

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 4, ARTICLE 2 OF THE CODE OF THE CITY OF LEAWOOD, 2000, INCORPORATING THE INTERNATIONAL BUILDING CODE 2012, SAVE AND EXCEPT SUCH ARTICLES, SECTIONS, PARTS OR PORTIONS WHICH ARE OMITTED, DELETED, MODIFIED OR CHANGED, AND MAKING ADDITIONS THERETO, AND REPEALING EXISTING ARTICLE 2, AND OTHER SECTIONS IN CONFLICT HEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That Section 4-201 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

ARTICLE 2. BUILDING CODE

4-201. INTERNATIONAL BUILDING CODE ADOPTED. There is hereby incorporated by reference that certain code known as the International Building Code, ~~2012~~~~2006~~ edition, prepared and published in book form by the International Code Council, Inc., including appendices B, C, G and I save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed or added thereto, such incorporation being authorized by K.S.A. § 12-3009 through 12-3012, as amended. No fewer than three copies of said Code shall be marked or stamped "Official copy as incorporated by Ordinance No. _____," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION TWO: That Section 4-202 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-202. INTERNATIONAL BUILDING CODE AMENDED; SECTION 101.1. TITLE. Section 101.1 is hereby amended to read as follows: **Title.** These regulations shall be known and referred to as this code or this *Building Code* of the City of Leawood, Kansas.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION THREE: That Section 4-203 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-203. INTERNATIONAL BUILDING CODE AMENDED; SECTION 101.24.4. SCOPE ELECTRICAL. ~~Section 101.2 is hereby amended to read as follows: Scope. The~~

provisions of this code and the Leawood Development Ordinance shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

EXCEPTION: Detached one- and two-family dwellings and multiple single-family dwellings [townhouses] not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code and the Leawood Development Ordinances. Section 101.4.1 is hereby amended to read as follows: **Electrical.** The provisions of the *NFPA 70 National Electrical Code, 2005* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION FOUR: That Section 4-204 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-204. INTERNATIONAL BUILDING CODE AMENDED; SECTION 102.6. APPLICABILITY, EXISTING STRUCTURES. Section 102.6 is hereby amended to read as follows: **Existing structures.** The legal occupancy of any structure existing on the date of adoption of this Building Code shall be permitted to continue without change, except as is specifically covered in the Leawood Development Ordinance, the Code of the City of Leawood, this Building Code, the *Property Maintenance Code (Chapter VIII)* or the *Leawood Fire Protection Code (Chapter VII)*, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION FIVE: That Section 4-205 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-205. INTERNATIONAL BUILDING CODE AMENDED; SECTION 104.1. DUTIES AND POWERS OF THE BUILDING OFFICIAL, GENERAL. Section 104.1 is hereby amended to read as follows: **General.** The Building Official is hereby authorized and directed to enforce the provisions of this Building Code. The Building Official shall have the authority to render interpretations of this Building Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall comply with the intent and purpose of this Building Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Building Code. The Building Official shall be known as the codes administrator, and such term shall include his/her

authorized representatives. Further, whenever the term or title "administrative authority," "code enforcement officer," "responsible official," "codes administrator," or other similar designation is used in any of the codes adopted by reference by this Building Code, it shall be construed to mean the Building Official, except in matters rightfully under the jurisdiction of the *Fire Protection Code (Chapter VII)*. In addition, the fire official shall have the above-mentioned duties and powers where fire apparatus emergency access drives, fire suppression and fire alarm systems are concerned. Except as expressly set forth herein, the Building Official does not have the authority to waive any requirement of law.

(Ord. 2291C; 02-04-08)

(Ord. 1711C; 03-23-98)

(Code 2000)

(Ord. 1930C; 01-22-02)

SECTION SIX: That Section 4-206 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-206. INTERNATIONAL BUILDING CODE AMENDED; SECTION 104.10. MODIFICATIONS. Section 104.10 is hereby amended to read as follows: **Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this Building Code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this Building Code impractical and the modification is in compliance with the intent and purpose of this Building Code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. If such requested modification involves fire apparatus emergency access drives, fire suppression and/or fire alarm systems then the modification must also be approved by the fire official. The details of action granting modifications shall be recorded and entered in the files of codes administration.

(Ord. 2291C; 02-04-08)

(Ord. 1711C; 03-23-98)

(Code 2000)

(Ord. 1930C; 01-22-02)

SECTION SEVEN: That Section 4-207 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-207. INTERNATIONAL BUILDING CODE AMENDED; SECTION 104.11. ALTERNATIVE MATERIALS, DESIGN AND METHOD OF CONSTRUCTION AND EQUIPMENT. Section 104.11 is hereby amended to read as follows: Alternative materials, design and method of construction and equipment. The provisions of this Building Code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Building Code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Building Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Building

Code in quality, strength, effectiveness, fire resistance, durability and safety. If such requested alternative material, design and/or method or equipment involves fire apparatus emergency access drives, fire suppression and/or fire alarm systems then the alternative must also be approved by the fire official.

(Ord. 2291C; 02-04-08)

(Ord. 1711C; 03-23-98)

(Code 2000)

(Ord. 1926C; 01-07-02)

(Ord. 1930C; 01-22-02)

SECTION EIGHT: That Section 4-208 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-208. INTERNATIONAL BUILDING CODE AMENDED; SECTION 105.2. WORK EXEMPTED FROM PERMIT. Section 105.2 is hereby amended to read as follows: **Work exempted from permit.** Exemptions from permit requirements of this Building Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Building Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Retaining walls that are not over four (4) feet (1219 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 IIIA liquids.
2. Sidewalks and driveways not more than thirty (30) inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route and are not located in the public right-of-way.
3. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
4. Temporary motion picture, television and theater stage sets and scenery.
5. Swings and other playground equipment accessory to detached one- and two-family dwellings.
6. Window awnings supported by an exterior wall that do not project more than thirty six (36) inches (914 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
7. Nonfixed and movable fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches (1753 mm) in height.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Radio and television transmitting stations: The provisions of this Building Code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this Building Code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing ten (10) pounds (5 kg) or less of refrigerant and actuated by motors of one (1) horsepower (746 W) or less.

8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

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

(Ord. 2291C; 02-04-08)

SECTION NINE: That Section 4-209 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-209. INTERNATIONAL BUILDING CODE AMENDED; SECTION 105.3. APPLICATION FOR PERMIT. Section 105.3 is hereby amended to read as follows:

(a) Application for permit.

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

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 1076.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

(b) Application for complete structure demolition permit.

To obtain a fifteen (15)-day complete structure demolition permit, the applicant shall first file an application therefore in writing on a form furnished by the building official for that purpose. Such application shall provide:

1. A site plan showing the location of the building or structure to be demolished and of all existing buildings on the property. The plan shall additionally show any necessary means of pedestrian protection as required by the Leawood Building Code.
2. The location where the demolition debris will be deposited.
3. The height and the total square footage of the building.
4. Evidence of required street closure permit.
5. The name and address of the owner of the building.
6. The type of equipment or method used to demolish the building.
7. Evidence that all public utilities have been disconnected.
8. Proof of rat-abating of any building at least ten days before the demolition may be required.
9. Proof of permission from the owner to demolish the building.

10. Evidence that proper erosion control will be provided for the site during demolition as well as during seeding and final grading of site.
11. Evidence that the structure has been inspected for asbestos. If asbestos is found, evidence shall be provided to indicate how the asbestos is to be removed and where it will be disposed.
12. Site plan, which shall indicate proposed grading and seeding.

(c) Application for partial structure or interior demolition permit.

To obtain a thirty (30)-day partial structure or interior demolition permit, the applicant shall first file an application therefore in writing on a form furnished by the building official for that purpose. Such application shall provide:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required by building official.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.
8. Said permit will be issued in conjunction with permit for proposed new construction.

(Ord. 2291C; 02-04-08)
 (Ord. 1711C; 03-23-98)
 (Code 2000)
 (Ord. 1930C; 01-22-02)

SECTION TEN: That Section 4-210 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-210. INTERNATIONAL BUILDING CODE AMENDED; SECTION 105.5. EXPIRATION.
 Section 105.5 is hereby amended to read as follows:

Expiration. Permits shall expire under the following circumstances:

- (a) Permits for new construction will expire in three hundred sixty five (365) days unless the work authorized by the permit is not commenced within one hundred eighty (180) days after issuance, in which case, the permit will expire in one hundred eighty (180) days. If the work is at any time during the permitting period, suspended or abandoned, then the permit shall expire on the earlier of its one year term, or one hundred eighty (180) days after the suspension or abandonment.
- (b) Moving permits shall expire five days after issuance.
- (c) Complete structure demolition permits shall expire fifteen (15) days after issuance.
- (d) Partial structure and interior demolition permits shall expire thirty (30) days after issuance.

(e) Re-roof, fence, and general miscellaneous permits shall expire sixty (60) days after issuance.

(f) Permits for decks, hot tubs, outdoor kitchens, patios, grading, and footing/foundations shall expire ninety (90) days after issuance.

(ge) Every other type of permit, not otherwise listed above, shall expire one hundred eighty (180) days after issuance.

(hf) For all permits other than moving or demolition permits, the building official is authorized to grant, in writing, one extension of time, for a period not exceeding the original length of the permit issued, but in no event longer than one hundred eighty (180) days. The extension shall be requested in writing prior to expiration of the term of the permit and justifiable cause demonstrated. The building official may only grant an extension upon finding that substantial progress has been made toward completion. Substantial progress means that the project is over fifty (50) percent complete and, in the opinion of the building official, the project applicant has the capability to finish the work permitted within the time period extension. If substantial progress has not been provided, the permit will expire and is subject to a re-instatement fee.

(Ord. 2291C; 02-04-08)

(Ord. 1711C; 03-23-98)

(Code 2000)

(Ord. 1930C; 01-22-02)

SECTION ELEVEN: That Section 4-211 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-211. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1076.1. SUBMITTAL DOCUMENTS, GENERAL. Section 1076.1 is hereby amended to read as follows: General Submittal documents. Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. At least five (5) sets of plans shall be submitted for all new construction with at least three (3) sets being submitted for all alteration projects. The construction documents shall be prepared by a registered design professional licensed by the State of Kansas. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

EXCEPTION: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this Building Code.

(Ord. 2291C; 02-04-08)

(Ord. 1711C; 03-23-98)

(Code 2000)

(Ord. 1930C; 01-22-02)

SECTION TWELVE: That Section 4-212 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-212. INTERNATIONAL BUILDING CODE AMENDED; SECTION ~~107.2.2106-1.1.1.~~ FIRE PROTECTION SYSTEM SHOP DRAWINGS. Section ~~107.2.2106-1.1.1~~ is hereby amended to read as follows: **Fire protection system shop drawings.** Shop drawings and supporting documentation for the fire protection system(s), which shall include but not be limited to provisions for fire alarm systems and sprinkler systems, shall be submitted to the fire official and shall indicate conformance with this Building Code, the *Fire Protection Code (Chapter VII)*, and the construction documents. The shop drawings shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in this Building Code.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION THIRTEEN: That Section 4-213 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-213. INTERNATIONAL BUILDING CODE AMENDED; SECTION ~~107.2.56-2.~~ SITE PLAN. Section ~~107.2.5406-2~~ is hereby amended to read as follows: **Site Plan.** There shall be a site plan showing, to scale, the size and location of all the new construction and all existing structures on the site including easements, sewers, drains, utilities, etc., distances from lot lines, established street grades, and the proposed finished grades, and it shall be drawn in accordance with an accurate boundary line survey. All decks, balconies, overhangs, or other building protrusions shall be indicated and dimensioned. In the case of demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site of the plot. Fire apparatus access roads provided and fire hydrant coverage as approved by the fire official shall be indicated as such on the site plan. The property owner or his or her agent shall certify to the building official that the top of the foundation for a building will be in conformance with the approved site plan, including building elevations, site grading, erosion control devices, and building setbacks. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair and does not affect the exterior features of the building.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION FOURTEEN: That Section 4-214 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-214. INTERNATIONAL BUILDING CODE AMENDED; SECTION ~~1087.1.~~ GENERAL. Section ~~1087.1~~ is hereby amended to read as follows: **Temporary Structures and Uses, General.** The building official is authorized to issue a permit for temporary

structures and temporary uses. Such permits shall be limited as to time of service and are only allowed if authorized under the Leawood Development Ordinance and the provisions of this Building Code, the building official may grant extensions for these uses for demonstrated cause.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION FIFTEEN: That Section 4-215 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-215. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1087.2. CONFORMANCE. Section 1087.2 is hereby amended to read as follows: **Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this Building Code as necessary to ensure the public health, safety and general welfare.

(Ord. 2291C; 02-04-08)
(Ord. 1711C; 03-23-98)
(Code 2000)
(Ord. 1930C; 01-22-02)

SECTION SIXTEEN: That Section 4-216 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-216. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1087.3. TEMPORARY POWER. Section 1087.3 is hereby amended to read as follows: **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 *NFPA 70 National Electrical Code, 2005*.

(Ord. 2291C; 02-04-08)
(Ord. 1930C; 01-22-02)

SECTION SEVENTEEN: That Section 4-217 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-217. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1098.2. SCHEDULE OF PERMIT FEES. Section 1098.2 is hereby amended to read as follows: **Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, elevator equipment, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the City of Leawood Fee Schedule, adopted by Resolution of the Governing Body.

(Ord. 2291C; 02-04-08)

SECTION EIGHTEEN: That Section 4-218 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-218. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1098.6. REFUNDS. Section 1098.6 is hereby amended to read as follows: **Refunds.** Unless specifically set forth herein, all fees paid are non-refundable. The building official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. The building official shall upon request authorize refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with the Leawood Building Code. The building official shall upon request authorize refunding of not more than eight (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 permit holder not later than one hundred eighty (180) days after the date of fee payment.

(Ord. 2291C; 02-04-08)

SECTION NINETEEN: That Section 4-219 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-219. INTERNATIONAL BUILDING CODE AMENDED; SECTION 109.3. REQUIRED INSPECTIONS. Section 11009.3 is hereby amended to read as follows: **Required inspections.** The building official, upon notification, shall make the inspections set forth in Sections 11009.3.1 through 11009.3.4~~12~~.

11009.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

11009.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

11009.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official.

11009.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

11009.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior,

is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

EXCEPTION: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

11009.3.6 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

11009.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation *R* and *U* values, fenestration *U* value, duct system *R* value, and HVAC and water-heating equipment efficiency.

11009.3.8 Roofing inspections. Roofing inspections shall be made at the mid-point of roofing installation and after roofing installation is complete.

11009.3.9 Other inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this Building Code and other laws that are enforced by the department of building safety.

11009.3.10 Special inspections. For special inspections, see Section 1704.

11009.3.11 Fire protection inspections. Inspection of all fire protection systems. The fire official or his or her designee shall make this inspection.

11009.3.12 Final inspection. The final inspection shall be made after all work required by the building permit is completed.

(Ord. 2291C; 02-04-08)

SECTION TWENTY: That Section 4-220 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-220. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1110.1. USE AND OCCUPANCY. Section 1110.1 is hereby amended to read as follows: **Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the *Leawood Building Code* or of other ordinances of the City of Leawood.

(Ord. 2291C; 02-04-08)

SECTION TWENTY-ONE: That Section 4-221 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-221. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1110.2. CERTIFICATE ISSUED. Section 1110.2 is hereby amended to read as follows: **Certificate Issued.** After the building official inspects the building or structure and finds no violations of the provisions of this Building Code, *Leawood Development Ordinance, Fire*

Protection Code (Chapter VII), Property Maintenance Code (Chapter VIII) or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this Building Code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The name of the fire official.
8. The edition of the code under which the permit was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3.
10. The type of construction as defined in Chapter 6.
11. The design occupant load.
12. If an automatic sprinkler system is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building permit.

(Ord. 2291C; 02-04-08)

SECTION TWENTY-TWO: That Section 4-222 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-222. INTERNATIONAL BUILDING CODE AMENDED; SECTION 11~~10~~.3. TEMPORARY OCCUPANCY. Section 11~~10~~.3 is hereby amended to read as follows: **Temporary occupancy.** The building official is authorized to issue a Temporary Certificate of Occupancy (TCO) before the completion of the entire work covered by the permit, provide that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid, provided, however that such time period shall not exceed sixty (60) days. The Building Official is authorized to renew the Temporary Certificate of Occupancy for two (2) additional periods not exceeding sixty (60) days for each renewal.

(Ord. 2291C; 02-04-08)

SECTION TWENTY-THREE: That Section 4-223 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-223. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1124.3. AUTHORITY TO DISCONNECT SERVICE UTILITIES. Section 1124.3 is hereby amended to read as follows: **Authority to Disconnect Service Utilities.** The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this *Building Code, Fire Protection Code, or Property Maintenance Code*, or otherwise in violation of the Code of the City of Leawood, 2000, or in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect before taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

(Ord. 2291C; 02-04-08)

SECTION TWENTY-FOUR: That Section 4-224 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-224. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1132. BOARD OF APPEALS. Section 1132 is hereby deleted in its entirety. [See Section 4-105 et seq.]

(Ord. 2291C; 02-04-08)

SECTION TWENTY-FIVE: That Section 4-225 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-225. INTERNATIONAL BUILDING CODE AMENDED, SECTION 1143.4. VIOLATION PENALTIES. Section 1143.4 is hereby amended to read as follows: **Violation Penalties.** Any person who violates a provision of this code or this Article or fails to comply with any of the requirements thereof is guilty of a public offense, punishable by a fine of not more than five hundred dollars (\$500) or by imprisonment not exceeding thirty (30) days or both such fine and imprisonment. Each day that the violation continues shall be deemed a separate offense.

(Ord. 2291C; 02-04-08)

SECTION TWENTY-SIX: That Section 4-226 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-226. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1165. UNSAFE STRUCTURES AND EQUIPMENT. Section 1165 is hereby deleted in its entirety.

(Ord. 2291C; 02-04-08)

SECTION TWENTY-SEVEN: That a new Section 4-226A of the Code of the City of Leawood, Kansas, 2000, is hereby enacted to read as follows:

4-226A. INTERNATIONAL BUILDING CODE AMENDED, SECTION 423, STORM SHELTERS, GENERAL. Section 423 is hereby amended to read as follows: **General.** In addition to other applicable requirements in this code, storm shelters shall be constructed in accordance with ICC-500

EXCEPTION: Sanitation facilities shall only be required for Community Shelters as defined by the ICC-500. Community Shelters with a design occupant load of 100 or less shall be permitted to provide only 1 toilet facility.

SECTION TWENTY-EIGHT: That a new Section 4-226B of the Code of the City of Leawood, Kansas, 2000, is hereby enacted to read as follows:

4-226B. INTERNATIONAL BUILDING CODE, NEW SECTION ADDED: SECTION 425, BASEMENT REQUIRED. A new section 425 is hereby added to read as follows: **Basement Required.** Buildings classified as apartment houses under Group R-2 occupancies as defined in the Building Code shall be constructed with a basement which contains a storm shelter or safe room constructed in accordance with IBC Section 423.

EXCEPTIONS:

(a) The provisions of this section shall not apply to Group R-2 occupancy buildings which are designed and constructed specifically for the use of disabled individuals and which contain a storm shelter or safe room constructed in accordance with IBC Section 423.

(b) The provisions of this section shall not apply to Group R-2 occupancy buildings when it would be impractical to construct a basement in light of subsurface conditions verified by an engineer and when such dwellings contain a storm shelter or safe room constructed in accordance with IBC Section 423.

(c) The provisions of this section shall not apply to the repair or reconstruction of any existing Group R-2 occupancy building, unless such building is being 100% reconstructed.

SECTION TWENTY-NINE: That Section 4-227 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-227. INTERNATIONAL BUILDING CODE AMENDED; SECTION 903.2, “WHERE REQUIRED AUTOMATIC SPRINKLER SYSTEMS”. All of Section 903.2 is hereby amended to read as follows: An approved automatic sprinkler system shall be provided ~~and designed and installed in accordance with the latest edition of the NFPA Standards (i.e., 13, 13R or 13D)~~ in all buildings regulated by the *Leawood Building Code*.

EXCEPTIONS:

(a) New or existing buildings regulated by the International Residential Code that are Group R-3 occupancies within 500 feet of an approved fire hydrant.

(b) Group S-2 Open Parking Garages, and all Group U occupancies.

- (c) All new ~~or existing~~ buildings for occupancy Groups other than H, I, and R with a total area less than one thousand (1,000) square feet.
- ~~(d) All new or existing Group R-3 occupancies which are architecturally attached in more than two units, which each unit is separated by a two-hour fire resistive assembly or an approved equivalent.~~
- ~~(e) Alternative automatic fire extinguishing systems complying with Section 904 of the International Building Code shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the building official and the fire official.~~
- (df) Rooms or areas protected with an approved automatic fire detection system in accordance with Section 907.2 of the International Building Code that will respond to visible or invisible particles of combustion if: (1) application of water, or flame and water, to such room would constitute a serious life or fire hazard; or (2) such rooms or area are of noncombustible construction with wholly noncombustible contents.
- (eg) Temporary buildings allowed under the Leawood Development Ordinance for a period not to exceed two years.
- (fh) Renovations or improvements to existing buildings where no occupancy Group classification change occurs and/or no additional building area is being created, and the cost of the sprinkler system installation downstream of the riser would exceed twenty percent (20) of the total cost of renovation. In such cases, an approved sprinkler or other life safety improvement to the building may be required, provided that the cost of such requirement will not exceed twenty percent (20) of the cost of the renovation.

(Ord. 2291C; 02-04-08)

SECTION THIRTY: That Section 4-228 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-228. INTERNATIONAL BUILDING CODE AMENDED; SECTION 905.3. GENERAL. Section 905.3 is hereby amended to read as follows: Standpipe systems shall be installed where required by the Leawood Building Code. Standpipe systems are permitted to be combined with automatic sprinkler systems. Class I standpipes shall be required in any building exceeding three stories in height from the lowest level of fire department vehicle access or where travel distance from the exterior to any point in the building exceeds 200 feet.

EXCEPTION: Standpipe systems are not required in Group R-3 occupancies as applicable in 101.2.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-ONE: That a new Section 4-228A of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-228A INTERNATIONAL BUILDING CODE AMENDED; TABLE 1004.1.2. MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT. Table 1004.1.2 is hereby amended as follows:

Table 1004.1.2
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

<u>FUNCTION OF SPACE</u>	<u>OCCUPANT LOAD FACTOR^a</u>
<u>Accessory storage areas, mechanical equipment room</u>	<u>300 gross</u>
<u>Agricultural building</u>	<u>300 gross</u>
<u>Aircraft hangars</u>	<u>500 gross</u>
<u>Airport terminal</u> <u> Baggage claim</u> <u> Baggage handling</u> <u> Concourse</u> <u> Waiting</u>	<u>20 gross</u> <u>300 gross</u> <u>100 gross</u> <u>15 gross</u>
<u>Assembly</u> <u> Gaming floors (keno, slots, etc.)</u> <u> Exhibit Gallery and Musuem</u>	<u>11 gross</u> <u>30 net</u>
<u>Assembly with fixed seats</u>	<u>See Section 1004.4</u>
<u>Assembly without fixed seats</u> <u> Concentrated (chairs only-not fixed)</u> <u> Standing space</u> <u> Unconcentrated (tables and chairs)</u>	<u>7 net</u> <u>5 net</u> <u>15 net</u>
<u>Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas</u>	<u>7 net</u>
<u>Business areas</u>	<u>100 gross</u>
<u>Courtrooms-other than fixed seating areas</u>	<u>40 net</u>
<u>Day care</u>	<u>35 net</u>
<u>Dormitories</u>	<u>50 gross</u>
<u>Educational</u> <u> Classroom area</u> <u> Shops and other vocational room areas</u>	<u>20 net</u> <u>50 net</u>
<u>Exercise rooms</u>	<u>50 gross</u>

<u>Group H-5 Fabrication and manufacturing areas</u>	<u>200 gross</u>
<u>Industrial areas</u>	
<u>Inpatient treatment areas</u>	<u>240 gross</u>
<u>Outpatient areas</u>	<u>100 gross</u>
<u>Sleeping areas</u>	<u>120 gross</u>
<u>Kitchens, commercial</u>	<u>200 gross</u>
<u>Library</u>	
<u>Reading rooms</u>	<u>50 net</u>
<u>Stack area</u>	<u>100 gross</u>
<u>Mall buildings - covered and open</u>	<u>See Section 402.8.2</u>
<u>Mercantile</u>	
<u>Floor areas - Sprinkled Buildings</u>	<u>60 gross</u>
<u>Floor areas - Non-Sprinkled Buildings</u>	<u>30 gross</u>
<u>Storage, stock, shipping areas</u>	<u>300 gross</u>
<u>Parking garages</u>	<u>200 gross</u>
<u>Residential</u>	<u>200 gross</u>
<u>Skating rinks, swimming pools</u>	
<u>Rink and pool</u>	<u>50 gross</u>
<u>Decks</u>	<u>15 gross</u>
<u>Stages and platforms</u>	<u>15 net</u>
<u>Warehouses</u>	<u>500 gross</u>

SECTION THIRTY-TWO: That Section 4-229 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-229. INTERNATIONAL BUILDING CODE NEW SECTION 1008.4, PHYSICAL SECURITY, ADDED. Section 1008.4 is hereby added as follows:

1008.4. Purpose. The purpose of this Section is to establish minimum standards that incorporate physical security to make dwelling units resistant to unlawful entry.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-THREE: That Section 4-230 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-230. INTERNATIONAL BUILDING CODE NEW SECTION 1008.4.1, SCOPE, ADDED. A new Section 1008.4.1 is hereby added as follows:

1008.4.1 Scope. The provisions of this section shall apply to all new structures and to alterations, additions, and repairs as stipulated in Chapter 34 of this Building Code.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-FOUR: That Section 4-231 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-231. INTERNATIONAL BUILDING CODE NEW SECTION 1008.4.2, DOORS, ADDED.
Section 1008.4.2 is hereby added as follows:

1008.4.2 Doors. Except for vehicular access doors, all exterior swinging doors of residential buildings and attached garages, including the doors leading from the garage area into the dwelling unit, shall comply with following for the type of door installed.

- (a) **Wood doors.** Where installed, exterior wood doors shall be of solid core construction such as high-density particleboard, solid wood, or wood block core with a minimum thickness of one and three-fourths inches (1 $\frac{3}{4}$ ") at any point. Doors with panel inserts shall be solid wood. The panels shall be a minimum of one inch (1") thick. The tapered portion of the panel that inserts into the groove of the door shall be a minimum of one-quarter inch (1/4") thick. The groove shall be a dado groove or applied molding construction. The groove shall be a minimum of one-half inch (1/2") in depth.
- (b) **Steel doors.** Where installed, exterior steel doors shall be a minimum thickness of 24 gauge.
- (c) **Fiberglass doors.** Fiberglass doors shall have a minimum skin thickness of one-sixteenth inch (1/16") and have reinforcement material at the location of the deadbolt.
- (d) **Double doors.** Where installed, the inactive leaf of an exterior double door shall be provided with flush bolts having an engagement of not less than one inch into the head and threshold of the doorframe.
- (e) **Sliding doors.** Where installed, exterior sliding doors shall comply with all of the following requirements:
 1. Sliding door assemblies shall be installed to prevent the removal of the panels and the glazing from the exterior with the installation of shims or screws in the upper track.
 2. All sliding glass doors shall be equipped with a secondary locking device consisting of a metal pin or a surface mounted bolt assembly. Metal pins shall be installed at the intersection of the inner and outer panels of the inside door and shall not penetrate

the frame's exterior surface. The surface mounted bolt assembly shall be installed at the base of the door.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-FIVE: That Section 4-232 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-232. INTERNATIONAL BUILDING CODE NEW SECTION 1008.4.3, DOOR FRAMES, ADDED. Section 1008.4.3 is hereby added as follows:

1008.4.3 Door frames. The exterior door frames shall be installed prior to a rough-in inspection. Door frames shall comply with the following for the type of assembly installed:

(a) Wood frames. Wood door frames shall comply with all of the following requirements:

1. All exterior door frames shall be set in frame openings constructed of double studding or equivalent construction, including garage doors, but excluding overhead doors. Door frames, including those with sidelights, shall be reinforced in accordance with ASTM F476-84 Grade 40.
2. In wood framing horizontal blocking shall be placed between studs at the door lock height for three (3) stud spaces or equivalent bracing on each side of the door opening.

(b) Steel frames. All exterior door frames shall be constructed of eighteen (18) gauge or heavier steel, and reinforced at the hinges and strikes. All steel frames shall be anchored to the wall in accordance with manufacturer specifications. Supporting wall structures shall consist of double studding or framing of equivalent strength. Frames shall be installed to eliminate tolerances inside the rough opening.

(c) Door jambs:

1. Door jambs shall be installed with solid backing in a manner so that no void exists between the strike side of the jamb and the frame opening for a vertical distance of twelve inches (12") each side of the strike. Filler material shall consist of a solid wood block.
2. Door stops on wooden jambs for in-swinging doors shall be of one-piece construction. Jambs for all doors shall be constructed or protected so as to prevent violation of the strike.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-SIX: That Section 4-233 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-233. INTERNATIONAL BUILDING CODE NEW SECTION 1008.4.4, DOOR HARDWARE, ADDED. Section 1008.4.4 is hereby added as follows:

1008.4.4 Door hardware. Exterior door hardware shall comply with the following:

- (a) **Hinges.** Hinges for exterior door hardware shall comply with the following:
1. At least two (2) screws, three inches (3") in length, penetrating at least one inch (1") into wall structure shall be used. Solid wood fillers or shims shall be used to eliminate any space between the wall structure and door frame behind each hinge.
 2. Hinges for out-swinging doors shall be equipped with mechanical interlock to preclude the removal of the door from the exterior.
- (b) **Strike plates.** Exterior door strike plates shall be a minimum of eighteen (18) gauge metal with four (4) offset screw holes. Strike plates shall be attached to wood with not less than three inch (3") screws, which shall have a minimum of one inch (1") penetration into the nearest stud. Note: For side lighted units, refer to Section (f) below.
- (c) **Escutcheon plates.** All exterior doors shall have escutcheon plates or wraparound door channels installed around the lock protecting the door's edge.
- (d) **Locks.** Exterior doors shall be provided with a locking device complying with one of the following:
- Single Cylinder Deadbolt shall have a minimum projection of one inch (1"). The deadbolt shall penetrate at least three-fourths inch (3/4") into the strike receiving the projected bolt. The cylinder shall have a twist-resistant, tapered hardened steel cylinder guard. The cylinder shall have a minimum of five (5) pin tumblers, shall be connected to the inner portion of the lock by solid metal connecting screws at least one-fourth (1/4) inch in diameter and two and one-fourth (2 1/4) inches in length. Bolt assembly (bolt housing) unit shall be of single piece construction. All deadbolts shall meet ANSI grade 2 specifications.
- (e) **Entry vision and glazing.** All main or front entry doors to dwelling units shall be arranged so that the occupant has a view of the area immediately outside the door without opening the door. The view may be provided by a door viewer having a field of view of not less than one hundred eighty degrees (180°) through windows or through view ports.
- (f) **Side lighted entry doors.** Side light door units shall have framing of double stud construction or equivalent construction complying with Sections 1008.4.3.(a), (b) and (c). The doorframe that separates the door opening from the side light, whether on the latch side or the hinge side, shall be double stud construction or equivalent construction complying with Sections 1008.4.3. (a) and (b). Double stud construction or construction of equivalent strength shall exist between the glazing unit of the side light and wall structure of the dwelling.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-SEVEN: That Section 4-234 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-234. INTERNATIONAL BUILDING CODE NEW SECTION 1008.4.5, STREET NUMBERS, ADDED. Section 1008.4.5 is hereby added as follows:

1008.4.5 Street numbers. Street numbers shall comply with Section 501.2.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-EIGHT: That Section 4-235 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-235. INTERNATIONAL BUILDING CODE NEW SECTION 1008.4.6, EXTERIOR LIGHTING, ADDED. Section 1008.4.6 is hereby added as follows:

1008.4.6 Exterior lighting. Exterior lighting shall comply with NFPA National Electric Code, 201105, Section 210.70.

(Ord. 2291C; 02-04-08)

SECTION THIRTY-NINE: That Section 4-236 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-236. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1014.2, EGRESS THROUGH INTERVENING SPACES. Section 1014.2 is hereby amended to read as follows: ~~405.12.2. WINDOW SILLS. Section 1405.12.2 is hereby deleted in its entirety.~~

1014.2 Egress through intervening spaces. Egress through intervening spaces shall comply with this section.

1. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas are accessory to the area served, are not a high-hazard occupancy and provide a discernible path of egress travel to an exit.

EXCEPTION: Means of egress are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy when the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.

2. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

EXCEPTIONS:

1. Means of egress are not prohibited through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or sleeping unit.

2. Means of egress are not prohibited through stockrooms in Group M occupancies when all of the following are met:
 - 2.1 The stock is of the same hazard classification as that found in the main retail area;
 - 2.2 Not more than 50 percent of the exit access is through the stockroom;
 - 2.3 The stockroom is not subject to locking from the egress side;
and
 - 2.4 There is a demarcated, minimum 44-inch wide (1118 mm) aisle defined by full or partial height fixed walls or similar construction that will maintain the required width and lead directly from the retail area to the exit without obstructions.
3. An exit access shall not pass through a room that can be locked to prevent egress.
4. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.
5. Means of egress from the showroom floor in Type M occupancies shall not include any space which also serves as a point of delivery for stock, or for the staging of stock awaiting placement, or for trash awaiting removal from the occupancy, unless such area is designed to remain open to the showroom floor from which exiting is required.

(Ord. 2291C; 02-04-08)

SECTION FORTY: That a new Section 4-236A of the Code of the City of Leawood, 2000, is hereby enacted to read as follows:

4-236A. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1203.1. VENTILATION GENERAL. Section 1203.1 is hereby amended to read as follows:

1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with the International Mechanical Code.

Where the air infiltration rate in a dwelling unit is less than 3 air changes per hour when tested with a blower door at a pressure 0.2 inch w.c. (50 Pa) in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403 of the International Mechanical Code.

SECTION FORTY-ONE: That Section 4-237 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-237. INTERNATIONAL BUILDING CODE AMENDED; SECTION 15015.1. GENERAL. Section 15015.1 is hereby amended to read as follows: The provisions of this chapter shall govern the design, materials, construction and quality of roof assemblies, and rooftop structures. All roof coverings assemblies shall comply with the *Leawood Development Ordinance*.

SECTION FORTY-TWO: That a new Section 4-237A of the Code of the City of Leawood, Kansas, 2000, is hereby enacted to read as follows:

4-237A. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1510.1. GENERAL.
Section 1510.1 is hereby amended to read as follows: Materials and methods of application used for recovering or replacing an existing roof covering shall comply with the Leawood Development Ordinance. Such materials and methods of application shall also comply with the requirements of Chapter 15 of the International Building Code incorporated herein.

EXCEPTION: Reroofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2 percent slope) in Section 1507 for roofs that provide positive roof drainage.

SECTION FORTY-THREE: That Section 4-238 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-238. INTERNATIONAL BUILDING CODE AMENDED; TABLE 2902.1. MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES. Table 2902.1 is hereby amended to provide the following footnotes:

- (a) The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by the *International Building Code*.
- (b) Toilet facilities for employees shall be separate from facilities for inmates or patients.
- (c) A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient sleeping units shall be permitted where such room is provided with direct access from each patient room and with provisions for privacy.
- (d) The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- (e) The minimum number of required drinking fountains shall comply with Table 2902.1 and Chapter 11.
- (f) Drinking fountains are not required for an occupant load of 15 or fewer.
- (g) Service sinks are not required for business occupancies with an occupant load of 15 or fewer.

~~A drinking fountain is not required in B occupancies with an occupant load less than 15.~~

(hf) A drinking fountain is not required in M occupancies with an occupant load less than 50.

~~(g) A service sink is not required in B occupancies with an occupant load less than 15.~~

(ih) A service sink is not required in M occupancies with an occupant load less than 50.

(Ord. 2291C; 02-04-08)

SECTION FORTY-FOUR: That Section 4-239 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-239. INTERNATIONAL BUILDING CODE, NEW SECTION 3001.5, ACCEPTANCE INSPECTIONS, ADDED. Section 3001.5 is hereby added to read as follows: **Acceptance Inspections.** All elevator equipment shall have an acceptance inspection and test performed and approved in accordance with ASME A17.1/CSA B44 requirements. Prior to the issuance of a Certificate of Occupancy, a copy of this inspection shall be forwarded to the City of Leawood.

(Ord. 2291C; 02-04-08)

SECTION FORTY-FIVE: That Section 4-240 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-240. INTERNATIONAL BUILDING CODE, NEW SECTION 3001.6, PERIODIC INSPECTIONS, ADDED. Section 3001.6 is hereby added to read as follows: **Periodic Inspections.** All elevator equipment shall have a periodic inspections and testing performed and approved in accordance with ASME A17.1/CSA B44 requirements. A copy of these tests shall be forwarded to the City of Leawood.

(Ord. 2291C; 02-04-08)

SECTION FORTY-SIX: That Section 4-241 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-241. INTERNATIONAL BUILDING CODE, NEW SECTION 3403.5, ELEVATORS, ADDED. Section 3403.~~65~~ is hereby added to read as follows: **Elevators.** Where there is an elevator or elevators for public use, at least one elevator serving the area shall comply with this section. Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1/CSA B44.

(Ord. 2291C; 02-04-08)

SECTION FORTY-SEVEN: That a new Section 4-241A of the Code of the City of Leawood, Kansas, 2000, is hereby added to read as follows:

4-241A. INTERNATIONAL BUILDING CODE, NEW SECTION 3404.7, ELEVATORS, ADDED. Section 3404.7 is hereby added to read as follows: Elevators. Where there is an elevator or elevators for public use, at least one elevator serving the area shall comply with this section. Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1/ CSA B44.

SECTION FORTY-EIGHT: That Section 4-242 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-242. INTERNATIONAL BUILDING CODE, NEW SECTION 341008.2, LEAWOOD DEVELOPMENT ORDINANCE CONFORMANCE, ADDED. Section 341008.2 is hereby added to read as follows: **Leawood Development Ordinance Conformance.** Structures moved into or within the City of Leawood, Kansas, shall comply with the Leawood Development Ordinance.

(Ord. 2291C; 02-04-08)

SECTION FORTY-NINE: That Section 4-243 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-243. INTERNATIONAL BUILDING CODE, NEW SECTION 341008.3, DUTIES OF STRUCTURE MOVING PERMITTEE, ADDED. Section 341008.3 is hereby added to read as follows: **Duties of Structure Moving Permittee.** Every structure moving permit holder shall abide by the all of the following:

- (a) Move a building or structure only over streets designated for such use in the written permit.
- (b) Notify the building official within forty eight (48) hours of move, in writing, of a desired change in moving date and hour and route of move as proposed in the application and such change must be approved by the building official.
- (c) Notify the building official in writing of any and all damages done to property belonging to the public and private property within twenty four (24) hours after the damage or injury has occurred.
- (d) During the move, display red lanterns or other warning devices used in compliance with city traffic ordinances or state statutes thereon in such a manner as to show the extreme height and width thereof from thirty (30) minutes after sunset to thirty (30) minutes before sunrise.
- (e) At all times erect and maintain barricades across the street in such manner as to protect the public from damage or injury by reason of removal of the building or structure, and shall have sufficient escort as provided by city ordinance, state statutes, or as determined as necessary for the public safety by the chief of police.
- (f) Not allow any building or structure or part thereof to be left in the parkway, street, or on the dedicated right-of-way between the curb and the front property line of any lot.
- (g) Comply with the building code, fire zone, zoning ordinances and all other

- applicable traffic ordinances and laws upon relocating the building or structure in the city or move the same through the city.
- (h) Remove all rubbish and materials and fill in excavations to existing grade at the original building or structure site so that the premises are left in a safe and sanitary condition within thirty (30) days from the date of the move.
 - (i) Notify all utilities having service connections within the building or structure and otherwise located within the city limit whose facilities and services to the public may be affected by the movement of the building or structure and provide copies of such notification to the building official.
 - (j) Comply with the regulations and specifications contained in such permit granted by the building official to such permit holder.
 - (k) The permit holder shall be liable for any expenses, damages, costs in excess of deposited amounts of securities, and the city attorney shall prosecute an action against the permit holder in a court of competent jurisdiction for the recovery of such excessive amounts.

(Ord. 2291C; 02-04-08)

SECTION FIFTY: This ordinance shall be construed as follows:

A. Liberal Construction. The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

B. Savings Clause. The repeal of articles and sections, as provided herein below shall not affect any rights acquired, fees, fines, penalties, forfeitures or liabilities incurred there under, or actions involving any of the provisions of said Ordinances or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fees, fines, penalties, forfeitures, liabilities and actions therefore.

C. Invalidity. If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out herein, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code or other Ordinances.

SECTION FIFTY-ONE: That existing Article 2 of Chapter IV and any provisions in conflict herewith are hereby repealed.

SECTION FIFTY-TWO: This ordinance shall take effect and be in force from and after April 1, 2013 and its publication in accordance with K.S.A. 12-3007 and amendments thereto.

PASSED by the Governing Body this 3rd day of December, 2012.

APPROVED by the Mayor this 3rd day of December, 2012.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Debra Harper, City Clerk, CMC

APPROVED AS TO FORM:

Patricia A. Bennett, City Attorney