

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 4, ARTICLE 4 OF THE CODE OF THE CITY OF LEAWOOD, 2000, INCORPORATING BY REFERENCE THE INTERNATIONAL PLUMBING CODE, 2018 EDITION, SAVE AND EXCEPT SUCH ARTICLES, SECTIONS, PARTS OR PORTIONS WHICH ARE OMITTED, DELETED, MODIFIED, CHANGED, OR ADDED, 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:

4-401. INTERNATIONAL PLUMBING CODE ADOPTED. There is hereby incorporated by reference that certain code known as the International Plumbing Code, 2018 edition, ["IPC"] prepared and published in book form by the International Code Council, Inc., including appendices B, 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. At least one copy 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. 2595C; 12-03-12)
(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, SECTION 101.1. TITLE. Section 101.1 of the IPC is hereby amended to read as follows: **Title.** These regulations shall be known and referred to as this code, the IPC, or the Plumbing Code of the City of Leawood.

(Ord. 2595C; 12-03-12)
(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, SECTION 106.3. APPLICATION FOR PERMIT. Section 106.3 of the IPC 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. 2595C; 12-03-12)
(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, SECTION 106.5.3. EXPIRATION. Section 106.5.3 of the IPC is hereby amended to read as follows: **Expiration.** Permits shall expire as provided in Article 2 of this Chapter.

(Ord. 2595C; 12-03-12)
(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, SECTION 106.5.4. EXTENSIONS. Section 106.5.4 of the IPC is hereby amended to read as follows: **Extensions.** The code official is authorized to grant extensions as provided in Article 2 of this Chapter.

(Ord. 2595C; 12-03-12)
(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, SECTION 106.6.1. WORK COMMENCING BEFORE PERMIT ISSUANCE. Section 106.6.1 of the IPC 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. 2595C; 12-03-12)
(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, SECTION 106.6.2. FEE SCHEDULE.

Section 106.6.2 of the IPC 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. 2595C; 12-03-12)
(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, SECTION 106.6.3. FEE REFUNDS.

Section 106.6.3 of the IPC 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. 2595C; 12-03-12)
(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, SECTION 106.7. PLACEMENT OF PERMIT.

A new Section 106.7 of the IPC 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. 2595C; 12-03-12)
(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, SECTION 108.4. VIOLATION, PENALTIES. Section 108.4 of the IPC 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. 2595C; 12-03-12)
(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, SECTION 108.5. STOP WORK NOTICES. Section 108.5 of the IPC 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. 2595C; 12-03-12)
(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, SECTION 109. MEANS OF APPEAL. Section 109 of the IPC is hereby deleted in its entirety.
(Ord. 2595C; 12-03-12)
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, SECTION 305.4.1. SEWER DEPTH. Section 305.4.1 of the IPC 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. 2595C; 12-03-12)
(Ord. 2293C; 02-04-08)

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

4-413A. INTERNATIONAL PLUMBING CODE, SECTION 312.10.3. MAINTENANCE. A new Section 312.10.3 of the IPC 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.

(Ord. 2595C; 12-03-12)

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, TABLE 403.1. MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES. The footnotes for Table 403.1 of the IPC are hereby amended to read as follows:

- (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 in any occupancy shall comply with table 403.1 and Chapter 11 of the International Building Code.
- (f) Drinking fountains are not required for an occupant load of 15 or fewer in any occupancy.
- (g) Service sinks shall not be required for business occupancies with an occupant load of 15 or fewer.
- (h) A drinking fountain is not required in mercantile occupancies with an occupant load less than 50.
- (i) A service sink is not required in mercantile occupancies with an occupant load less than 50.

(Ord. 2595C; 12-03-12)

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

SECTION SIXTEEN: That Section 4-415 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-415. INTERNATIONAL PLUMBING CODE, SECTION 502.1. WATER HEATERS, GENERAL. *Repealed.*

(Ord. 2595C; 12-03-12)

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

SECTION SEVENTEEN: That Section 4-416 of the Code of the City of Leawood, Kansas, 2000 is hereby amended to read as follows:

**4-416. INTERNATIONAL PLUMBING CODE, SECTION 504.3. SHUTDOWN.
*Repealed.***

(Ord. 2595C; 12-03-12)
(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, SECTION 701.2. CONNECTION TO SEWER REQUIRED. Section 701.2 of the IPC is hereby amended to read as follows: **Connection to Sewer Required.** Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer.

(Ord. 2595C; 12-03-12)
(Ord. 2293C; 02-04-08)

SECTION NINETEEN: That Section 4-418 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

4-418. INTERNATIONAL PLUMBING CODE, SECTION 715.1. SEWAGE BACKFLOW. *Repealed.*

(Ord. 2595C; 12-03-12)
(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, SECTION 903.1. ROOF EXTENSION. Section 903.1 of the IPC is hereby amended to read as follows: **Roof extension.** Open vent pipes that extend through a roof shall be terminated at least six (6) inches above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than (7) feet above the roof.

(Ord. 2595C; 12-03-12)
(Ord. 2293C; 02-04-08)

SECTION TWENTY-ONE: That Section 4-420 of the Code of the City of Leawood, Kansas, 2000, is hereby amended to read as follows:

**4-420. INTERNATIONAL PLUMBING CODE, SECTION 1113.1.3. ELECTRICAL.
*Repealed.***

(Ord. 2595C; 12-03-12)
(Ord. 2293C; 02-04-08)

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

SECTION TWENTY-FOUR: This ordinance shall become effective on May 1, 2020, following adoption and publication in accordance with K.S.A. 12-3007 and amendments thereto.

PASSED by the Governing Body this 21st day of January, 2020.

APPROVED by the Mayor this 21st day of January, 2020.

[SEAL]

Peggy Dunn, Mayor

ATTEST:

Kelly L. Varner, City Clerk

APPROVED AS TO FORM:

Patricia A. Bennett, City Attorney