilet rooms that are not accessible to the public and which have not more than one water closet.

3.

Toilet rooms within an office space and that are not accessible to the public.

1210.2 Walls. Walls within 2 feet (610 mm) of urinals and water closets shall have a smooth, hard, nonabsorbent surface, to a height of 4 feet (1,219 mm) above the floor, and except for structural elements, the materials used in such walls shall be of a type that is not adversely affected by moisture.

Exceptions:

1.

Dwelling units and sleeping units.

2.

Toilet rooms that are not accessible to the public and which have not more than one water closet.

3.

Toilet rooms within an office space and that are not accessible to the public.

CHAPTER 13, ENERGY EFFICIENCY is deleted in its entirety.

[P] *1503.4 Roof drainage.* Design and installation of roof drainage systems shall comply with current Sedgwick County Plumbing Code.

1607.11.2.1 Flat, pitched and curved roofs. Ordinary flat, pitched and curved roofs shall be designed for the minimum live loads of 20 pounds per square foot or other controlling combinations of loads in Section 1605, whichever produces the greater load. In structures where special scaffolding is used as a work surface for workers and materials during maintenance and repair operations, a lower roof load than specified in the following equation shall not be used unless approved by the building official. Greenhouses shall be designed for a minimum roof live load of 12 psf (0.58 kN/m²).

1608.2 Ground snow loads. The ground snow load for Sedgwick County has been determined by the Building Official to be 15 pounds per square foot.

1609.3 *Basic wind speed.* The basic wind speed (3 second gust) for Sedgwick County has been determined by the Building Official to be 90 miles per hour (40 m/s).

CHAPTER 17 Structural Tests and Special Inspections is deleted in its entirety.

1805.2.1 *Frost protection.* Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected by one or more of the following methods:

1. Extending below the frost line of the locality;
 - 1.1. The frost line for Sedgwick County shall be 24 inches (610 mm) below the finish grade.
2. Constructed in accordance with ASCE 32; or
3. Erected on solid rock.

Exception: Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Classified in Occupancy Category I, in accordance with Section 1604.5;
2. Area of 400 square feet (56 m²) or less for light-frame construction or 400 square feet (37m²) or less for other than light-frame construction; and
3. Eave height of 10 feet (3,048 mm) or less.
4. For other than R-2 and R-3 occupancies, a one story prefabricated building not over 150 square feet in floor area and supported in an approved manner may be attached to a building having a permanent foundation extending below the frost line. The roof and exterior walls of the prefabricated building shall be flashed in an approved manner to form a weather-tight seal between structures.
5. Footings shall not bear on frozen soil unless such frozen condition is of a permanent character.

CHAPTER 29, *Plumbing Systems* is deleted in its entirety, and is hereby replaced with the current Sedgwick County Plumbing Code.

SECTION 3109.4.1.8 is deleted in its entirety.

(Res. No. 280-1995, § 1, 12-20-95; Res. No. 165-1997, 7-23-97; Res. No. 233-98, § 1, 12-30-98; Res. No. 208-00, 12-13-00; Res. No. 12-03, § 1, 1-15-03; Res. No. 263-07, § 1, 12-14-07)

Sec. 6-28. - Same—Copies on file.

Not less than three (3) copies of the building code incorporated by reference in section 6-26 shall be filed with the county clerk. Such copies shall be marked or stamped "Official Copy as Incorporated by Resolution No. 263-07," with all sections or portions thereof intended to be omitted clearly marked to show any such omissions. Such copies shall have attached a copy of this article, and shall be open to inspection and available to the public during all reasonable business hours.

(Res. No. 280-1995, § 1, 12-20-95; Res. No. 233-98, § 1, 12-30-98; Res. No. 12-03, § 1, 1-15-03; Res. No. 263-07, § 1, 12-14-07)

Sec. 6-29. - Same—Adoption of rules and regulations.

The building official shall have the authority to promulgate such rules and regulations as are necessary to carry out the purpose of the building code as adopted in section 6-26.

(Res. No. 280-1995, § 1, 12-20-95; Res. No. 233-98, § 1, 12-30-98; Res. No. 12-03, § 1, 1-15-03; Res. No. 263-07, § 1, 12-14-07)

Sec. 6-30. - Residential code—Adopted.

The International Residential Code, for One- and Two- Family Dwellings, 2006 Edition, Chapters 1 thru 10, as published by the International Code Council, Inc., 5203 Leesburg Pike, Suite 600, Falls Church, Virginia, 22041, including Appendix Chapter G and no other appendices, is hereby adopted and incorporated herein by reference, subject to such amendments thereto as are set forth in section 6-31 of the Sedgwick County Code, and shall be referred to herein as the "Residential Code." The Residential Code is hereby adopted as the one-family and two-family dwelling code for the incorporated area of the county, and for those second-class and third-class cities located therein which have by action of their governing bodies adopted the residential code in the same form as herein contained and which have entered into a separate agreement with the county for enforcement within their municipal boundaries, and conferring jurisdiction upon the county for all prosecutorial function relating thereto. Any reference therein to the International Building Code shall be construed as a reference to the current Sedgwick County commercial building code.

(Res. No. 11-03, § 1, 1-15-03; Res. No. 262-07, § 1, 12-14-07)

Sec. 6-31. - Same—Amendments.

The 2006 International Residential Code, 2006 Edition, chapters 1 thru 10, and Appendix G is hereby adopted and shall read as follows:

Changes, additions, and deletions to the residential code and the appendices thereto are adopted only as set forth hereinafter:

SECTION R101, GENERAL

Section R101.4 Referenced codes is hereby adopted and shall read as follows:

R101.4.1 Electrical. The provisions of the current Sedgwick County Electrical Code shall apply to the installation of electrical systems, including, alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Whenever used in the Residential Code, the term "ICC Electrical Code" shall be construed to mean the current Sedgwick County Electrical Code.

R101.4.2 Gas. The provisions of the current International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connection of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

R101.4.3 Mechanical. The provisions of the current Sedgwick County Mechanical Code shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy related systems. Whenever used in the Residential Code, the term "International Mechanical Code" shall be construed to mean the current Sedgwick County Mechanical Code.

R101.4.4 Plumbing. The provisions of the current Sedgwick County Plumbing Code shall apply to the installation, alterations repairs, replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of medical gas system. Whenever used in the Residential Code, the term "International Plumbing Code" shall be construed to mean the current Sedgwick County Plumbing Code.

R101.4.5 Fire prevention. The provisions of the current Sedgwick County Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. Whenever used in the Residential Code, the term "International Fire Code" shall be construed to mean the current Sedgwick County Fire Code.

R101.4.6 Conventionally built structure moving. The provisions of the Sedgwick County Structure Moving Code shall apply to any building or conventionally built structure that is to be moved upon, across or over any highway, street, avenue, alley or sidewalk in the unincorporated areas of Sedgwick County.

SECTION R102, APPLICABILITY

R102.7 is deleted in its entirety.

R102.7 is hereby adopted and shall read as follows:

R102.7 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, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

SECTION R103 is hereby retitled DEPARTMENT OF CODE ENFORCEMENT

SECTION R105, PERMITS

R105.2 is deleted in its entirety.

R105.2 is hereby adopted and shall read as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements in this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provision of this code or any other laws or ordinances of this jurisdiction.

Building:

1.

One-story detached accessory of U or S occupancy structure, provided the floor area does not exceed 200 square feet (18.58m) and a location permit is obtained prior to installation.

2.

Playhouses or tree houses having single or multi-level floors with or without roofs.

3.

Fences not over 6 feet (1,829mm) high. Concrete or masonry fences not over 4 feet (1,219mm) high.

4.

Retaining walls which are not over 4 feet (1,219mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

5.

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 to 1.
6. Sidewalks and driveways not more than 30 inches (762mm) above adjacent grade and not over any basement or story below.
 7. Decks, stoops, and porches not more than 30 inches (762mm) above grade without overhead structures and not over any basement or story below.
 8. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
 9. Prefabricated swimming pools that are less than 24 inches (610mm) deep and the capacity does not exceed 5,000 gallons (18,927 L) in which the pool walls are entirely above the adjacent grade.
 10. Swings and other playground equipment accessory to one- or two-family dwelling.
 11. Window awnings supported by an exterior wall when not projecting not more than 54 inches (1,372mm).
 12. Emergency board-up, securing temporary bracing of a building after a fire, storm, vehicle damage or other disaster which caused the building to be open or unsafe. The building owner or this agent may cause such work to be done provided that the Office Department of Code Enforcement is notified the following business day.
 13. Repair or replacement of roofing and/or siding materials not exceeding 400 square feet within any one (1) month period.
 14. Repair or replacement of interior gypsum board on non-fire rated walls or ceilings when the total area does not exceed 100 square feet within any twelve (12) month period, and provided that no framing, electrical, mechanical or plumbing changes are made.

R105.3.1.1 is deleted in its entirety.

R105.3.1.1 is hereby adopted and shall read as follows:

R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. Applications for reconstruction, rehabilitation, addition or other improvement of existing buildings or structures located in an area prone to flooding as established by the Sedgwick County Floodplain Management Code, Section 13-1, et seq., of the Sedgwick County Code, shall be governed by that code.

Section R105.3.1.2 Requirement for onsite wastewater system permit and onsite water well permit is hereby adopted and shall read as follows:

R105.3.1.2 Requirement for onsite wastewater system permit and onsite water well permit. For applications for new construction of one- or two-family dwellings, a permit for an onsite wastewater system and a permit for onsite water well must be secured before the building official can issue a permit therefor.

Section R105.3.3 Responsibility of permit applicant is hereby adopted and shall read as follows:

Section R105.3.3 Responsibility of permit applicant. The permit applicant shall be responsible for satisfying all requirements of applicable county codes and resolutions.

R105.6 is deleted in its entirety:

R105.6 is hereby adopted and shall read as follows:

R105.5[6] Expiration. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of issuance, or if the building or work authorized by such permit is suspended or abandoned at any time after the work has commenced. Work shall be considered to have been suspended or abandoned if there has been 180 days since the last required inspection. Before work can be recommenced, a new permit shall be first obtained, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such period of suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a full permit fee.

The building official is authorized to grant, one or more extensions of time, for periods not to exceed 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

SECTION R106, CONSTRUCTION DOCUMENTS

R106.3.1 Approval of construction documents is deleted in its entirety.

R106.5 Retention of construction documents is deleted in its entirety.

Section R106.6 Design professional in responsible charge is hereby adopted and shall read as follows:

R106.6 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 building official shall be notified in writing by the owner 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 phased and deferred submittal items, for compatibility with the design of the building.

SECTION R108, FEES is deleted in its entirety:

SECTION R108, FEES is hereby adopted and shall read as follows:

R108.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

R108.2 Permit fees. The fee for each permit shall be as set forth below.

R108.2.1 Commercial permits. The fee for each commercial permit shall be as set forth in the current Sedgwick County commercial building code.

R108.2.2 Residential permits. The fee for each residential permit shall be as follows:

R108.2.2.1 New construction. For each permit issued for construction of new one and two family dwellings or accessory building thereto, there shall be charged and collected from the applicant a permit fee in accordance with the following defined classifications, defined chargeable floor area, and table of building permit fees:

(a)

Classification I means all buildings and structures except those defined hereafter as

classification II. The chargeable square feet shall be defined as the total square feet of finished area enclosed by the exterior dimension for each floor thereof. The permit fee charged shall be based on the value of nineteen cents (19¢) per chargeable square foot.

(b)

Classification II means garages, manufactured homes, basements, carports, breezeways, covered walkways, porches, canopies, unfinished areas, and accessory structures to one and two family dwellings. The chargeable square feet shall be defined as the total square feet area enclosed by the exterior dimensions thereof. The permit fee charged shall be based on the value of fifteen cents (15¢) per chargeable square foot.

R108.2.2 All other residential permits. For each permit issued for repairing, altering, remodeling or additions to existing buildings, reroofing, siding, swimming pools, hot tubs, and all other residential construction projects, a permit fee shall be charged based on the value of the work to be performed in accordance with Table R108.2.

R108.2.3 Value. The determination of value or valuation under any of the provisions of this code shall be made by the building official. For the purpose of this section, the value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, mechanical, elevators, fire-extinguishing systems and any other permanent equipment. The building official shall, when deemed necessary, require reasonable substantiation of value stated in any application for permit or other form that may be prescribed.

R108.2.4 Issuance fee. A permit issuance fee of fifteen dollars (\$15.00) shall be charged for each permit which is issued under the provisions of this code, and shall be in addition to the other permit fees set forth herein.

Table R108.2
BUILDING PERMIT FEES
(excluding issuance fee)

TOTAL VALUATION FEE

\$1.00 to \$500.00 \$18.00

\$501.00 to \$2,000.00, for the first \$500.00 plus \$2.50 for each additional \$100.00 or fraction thereof, to and including \$2,000.00 18.00

\$2,001.00 to \$25,000.00, for the first \$2,000.00 plus \$9.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00 55.50

\$25,001.00 to \$50,000.00, for the first \$25,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00 74.00

\$50,001.00 to \$100,000.00, for the first \$50,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00 99.00

\$100,001.00 to \$500,000.00, for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00 139.00

\$500,001.00 to \$1,000,000.00, for the first \$500,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00 199.00

\$1,000,001.00 and up, for the first \$1,000,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof 4,049.50

Other Inspections and Fees:

1.

Inspections outside of normal business hours, per hour* (minimum charge-two hours) 30.00

2.

Re-inspection fees assessed under provisions of Section 305(g), per hour* 30.00

3.

Inspections for which no fee is specifically indicated, per hour* (minimum charge — one-half hour) 30.00

4.

Additional plan review required by changes, additions or revisions to approved plans, per hour* (minimum charge — one-half hour) 30.00

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

R108.5 Investigation Fees. Work without a Permit.

R108.5.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

R108.5.2 Fee. An investigation fee, in addition to the permit fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same fee set forth in Table R108.2. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any other penalty prescribed by law.

R108.6 Fee Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION R109, INSPECTIONS is deleted in its entirety.

SECTION R109, INSPECTIONS is hereby adopted and shall read as follows:

R109.1.2 Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

R109.1.3 Floodplain inspections. Floodplain inspections shall be governed by the current Sedgwick County Floodplain Management Code, Section 13-1, et seq., of the Sedgwick County Code.

R109.5 Service drive inspection. Service drive inspections shall be made in accordance with the current Sedgwick County Service Drive Code.

SECTION R112, BOARD OF APPEALS is deleted in its entirety.

SECTION R112, BOARD OF APPEALS is hereby adopted and shall read as follows:

R112.1 General, membership and duties. The board of building examiners and appeals shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the Residential Code and to determine the suitability of alternate materials and types of construction. The board of building examiners and appeals shall consist of six (6) members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the county.

The board shall consist of one (1) architect currently licensed by the State of Kansas, one (1) structural engineer currently licensed by the State of Kansas, and four (4) contractors currently licensed in Sedgwick County (two (2) contractors whose major business is residential construction and two (2) contractors whose major business is commercial construction).

The building official shall be an ex-officio member of the board and provide technical information to

the board. The building official shall act as secretary of the board, but the building official shall not have a vote upon any matter before the board.

The county counselor shall provide legal counsel for the board. The board members shall be appointed by the board of county commissioners to serve for terms of three (3) years. The members of the board of building examiners and appeals presently holding appointments shall continue as members of the board for the term of their appointment and until their successors have been duly appointed, qualified, and sworn to the oath of office before the Sedgwick county clerk.

R112.1.1 The board may make an annual review of the Residential Code and shall recommend to the board of county commissioners such changes in the Residential Code as are necessary to be consistent with modern methods of construction.

R112.1.2 The board shall adopt reasonable rules and regulations for conducting its business and shall render all findings and decisions in writing to the building official with a duplicate copy to the applicant or appellant.

R112.1.3 Any order of the board of building examiners and appeals made as a result of a hearing under this sub-section may be appealed to the district court of the eighteenth judicial district.

R112.1.4 Any applicant or appellant desiring to use alternate materials or types of construction shall guarantee payment of all expenses for any tests deemed necessary by the board.

R112.2 Limitations of authority. The board shall have no authority relative to interpretation of the administrative provisions of the Residential Code nor shall the board be empowered to waive requirements of the Residential Code.

R112.2.1 Applications for construction, addition or other improvement of existing buildings or structures located in an area prone to flooding as established by the Sedgwick County Floodplain Management Code, Section 13-1, et seq., of the Sedgwick County Code, shall be governed by that code.

SECTION R113, VIOLATIONS is deleted in its entirety.

SECTION R113, VIOLATIONS is hereby adopted and shall read as follows:

R113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, demolish, convert, occupy, equip, use, or maintain any building or structure in the unincorporated area of the county, or cause or permit the same to be done, contrary to or in violation of the Residential Code.

R113.2 Notice of violation and order to comply. Whenever the building official or any code enforcement officer authorized under this article has probable cause to believe that a person, firm or corporation is committing or has committed a violation of any provision of the Residential Code, the building official or such code enforcement officer may first cause a notice of violation and order to comply to be served upon said person, firm or corporation responsible therefor.

Such notice shall:

1. Be in writing;
2. Include a description of the real estate and/or the street address sufficient for identification;
3. Specify the violation(s) which exists and the correction(s) ordered;
- 4.

Allow a reasonable time for the performance of any act it requires.

Such notice shall be deemed to be properly served upon such alleged violator if a copy thereof is delivered to such alleged violator personally, or, if not found, a copy thereof is left at such alleged violator's place of abode with a person of suitable age and discretion who shall be informed of the contents thereof. Such notice shall also be deemed to be properly served upon the alleged violator if a copy thereof is sent by mail to such alleged violator's last known address, or, if the letter with a copy is returned showing it has not been delivered, a copy thereof is posted in a conspicuous place on or about the building or structure affected by the notice.

R113.3 Prosecution of violation. In case any notice of violation and order to comply authorized herein is not complied with, the building official or such code enforcement officer may request the county counselor to institute an appropriate action or proceeding against the person, firm, or corporation responsible for the violation:

1. To restrain, correct, or remove the violation or to compel such person, firm, or corporation to refrain from any further execution of work;
2. To restrain or correct the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion, demolition, equipping, use, or maintenance of such building or structure or part thereof;
3. To require the removal of work in violation;
4. To prevent the maintenance, occupation or use of the building, structure, or part thereof which is erected, constructed, enlarged, altered, repaired, moved, improved, removed, demolished, converted, equipped, used or maintained in violation of the Residential Code or in violation of a plan or specification under which an approval, permit or certificate was issued.

In addition, or in the alternative, the building official or code enforcement officer may proceed with the penalties provision set forth in Section 113.4.

R113.4 Violation penalties.

R113.4.1 Issuance of uniform complaint and notice to appear. Whenever the building official or a code enforcement officer authorized under this article has probable cause to believe that a person, firm, or corporation is committing or has committed a violation of any provision of the Residential Code, the building official or such code enforcement officer may serve upon such accused person a uniform complaint and notice to appear, or in the alternative, may sign a complaint against the accused person and cause a notice to appear to be issued according to the provisions of K.S.A. 19-4701, et seq., the code for the enforcement of county codes and resolutions.

Pursuant to K.S.A. 19-101d, prosecution for any such violation shall be conducted in the manner provided by law in the district court under the code for the enforcement of county codes and resolutions as provided by K.S.A. 19-4701, et seq. Writs or processes necessary for the prosecution of such violations shall be substantially in the form of writs and process as shown in K.S.A. 19-4738. The county shall provide all necessary supplies, forms and records at its own expense.

R113.4.2 Procedures. Procedures for prosecution of violations of the Residential Code and this article shall be pursuant to chapter 8 of the Sedgwick County Code.

R116.2 Obtaining a license. To obtain an appropriate building contractors license, a person shall:

- 1.

File a completed application with the board of building examiners and appeals on forms provided by the department of code enforcement, identifying the classification of contractor license sought by the proposed licensee, which classification shall be one of the following:

(a)

Class A. Unlimited commercial or residential. A class A license shall entitle the licensee to contract to build unlimited commercial and residential buildings and structures, and shall entitle the licensee to those privileges held by holders of class B, C, S-1, S-2, S-5 and S-6 licenses.

(b)

Class B. Three-story or less. A class B license shall entitle the licensee to contract to build structures of three stories or less in height, whether commercial or residential, and to contract to perform non-structural remodeling of buildings or structures not exceeding three stories in height, and shall entitle the licensee to those privileges held by holders of class C, S-1, S-2, S-5 and S-6 licenses.

(c)

Class C. One- and two-family residential and accessory structure. A class C license shall entitle the licensee to contract to build one- and two-family residential structures and accessory buildings to such residential structures, and to perform residential remodeling, and shall entitle the licensee to those privileges held by holders of class S-1, S-2, and S-5 licenses.

(d)

Class L-_____. Limited. A Class L-_____ license shall entitle the licensee to contract and build based upon limitations placed on the license by the building official or the board of building examiners and appeals. The class L-_____ license may be issued for any other class of license and the fee for the class L-_____ license shall be the same as the classification provided to the licensee.

(e)

Class S. Specialty. A class S license shall entitle the licensee to contract to install any one of the following, according to the subclass of specialty license obtained:

S-1. Roofing/siding

S-2. Swimming pool

S-3. Fire sprinkler system contractor. No S-3 Fire Sprinkler System contractor license will be issued or renewed without written approval of the Sedgwick County Fire Department.

S-4. Mobile/manufactured home

S-5. Wrecking

S-6. Wireless Communication Towers

A separate class S license shall be required for each and every subclass and a separate license fee shall be collected therefor.

(f)

Class I-_____. Inactive. A class I-_____ license shall entitle the licensee to retain the license status most recently held prior to becoming inactive upon payment of the license fee which shall be the same as that required for the most recently held active license.

An inactive license shall be renewed at each renewal rotation, and if such inactive license is not renewed, it shall be deemed expired, and the provisions relating to obtaining a new license shall apply. An inactive licensee is not required to comply with the provisions of subparagraphs (4), (5), and (6) hereof during the inactive period. The licensee shall comply with all licensing provisions when the licensee engages in any work which requires an active license. Once an inactive license becomes active it may not be returned to inactive status until the next renewal rotation.

2. Pay an application fee in the amount of \$50.00.
 3. Pass either the Block Test or the ICC test for general contractors in the State of Kansas, or the board of building examiners and appeals examination for the license applied for. The "Block Tests," now administered by Thomson Prometric, 1260 Energy Lane, St. Paul, Minnesota 55108, or the ICC test, administered by International Code Council, 900 Montclair Road, Birmingham, Alabama 35213, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure. Applicants may show satisfactory evidence to the building official of a valid ICBO certificate for general contractors in lieu of taking the examinations identified above.

Those persons who were licensed as required by this article on December 31, 1991, and whose license has not subsequently lapsed or been suspended or revoked, shall not be required to pass any such examination. Applicants who show satisfactory evidence to the building official or to the board of building examiners and appeals of experience commensurate to that required by this article may thereupon be issued a license limited to one particular project.
 4. Pay the appropriate license fee as provided below in Section R116.3.
 5. Submit proof of insurance in the following amounts:
 - (a) Worker's compensation insurance for all employees to be engaged in work on any site regulated by the Residential Code.
 - (b) Comprehensive general liability insurance in an amount not less than three hundred thousand dollars (\$300,000) each occurrence and aggregate for bodily injury and property damage combined. Certificates of insurance submitted as required herein shall indicate that the Sedgwick County Department of Code Enforcement shall be given at least thirty (30) days advance written notice of any cancellation or material change in coverage of such insurance.
 6. Agree to obtain all required permits.
 7. Agree to comply with the truth in advertising requirements hereof.
- R116.3 License fee.*
1. Building contractor's licenses issued on or after January 1, 2009, shall be sold in two (2) year county-wide increments, and are valid for two (2) years, and are therefore referred to as "biennial" licenses.
 - (a) Triennial licenses in effect at the time of the adoption of this section that expire on December 31, 2008, shall be renewed biennially as set forth above.
 - (b) Building contractor's licenses issued after the adoption of this section, but prior to January 1, 2009, shall expire on December 31, 2008, and shall thereafter be renewed biennially as set forth above. The license fee charged for such licenses shall be prorated, based on the current year of a two-year cycle ending on December 31, 2008, according to the fee schedule set forth in Section R116.3.2.
 - 2.

A license is renewable up to March 1st after expiration of any license period. The building contractor's biennial license fees are as follows for the year 2009, and biennially thereafter:

A - \$300.00

B - \$250.00

C - \$200.00

D - \$200.00

3.

The license fee charged to new applicants will be prorated, based on the current year of the two-year cycle. License fees are subject to change with the Sedgwick County Board of Commissioners approval and the official current license fee schedule shall be maintained by the Building Official.

R116.4 Renewal of license. To renew a building contractor's license, a person shall file an application as provided in Section R116.2(1), and shall pay the license fee as provided in Section R116.3.

R116.5 Violations of building contractor's license requirements; hearing; penalties.

At the request of the building official, a hearing before the board of building examiners and appeals shall be held to determine whether there has been any violation of any of the licensing requirements contained herein and whether the building contractor's license should be suspended or revoked.

If any violation is found, the board may order any or all of the following:

1.

No further building permits will be issued to the violating licensee until such time as the violation is abated.

2.

All inspections of further work performed by the violating licensee will be suspended until such time as the violation is abated, excepting extreme hazard or life-safety inspection.

3.

A license review, subjecting the violating licensee to possible suspension or revocation of the building contractor's license. If a contractor license is revoked as provided herein, the violating licensee shall be barred from obtaining another contractor license for a period of twelve (12) months from the date of the revocation order. Following a suspension or revocation period, a violating licensee who wishes to obtain a building contractor's license shall follow the application procedure set forth in Section R116.2, and shall be required to pass the examination described in Section R116.2(3).

R116.6 Lapse of license. A contractor license that has not been suspended or revoked, but for which the renewal fee has not been submitted on or before March 1st following the expiration of a license period, shall be deemed to have lapsed. Renewal of a lapsed license shall be allowed upon the person's request, filing of a completed application, payment of an application fee as required in Section R116.2(2), and compliance with the requirements of Section R116.2(3).

R116.7 Truth in Advertising Requirements is hereby adopted and shall read as follows:

R116.7.1 Applicability. On or after July 1, 1993, any person, corporation, or entity required by this section to obtain a Building Contractors License shall be subject to this section.

R116.7.2 Definition. For the purposes of this section, advertising or advertisement means the inclusion of any business card, announcement, contract bid proposal, or other written or broadcast statement, including telephone directory display advertisements, but shall not include any white or yellow page listings in telephone directories.

R116.7.3 Violations. It shall be a violation for any person, firm, corporation, or other entity that does not hold a valid Building Contractors License in good standing, to advertise or maintain any advertising or advertisement that:

1. Advertises as a building contractor or general contractor;
2. Appends the person's, or other entity's name to, or in connection with, the title "building contractor";
3. Appends the person's, or other entity's name to any other words that tend to represent the person or entity as a building contractor;

R116.8 Exception to the requirement of building contractors license. Owners of one or two-family dwellings who are building their residence or who reside in the residence where the building is taking place, and/or who are building accessory buildings to such residential buildings or structures, and/or who are building agricultural buildings, and/or who are performing residential remodeling, shall be permitted to work on the building construction in that residence and/or accessory or agricultural building or structure, provided all other requirements of the residential code are met and all of the following are complied with:

1. Building plans for the building or structure have been approved by the building official.
2. No individual may perform building construction on more than one new one family or one new two-family dwelling in any three-year period beginning with the date of the issuance of the most recent such building permit. Special cases are subject to appeal to the board of building examiners and appeals.
3. The individual to whom the building permit is to be issued is the same individual who is the owner of the residence, accessory building, or agricultural building that is subject of the building permit.

2006 INTERNATIONAL RESIDENTIAL BUILDING CODE SHALL BE AMENDED AS FOLLOWS:
SECTION R301, DESIGN CRITERIA

R301.4 Live load. The minimum uniformly distributed live load shall be as provided in Table R301.4.

TABLE R301.4
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS

| USE | LIVE LOADS(POUNDS PER SQUARE FOOT) |
|--|------------------------------------|
| Exterior balconies | 60 |
| Decks ^f | 40 |
| Fire Escapes | 40 |
| Passenger vehicle garages ^a | 50 ^a |
| Attics without storage ^{b,e} | 10 |
| Attics with storage ^{b,e} | 20 |
| Rooms other than sleeping rooms | 40 |
| Sleeping rooms | 40 |
| Stairs | 40 ^c |
| Guardrails and handrails ^d | 200 |

For SI: 1 pound per square foot = 0.0479 kN/m², 1 square inch = 645 mm², 1 pound = 4.45 N.

^a

Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a 20-

- b. square-inch area.
 - c. No storage with roof slope not over 3 units in 12 units.
 - d. Individual stair treads shall be designed for the uniformly distributed live load or a 300-pound concentrated load acting over an area of 4 square-inches, whichever produces the greater stresses.
 - e. A single concentrated load applied in any direction at any point along the top.
 - f. Attics constructed with wood trusses shall be designed in accordance with Section R802.10.1.
- See Section R502.2.1 for decks attached to exterior walls.

R303.1 Habitable rooms. All habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 4 percent of the floor area being ventilated. In addition, in new dwellings and additions to existing one and two family dwellings where a new separate heating and/or cooling system is being added to serve, but not necessarily limited to only serve the new addition, an outside air duct shall be connected to the main return air duct, prior to the filter, of each heating and/or cooling system for the habitable space served. Duct size shall be based on the square footage of habitable space served as follows:

1. 1,500 sq. ft. or less 4 inch diameter or 12.6 sq. in.
2. 1,501 sq. ft. to 2,000 sq. ft. 5 inch diameter or 19.6 sq. in.
3. 2,001 sq. ft. and larger 6 inch diameter or 28.3 sq. in.

All areas listed exclude finished basement area. The outside air duct shall be provided with a .25 inch mesh inlet screen. The outside air duct shall not draw air from contaminated sources.

Exceptions:

1. The glazed areas need not be openable where the opening is not required by Section R310 and an approved mechanical ventilation system capable of producing 0.35 air change per hour in the room is installed or a whole-house mechanical ventilation system is installed capable of supplying outdoor ventilation air of 15 cubic feet per minute (cfm) (78 L/s) per occupant computed on the basis of two occupants for the first bedroom and one occupant for each additional bedroom.
2. The glazed areas need not be installed in rooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 foot-candles (65 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.
3. Use of sunroom additions and patio covers, as defined in Section R202, shall be permitted for natural ventilation if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening.

SECTION R303, LIGHT, VENTILATION AND HEATING

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 cubic feet per minute (24 L/s) for intermittent ventilation or 20 cubic feet per minute (10 L/s) for continuous ventilation.

Ventilation air from the space shall be exhausted directly to the outside or a minimum of thirty-six (36) inches (914.4 mm) above the top of ceiling joist in a ventilated attic space.

Section R303.5 shall be deleted in its entirety.

R303.6 Stairway illumination. All interior and exterior stairways shall be provided with a means to illuminate the stairs, including the landings and treads. For interior stairs the artificial light sources shall be capable of illuminating treads and landings to levels not less than one (1) foot-candle (11 lux) measured at the center of treads and landings.

Exterior stairways shall be provided with an artificial light source located in the immediate vicinity of the top landing of the stairway. Exterior stairways providing access to a basement from the outside grade level shall be provided with an artificial light source located in the immediate vicinity of the bottom landing of the stairway.

Exception:

An artificial light source is not required at the top and bottom landing.

R308.4 Hazardous locations. The following shall be considered specific hazardous locations for the purposes of glazing:

1. Glazing in swinging doors except jalousies.
2. Glazing in fixed and sliding panels of sliding door assemblies and panels in sliding and bifold closet door assemblies.
3. Glazing in storm doors.
4. Glazing in all unframed swinging doors.
5. Glazing in doors and enclosures for hot tubs, whirlpools, saunas, steam rooms, bathtubs and showers. Glazing in any part of a building wall enclosing these compartments where the bottom exposed edge of the glazing is less than sixty (60) inches (1,524 mm) measured vertically above any standing or walking surface.
6. Glazing, in an individual fixed or operable panel adjacent to a door where the nearest vertical edge is within a twelve (12) inches (304.8mm) arc of the door in a closed position and whose bottom edge is less than sixty (60) inches (1,524 mm) above the floor or walking surface.
7. Glazing in an individual fixed or operable panel, other than those locations described in Items 5 and 6 above, that meets all of the following conditions:
 - 7.1. Exposed area of an individual pane larger than nine (9) square feet (0.836 m²).
 - 7.2. Bottom edge less than ten (10) inches (254 mm) above the floor.
 - 7.3. Top edge more than thirty-six (36) inches (914 mm) above the floor.
 - 7.4. One or more walking surfaces within 36 inches (914 mm) horizontally of the glazing.
8. All glazing in railings regardless of an area or height above a walking surface. Included are structural baluster panels and nonstructural infill panels.
9. Glazing in walls and fences enclosing indoor and outdoor swimming pools, hot tubs and spas where the bottom edge of the glazing is less than 60 inches (1,524 mm) above a walking surface and within 60 inches (1,524 mm) horizontally of the water's edge. This shall apply to single glazing and all panes in multiple glazing.
10. Glazing adjacent to stairways, landings and ramps within 36 inches (914 mm) horizontally of a walking surface when the exposed surface of the glass is less than 60 inches (1,524 mm) above the

plane of the adjacent walking surface.

11. Glazing adjacent to stairways within 60 inches (1,524 mm) horizontally of the bottom tread of a stairway in any direction when the exposed surface of the glass is less than 60 inches (1,524 mm) above the nose of the tread.

Exception:

The following products, materials and uses are exempt from the above hazardous locations:

- 1.** Openings in doors through which a 3 inch (76 mm) sphere is unable to pass.
- 2.** Decorative glass in Items 1, 6 or 7.
- 3.** Glazing in Section R308.4, Item 6, when there is an intervening wall or other permanent barrier between the door and the glazing.
- 4.** Glazing in Section R308.4, Item 6, in walls perpendicular to the plane of the door in a closed position, other than the wall toward which the door swings when opened, or where access through the door is to a closet or storage area 3 feet (914 mm) or less in depth. Glazing in these applications shall comply with Section R308.4, Item 7.
- 5.** Glazing in Section R308.4, Items 7 and 10, when a protective bar is installed on the accessible side(s) of the glazing 36 inches 2 inches (914 mm 51 mm) above the floor. The bar shall be capable of withstanding a horizontal load of 50 pounds per linear foot (730 N/m) without contacting the glass and be a minimum of 1" inches (38 mm) in height.
- 6.** Outboard panes in insulating glass units and other multiple glazed panels in Section R308.4, Item 7, when the bottom edge of the glass is 25 feet (7,620 mm) or more above grade, a roof, walking surfaces, or other horizontal [within 45 degrees of horizontal] surface adjacent to the glass exterior.
- 7.** Louvered windows and jalousies complying with the requirements of Section R308.2.
- 8.** Mirrors and other glass panels mounted or hung on a surface that provides a continuous backing support.
- 9.** Safety glazing in Section R308.4, Items 10 and 11, is not required where:
 - 9.1.** The side of a stairway, landing or ramp has a guardrail or handrail, including balusters or in-fill panels, complying with the provisions of Sections 1013 and 1607.7 of the International Building Code; and
 - 9.2.** The plane of the glass is more than 18 inches (457 mm) from the railing; or
 - 9.3.** When a solid wall or panel extends from the plane of the adjacent walking surface to 34 inches (863 mm) to 36 inches (914 mm) above the floor and the construction at the top of that wall or panel is capable of withstanding the same horizontal load as the protective bar.
- 10.** Glass block panels complying with Section R610.
- 11.** Windows in walls adjacent to bathtubs may be protected by an approved safety film installed by certified installers in accordance with the manufacturer's specifications.

Section R309.5 shall be deleted in its entirety.

See current Sedgwick County Code Chapter 13-Floodplain Management

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of four and one-half (4.5) square feet (0.418 m²) with the window in an open position, with a total break-out area of five and seven-tenths (5.7) square feet.

R310.1.2 Minimum opening height. The minimum net clear opening height shall be:

- 1.** Nineteen and three-quarters (19.75) inches (501.65 mm) plus or minus one-quarter (.25) inch for single, double hung and awning style windows.
- 2.**

For all other types of windows the minimum height shall be determined by multiplying the width times the height to achieve a total net clear opening of four and one-half (4.5) square feet (0.372 m²) with a total break-out area of five and seven-tenths (5.7) square feet (0.530 m²).

R310.1.3 Minimum opening width. The minimum net clear opening width shall be:

1. Seventeen (17) inches (431.8 mm) plus or minus one-quarter (.25) inch in the open position for casement and slider windows.
2. Thirty and one-quarter (30.25) inches (768.35 mm) plus or minus one-quarter (.25) inch for single and double hung units.

R310.2.1 Ladder and steps. Window wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with Sections R311.5 and R311.6. Ladders or rungs shall;

1. Have an inside width of at least twelve (12) (304.8 mm) inches.
2. Project at least three (3) inches (7.62 mm) from the wall.
3. Have at least one and one-half (1.5) inches (38.1 mm) clearance between the rung and wall.
4. Be spaced not more than eighteen (18) inches (472.2 mm) on center vertically for the full height of the window well.

R311.4.3 Landings at doors. There shall be a floor or landing on each side of each exterior door. The floor or landing at the exterior door shall not be more than 1.5 inches (38 mm) lower than the top of the threshold. The landing shall be permitted to have a slope not to exceed 0.25 units vertical in 12 units horizontal (2- percent).

Exceptions:

1. Where a stairway has four or less risers and is located on the exterior side of a door, other than the required exit door, a landing is not required at the exterior side of the door provided the door, other than an exterior storm or screen door does not swing over the stairway.
2. The exterior landing at an exterior doorway shall not be more than eight (8) inches (203.2 mm) below the top of the threshold, provided the door, other than an exterior storm or screen door does not swing over the landing.
3. The height of floors at exterior doors other than the exit door required by Section R311.4.1 shall not be more than eight (8) inches (203.2 mm) lower than the top of the threshold. The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension 36 inches (914 mm) measured in the direction of travel.

R311.5.2 Headroom. The minimum headroom in all parts of the stairway shall not be less than six (6) feet and six (6) inches (1,981.2 mm) measured vertically from the sloped plane adjoining the tread nosing or from the floor surface of the landing or platform.

R311.5.3 Stair treads and risers.

R311.5.3.1 Riser height. The maximum riser height shall be eight (8) inches (203.2). The riser

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 $\frac{3}{8}$ inch (9.5 mm).

R311.5.3.2 Tread depth. The minimum tread depth shall be nine (9) inches (228.6 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 tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than $\frac{3}{8}$ inch (9.5 mm). Winder and circular treads shall have a minimum tread depth of nine (9) inches (228.6 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower.

Winder and circular treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the largest winder tread depth at the 12 inch (305 mm) walk line shall not exceed the smallest by more than $\frac{3}{8}$ inch (9.5 mm).

Section R311.5.3.3 shall be deleted in its entirety.

R311.5.6.1 Height. Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall be not less than thirty-two (32) inches (812.8 mm) and not more than 38 inches (965 mm).

R311.5.6.2 Continuity. Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrail ends shall be returned to the wall or shall terminate in newel posts or safety terminals at the top of each flight of stairs.

Handrails adjacent to a wall shall have a space of not less than one and one-quarter (1.25) inch between the wall and the handrails.

Exceptions:

1.

Handrails shall be permitted to be interrupted by a newel post at the turn.

2.

The use of a volute, turnout, starting easing or starting newel shall be allowed over the lowest tread.

R311.5.6.3 Handrail grip size. All required handrails shall be of one of the following types or provide equivalent graspability.

1.

Type I. Handrails with a circular cross section shall have an outside diameter of at least 1 $\frac{1}{2}$ inches (32 mm) and not greater than 2 inches (51 mm). If the handrail is not circular it shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6 $\frac{1}{2}$ inches (160 mm) with a maximum cross section of dimension of 2 $\frac{1}{2}$ inches (57 mm).

2.

Type II. Handrails with a perimeter greater than 6 $\frac{1}{2}$ inches (160 mm) shall provide a graspable finger recess area on the outboard side of the profile. The finger recess shall begin within a distance of 1 inch (19 mm) measured vertically from the tallest portion of the profile and achieve a depth of at least $\frac{5}{16}$ inch (8 mm) within $\frac{7}{8}$ inch (22 mm) below the widest portion of the profile. This required depth shall continue for at least $\frac{3}{8}$ inch (10mm) to a level that is not less than 1 $\frac{1}{2}$ inches (45 mm) below the tallest portion of the profile. The minimum width of the handrail above the recess shall be 1 $\frac{1}{2}$ inches (32 mm) to a maximum of 2 $\frac{1}{2}$ inches (70 mm). Edges shall have a minimum radius of 0.01 inch (0.25 mm).

R311.6.3.1 Height. Handrail height, measured above the finished surface of the ramp slope, shall be not less than thirty-two (32) inches (812.8 mm) and not more than 38 inches (965 mm).

R311.6.3.3 Continuity. Handrails where required on ramps shall be continuous for the full length

of the ramp. Handrail ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than one and one-quarter (1.25) inch between the wall and the handrails.

R312.2 Guard opening limitations. Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere four and one-half (4.5) inches or more in diameter.

Exceptions:

1. The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches (152 mm) cannot pass through.
2. Openings for required guards on the sides of stair treads shall not allow a sphere four and one-half (4.5) inches to pass through.

R313.2 Location. Smoke alarms shall be installed in the following locations:

1. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
2. On each additional story of the dwelling, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit.

Section R314.4 Thermal Barrier shall be amended to read as follows:

R314.4 Thermal barrier. Unless otherwise allowed in Section R314.5 or Section R314.6, foam plastic shall be separated from the interior of a building by an approved thermal barrier of minimum 0.5 inch (12.7 mm) gypsum wallboard or an approved finish material equivalent to a thermal barrier material that will limit the average temperature rise of the unexposed surface to no more than 250°F (139°C) after 15 minutes of fire exposure complying with the ASTM E 119 standard time temperature curve. The thermal barrier shall be installed in such a manner that it will remain in place for 15 minutes based on NFPA 286 with the acceptance criteria of Section R315.4, FM 4880, UL 1040 or UL 171.

Exception:

Insulating Concrete Forms. Insulating concrete forms (ICFs) may be used without the thermal barrier described in Section 318.1 when the foam plastic meets the following criteria:

1. The foam plastic has a minimum self Ignition Temperature of 450 degrees C when tested in accordance with ASTM D 1929;
2. The foam plastic has a flame-spread rating of less than 25 and a smoke-developed rating of less than 450 when tested in accordance with ASTM E 84;
3. The foam plastic wall assembly has a minimum two (2) hour fire resistance rating when tested in accordance with ASTM E 119; and
4. The ICF has a valid ICCES ER number.

Section R318.1 shall be deleted in its entirety.

R319.1 Location required. Protection from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative treated in accordance with AWWA U1 for the species, product, preservative and end use. Preservatives shall be listed in Section 4 of AWWA U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (457 mm) or wood girders when closer than 12 inches (305 mm) to the exposed ground in crawl spaces or unexcavated area located within the periphery of the building foundation.
2. All wood framing members that rest on concrete or masonry exterior foundation walls and are less than six (6) inches (152.4 mm) from the exposed ground.
3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such slab by an impervious moisture barrier.
4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than 0.5 inch (12.7 mm) on tops, sides and ends.
5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than 6 inches (152 mm) from the ground.
6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.

Section R319.1.1 shall be deleted in its entirety.

Section R320.1 shall be deleted in its entirety.

Section R324 shall be deleted in its entirety. See current Sedgwick County Code Chapter 13-Floodplain Management

R403.1.4.1 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. The frost line for Sedgwick County shall be twenty-four (24) inches below finish grade.
2. Construction in accordance with Section R403.3;
3. Construction in accordance with ASCE 32; or
4. Erected on solid rock.

Exceptions:

1. Protection of freestanding accessory structures with an area of four hundred (400) square feet (37.16 mm²) or less, of light-framed construction, with an eave height of 10 feet (3,048 mm) or less shall not be required.
- 2.

Protection of freestanding accessory structures with an area of 400 square feet (37m²) or less, of other than light-framed construction, with an eave height of 10 feet (3,048 mm) or less shall not be required.

3.

Decks not supported by a dwelling need not be provided with footings that extend below the frost line. Footings shall not bear on frozen soil unless the frozen condition is permanent.

R502.11.4 Floor Truss design drawings. Truss design drawings, prepared in compliance with Section R502.11.1, shall be submitted to the building official at the framing inspection.

Truss design drawings shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include, at a minimum, the information specified below:

1.

Slope or depth, span and spacing.

2.

Location of all joints.

3.

Required bearing widths.

4.

Design loads as applicable:

4.1.

Top chord live load;

4.2.

Top chord dead load;

4.3.

Bottom chord live load;

4.4.

Bottom chord dead load;

4.5.

Concentrated loads and their points of application; and

4.6.

Controlling wind and earthquake loads.

5.

Adjustments to lumber and joint connector design values for conditions of use.

6.

Each reaction force and direction.

7.

Joint connector type and description, e.g., size, thickness or gauge, and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.

8.

Lumber size, species and grade for each member.

9.

Connection requirements for:

9.1.

Truss-to-girder-truss;

9.2.

Truss ply-to-ply; and

9.3.

Field splices.

10.

Calculated deflection ratio and/or maximum description for live and total load.

11.

Required permanent truss member bracing location.

Section R602.10 shall be amended as follows:

R602.10 Braced Wall Line methods of shear wall bracing:

1.

Method stated in 2006 IRC, section R602.10.

2.

Method stated in Standards for Bracing of Wall Sections in Residential Homes-City of Wichita/Sedgwick County 2007.

3.

Method stamped by Kansas Registered Design Professional.

Section R613.2 shall be deleted in its entirety.

R702.4.2 Cement, fiber-cement and glass mat gypsum backers. Cement, fiber-cement or glass mat gypsum backers in compliance with ASTM C 1288, C 1325 or C 1178 and installed in accordance with manufacturers' recommendations shall be used as backers for wall tile in shower areas and wall panels in shower areas.

R703.1 General. Exterior walls shall provide the building with a weather-resistant exterior wall envelope. The exterior wall envelope shall include flashing as described in Section R703.8. The exterior wall envelope shall be designed and constructed in a manner that prevents the accumulation of water within the wall assembly by providing a water-resistant barrier behind the exterior veneer as required by Section R703.2. and a means of draining water that enters the assembly to the exterior.

Exceptions:

1.

A weather-resistant exterior wall envelope shall not be required over concrete or masonry walls designed in accordance with Chapter 6 and flashed according to Section R703.7 or R703.8.

2.

Compliance with the requirements for a means of drainage, and the requirements of Section R703.2 and Section R703.8, shall not be required for an exterior wall envelope that has been demonstrated to resist wind-driven rain through testing of the exterior wall envelope, including joints, penetrations and intersections with dissimilar materials, in accordance with ASTM E 331 under the following conditions:

2.1.

Exterior wall envelope test assemblies shall include at least one opening, one control joint, one wall/eave interface and one wall sill. All tested openings and penetrations shall be representative of the intended end-use configuration.

2.2.

Exterior wall envelope test assemblies shall be at least 4 feet (1,219 mm) by 8 feet (2,438 mm) in size.

2.3.

Exterior wall assemblies shall be tested at a minimum differential pressure of 6.24 pounds per square foot (299 Pa).

2.4.

Exterior wall envelope assemblies shall be subjected to minimum test exposure duration of

2 hours. The exterior wall envelope design shall be considered to resist wind-driven rain where the results of testing indicate that water did not penetrate; control joints in the exterior wall envelope; joints at the perimeter of openings penetration; or intersections of terminations with dissimilar materials.

R703.7.4.1 Size and spacing. Veneer ties, if strand wire, shall not be less in thickness than No. 9 U.S. gage (0.148 in.) wire and shall have a hook embedded in the mortar joint, or if sheet metal, shall be not less than No. 26 U.S. Gage 7/8 inch wide (22 mm) corrugated. Each tie shall be spaced not more than sixteen (16) inches on center vertically and shall match stud spacing horizontally. All ties shall be attached to the framing members.

R802.10.1 Roof Truss design drawings. Truss design drawings, prepared in conformance to Section R802.10.1, shall be provided to the building official at the framing inspection. Truss design drawing shall be provided with the shipment of trusses delivered to the jobsite. Truss design drawings shall include, at a minimum, the information specified below:

1. Slope or depth, span and spacing.
2. Location of all joints.
3. Required bearing widths.
4. Design loads as applicable:
 - 4.1. Top chord live load (as determined from Section R301.6).
 - 4.2. Top chord dead load.
 - 4.3. Bottom chord live load.
 - 4.4. Bottom chord dead load.
 - 4.5. Concentrated loads and their points of application.
 - 4.6. Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use.
6. Each reaction force and direction.
7. Joint connector type and description (e.g., size, thickness or gage) and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.
8. Lumber size, species and grade for each member.
9. Connection requirements for:
 - 9.1. Truss to girder-truss.
 - 9.2.

Truss ply to ply.

9.3.

Field splices.

10.

Calculated deflection ratio and/or maximum description for live and total load.

11.

Required permanent truss member bracing location.

R807.1 Attic access. Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet and have a vertical height of 30 inches or more. The rough-framed opening shall not be less than 22 inches by 30 inches and shall be located in a readily accessible location or in an area that maintains a clear unobstructed area twenty-two (22) inches by thirty (30) inches from the attic access opening to the floor below. A 30-inch minimum unobstructed headroom in the attic space shall be provided at some point above the access opening. See the Sedgwick County Mechanical Code for access requirements where mechanical equipment is located in attics.

R907.3 Re-covering versus replacement. New roof coverings shall not be installed without first removing existing roof coverings where any of the following conditions occur:

1.

Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.

2.

Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.

3.

Where the existing roof has two or more applications of any type of roof covering.

Exceptions:

1.

Complete and separate roofing systems, such as standing-seam metal roof systems that are designed to transmit the roof loads directly to the buildings structural system and that do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.

2.

Installation of metal panel, metal shingle, and concrete and clay tile roof coverings over existing wood shake roofs shall be permitted when the application is in accordance with Section R907.4.

3.

The application of new protective coating over existing spray polyurethane foam roofing systems shall be permitted without tear-off of existing roof coverings.

CHAPTERS 11 THROUGH 42 shall be deleted in their entirety.

APPENDIX G, SECTION AG 105-9.2 is hereby adopted and shall read as follows:

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

1.

The top of the barrier shall be at least 48 inches (1,219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure,

the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2.

Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3.

Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

4.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1,143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1½ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1½ inches (44 mm) in width.

5.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1½ inches in width.

6.

Maximum mesh size for chain link fences shall be a 2½-inch square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1½ inches.

7.

Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1½ inches.

8.

Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1.

The release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate; and

8.2.

The gate and barrier shall have no opening larger than ¼ inch within 18 inches of the release mechanism.

9.

Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

9.1.

The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or

9.2.

Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

10.

Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top

of the pool structure and the means of access is a ladder or steps:

10.1.

The ladder or steps shall be capable of being secured, locked or removed to prevent access;
or

10.2.

The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

(Res. No. 11-03, § 1, 1-15-03; Res. No. 205-2004, § 1, 11-24-04; Res. No. 262-07, § 1, 12-14-07; Res. No. 182-2008, § 1, 11-26-08)

Sec. 6-32. - Same—Copies on file.

Not less than three (3) copies of the residential code incorporated by reference in section 6-30 shall be filed with the county clerk. Such copies shall be marked or stamped "Official Copy as Incorporated By Resolution No. 262-07," with all sections or portions thereof intended to be omitted clearly marked to show any such omissions. Such copies shall have attached a copy of this article, and shall be open to inspection and available to the public during all reasonable business hours.

(Res. No. 11-03, § 1, 1-15-03; Res. No. 262-07, § 1, 12-14-07)

Sec. 6-33. - Same—Adoption of rules and regulations.

The building official shall have the authority to promulgate such rules and regulations as are necessary to carry out the purpose of the residential code as adopted in section 6-30.

(Res. No. 11-03, § 1, 1-15-03; Res. No. 262-07, § 1, 12-14-07)

Secs. 6-34—6-70. - Reserved.