

## ORDINANCE NO. BC-2341

AN ORDINANCE RELATING TO EMERGENCY ESCAPE AND RESCUE OPENINGS IN THE CITY OF OVERLAND PARK, KANSAS; AMENDING SUBSECTION R310.1 OF THE 2000 INTERNATIONAL RESIDENTIAL CODE, WHICH IS PART OF THE 2000 INTERNATIONAL BUILDING CODE AS ADOPTED IN 16.100.100 OF THE OVERLAND PARK MUNICIPAL CODE; ADDING OVERLAND PARK MUNICIPAL CODE SECTION 16.110.310.1.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. Overland Park Municipal Code Section 16.110.310.1 is hereby added to read as follows:

### **16.110.310.1**

Subsection R310.1 of the 2000 International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

**R310.1 Emergency escape and rescue required.** Basements ~~with habitable space~~ and every sleeping room shall have at least one ~~openable~~ emergency escape and rescue window or exterior door ~~opening~~ capable of being opened for emergency escape and rescue. Where openings are provided as a means of escape and rescue they shall have a sill height of not more than 44 inches ~~(1118 mm)~~ above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the window or door opening from the inside. Escape and rescue window openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2.

**Exception:** Dwellings for which the building permit for the initial construction of that dwelling was issued prior to January 1, 2001, are exempt from the above requirement for subsequent basement remodels; provided, however, that exemption shall only apply if the basement has not been expanded subsequent to January 1, 2001, or that basement does not at any time contain any sleeping areas; conversion of any habitable area to a sleeping area at any time will trigger the emergency escape and rescue requirements set forth above. All currently existing openings that provide for emergency escape and rescue, regardless of whether or not they comply with the above escape and rescue requirements, cannot be removed or altered without bringing the basement into full compliance with the minimum requirements of this section, regardless of when building permits for the

dwelling were issued.

SECTION 2. This ordinance shall take effect and be in force after its publication in *the Overland Park Sun*, an official City newspaper.

PASSED by the City Council this 14<sup>th</sup> day of January, 2002.

APPROVED by the Mayor this 14<sup>th</sup> day of January, 2002.

ATTEST:

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Ed Eilert, Mayor

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Marian Cook, City Clerk

APPROVED AS TO FORM:

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J. Bart Budetti  
Sr. Assistant City Attorney