

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 4, ARTICLE 4 OF THE CITY OF LEAWOOD, 2000, INCORPORATING THE INTERNATIONAL PLUMBING 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 4, 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 4-401 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

ARTICLE 4. PLUMBING CODE

4-401. INTERNATIONAL PLUMBING CODE ADOPTED. There is hereby incorporated by reference that certain code known as the International Plumbing Code, 20~~12~~⁰⁶ edition, prepared and published in book form by the International Code Council, Inc., including appendices B, ~~C~~, D and E, 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. 2293C; 02-04-08)
(Ord. 1932C; 01-22-02)
(Code 2000)
(Ord. 1713C; 03-23-98)

SECTION TWO: That Section 4-402 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-402. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 101.1. TITLE. Section 101.1 is hereby amended to read as follows: **Title.** These regulations shall be known as the *International Plumbing Code* of the City of Leawood, Kansas hereinafter referred to as this code or this *Plumbing Code* of the City of Leawood."

(Ord. 2293C; 02-04-08)
(Ord. 1932C; 01-22-02)
(Code 2000)
(Ord. 1713C; 03-23-98)

SECTION THREE: That Section 4-403 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-403. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 106.3. APPLICATION FOR PERMIT. Section 106.3 is hereby amended to read as follows: **Application for**

Permit. Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official. An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty (180) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding ninety (90) days each. The extension shall be requested in writing and justifiable cause demonstrated.

(Ord. 2293C; 02-04-08)
(Ord. 1932C; 01-22-02)

SECTION FOUR: That Section 4-404 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-404. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 106.5.3. EXPIRATION. Section 106.5.3 is hereby amended to read as follows: **Expiration.** ~~Permits shall expire as provided in Article 2 of this Chapter. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void one hundred eighty (180) days after issuance. The permit may be extended as provided for in Section 106.4.4. However, if an extension cannot be granted, the permit shall expire. Before such work recommences, the permit must be re-instated and appropriate fees paid as indicated in the City of Leawood Fee Schedule. If changes have been made to the construction documents or the abandonment of the project has been in excess of one year, the project is subject to the requirements of a new building permit.~~

(Ord. 2293C; 02-04-08)
(Ord. 1932C; 01-22-02)
(Code 2000)
(Ord. 1713C; 03-23-98)

SECTION FIVE: That Section 4-405 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-405. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 106.5.4. EXTENSIONS. Section 106.5.4 is hereby amended to read as follows: **Extensions.** The code official is authorized to grant extensions as provided in Article 2 of this Chapter. ~~, in writing, one extension of time, for a period not more 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 code 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 percent (50%) complete and, the project applicant has demonstrated the capability to finish the work permitted within one (1) time period extension.~~

(Ord. 2293C; 02-04-08)
(Ord. 1932C; 01-22-02)
(Code 2000)

(Ord. 1713C; 03-23-98)

SECTION SIX: That Section 4-406 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-406. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 106.6.1. WORK COMMENCING BEFORE PERMIT ISSUANCE. Section 106.6.1 is hereby amended to read as follows: **Work commencing before permit issuance.** Any person who commences work on an installation before obtaining the necessary permits shall be subject to an additional fee established by the City of Leawood Fee Schedule that shall be in addition to the required permit fees.

(Ord. 2293C; 02-04-08)

(Ord. 1932C; 01-22-02)

(Code 2000)

(Ord. 1713C; 03-23-98)

SECTION SEVEN: That Section 4-407 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-407. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 106.6.2. FEE SCHEDULE. Section 106.6.2 is hereby amended to read as follows: **Fee schedule.** The fees for work shall be as indicated in the City of Leawood Fee Schedule.

(Ord. 2293C; 02-04-08)

(Ord. 1932C; 01-22-02)

(Code 2000)

(Ord. 1713C; 03-23-98)

SECTION EIGHT: That Section 4-408 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-408. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 106.6.3. FEE REFUNDS. Section 106.6.3 is hereby amended to read as follows: **Fee Refunds.** Unless specifically set forth herein, all fees paid are non-refundable. The code official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. The code official shall upon request authorize refunding of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code. The code official shall upon request authorize refunding of not more than eighty percent (80%) 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 code 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. 2293C; 02-04-08)

(Ord. 1932C; 01-22-02)

(Code 2000)

(Ord. 1713C; 03-23-98)

SECTION NINE: That Section 4-409 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-409. INTERNATIONAL PLUMBING CODE NEW SECTION ADDED; SECTION 106.7. PLACEMENT OF PERMIT. A new Section 106.7 is hereby added to read as follows: **Placement of Permit.** All permits shall be posted to be visible from the street and kept on the site of the work until the completion of the project.
(Ord. 2293C; 02-04-08)
(Ord. 1932C; 01-22-02)

SECTION TEN: That Section 4-410 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-410. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 108.4. VIOLATION, PENALTIES. Section 108.4 is hereby amended to read as follows: **Violation, Penalties.** Any person who violates a provision of this Article or this code 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. 2293C; 02-04-08)

SECTION ELEVEN: That Section 4-411 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-411. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 108.5. STOP WORK NOTICES. Section 108.5 is hereby amended to read as follows: **Stop Work Notices.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Any violation of a stop work order will constitute a violation of this code.
(Ord. 2293C; 02-04-08)

SECTION TWELVE: That Section 4-412 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-412. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 109. MEANS OF APPEAL. Section 109 is hereby deleted in its entirety.
See Section 4-105
(Ord. 2293C; 02-04-08)

SECTION THIRTEEN: That Section 4-413 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-413. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 305.46.1. SEWER DEPTH. Section 305.46.1 is hereby amended to read as follows: Building sewers connected to public and private sewage disposal systems shall be installed in accordance with Johnson County Wastewater District regulations.
(Ord. 2293C; 02-04-08)

SECTION FOURTEEN: That a new Section 413A of the Code of the Code of the City of Leawood, Kansas 2000, is hereby enacted to read as follows:

4-413A. INTERNATIONAL PLUMBING CODE NEW SECTION ADDED; SECTION 312.10.3. MAINTENANCE. A new Section 312.10.3 is hereby added to read as follows: Maintenance. Inspections and testing of backflow prevention assemblies performed after a Certificate of Occupancy or a Certificate of Compliance has been issued by the City of Leawood, are to be reported to and in accordance with the requirements of Water District No. 1 of Johnson County.

SECTION FIFTEEN: That Section 4-414 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-414. INTERNATIONAL PLUMBING CODE AMENDED; TABLE 403.1. MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES. Table 403.1 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 403.1 and Chapter 11 of the International Building Code.

~~(e) A drinking fountain is not required in B occupancies with an occupant load less than 15.~~ (f) Drinking fountains are not required for an occupant load of 15 or fewer.

(g) Service sinks shall not be required for business occupancies with an occupant load of 15 or fewer.

~~(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.~~

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

(Ord. 2293C; 02-04-08)

SECTION SIXTEEN: That Section 4-415 of the Code of the City of Leawood, Kansas 2000, is hereby repealed.

4-415. Repealed. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 502.1. WATER HEATERS, GENERAL. Section 502.1 is hereby amended to read as follows: ~~Water heaters shall be installed in accordance with the manufacturer's installation instructions. Oil-fired water heaters shall conform to the requirements of this code and the *International Mechanical Code*. Electric water heaters shall~~

~~conform to the requirements of this code and Provisions of the NFPA 70 National Electrical Code, 2005. Gas-fired water heaters shall conform to the requirements of the International Fuel Gas Code.~~

(Ord. 2293C; 02-04-08)

SECTION SEVENTEEN: That Section 4-416 of the Code of the City of Leawood, Kansas 2000, is hereby repealed.

4-416. ~~Repealed. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 504.3. SHUTDOWN.~~ ~~Section 504.3 is hereby amended to read as follows: A means for disconnecting an electric hot water supply system from its energy supply shall be provided in accordance with the NFPA 70 National Electrical Code, 2005. A separate valve shall be provided to shut off the energy fuel supply to all other types of hot water supply systems.~~

(Ord. 2293C; 02-04-08)

SECTION EIGHTEEN: That Section 4-417 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-417. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 701.2. SEWER REQUIRED. Section 701.2 is hereby amended to read as follows: Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer.

(Ord. 2293C; 02-04-08)

SECTION NINETEEN: That Section 4-418 of the Code of the City of Leawood, Kansas 2000, is hereby repealed.

4-418. ~~Repealed. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 715.1. SEWAGE BACKFLOW.~~ ~~Section 715.1 is hereby amended to read as follows: Where the flood level rims of plumbing fixtures are below the elevation of the manhole cover of the next upstream manhole in the public sewer, such fixtures shall be protected by a backwater valve installed in the building drain, branch of the building drain or horizontal branch serving such fixtures when required by the Johnson County Wastewater District.~~

(Ord. 2293C; 02-04-08)

SECTION TWENTY: That Section 4-419 of the Code of the City of Leawood, Kansas 2000, is hereby amended to read as follows:

4-419. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 90~~3~~4.1. ROOF EXTENSIONS. Section 90~~3~~4.1 is hereby amended to read as follows: **Roof extension.** All open vent pipes that extend through a roof shall be terminated at least six (6) inches (914 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven (7) feet (2134 mm) above the roof.

(Ord. 2293C; 02-04-08)

SECTION TWENTY-ONE: That Section 4-420 of the Code of the City of Leawood, Kansas 2000, is hereby repealed.

4-420. ~~Repealed. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 1113.1.3. ELECTRICAL. Section 1113.1.3 is hereby amended to read as follows: Electrical service outlets, when Required, shall meet the requirements of the *NFPA 70 National Electrical Code, 2005.*~~

(Ord. 2293C; 02-04-08)

SECTION TWENTY-TWO: That a new Section 4-421 of the Code of the City of Leawood, Kansas 2000, is hereby enacted to read as follows:

4-421. INTERNATIONAL PLUMBING CODE, NEW SECTION ADDED: SECTION 1202.1.1, QUALIFICATIONS. A new Section 1202.1.1 is hereby added to read as follows: On and after January 1, 2011, no person shall install, improve, repair, maintain or inspect a medical gas piping system unless such person: (a) is licensed under the provisions of K.S.A. 12-1506 et seq., and amendments thereto; and (b) is certified under the appropriate professional qualifications standard or standards of ASSE Series 6000. All installers shall obtain a proper permit from the City. All inspections shall be done by a third party agency certified under the appropriate professional qualifications standard or standards of ASSE Series 6000 for medical gas systems inspectors and all documentation of the inspections and certifications of installers and inspectors shall be provided to the City prior to any occupancy of the building or unit of the building in which the medical gas piping has been installed until an occupancy permit is issued.

SECTION TWENTY-THREE: 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 Ordinance 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 TWENTY-FOUR: That existing Article 4 of Chapter IV and any provisions in conflict herewith are hereby repealed.

SECTION TWENTY-FIVE: 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