

ORDINANCE NO. BC-2635

AN ORDINANCE INCORPORATING BY REFERENCE THE 2006 INTERNATIONAL BUILDING CODE AND REFERENCED STANDARDS AND SPECIFIED APPENDICES; SPECIFICALLY DESCRIBING AND DECLARING CERTAIN PORTIONS OF THAT CODE DELETED, REVISED, AMENDED, OR CHANGED AS INCORPORATED; **ADDING NEW CHAPTER 16.105 ENTITLED INTERNATIONAL EXISTING BUILDING CODE AND INCLUDING SECTIONS 16.105.100, 16.105.101.1, 16.105.101.2.1 AND 16.105.103;** AMENDING AND REPEALING SECTIONS 16.100.100, 16.100.101.1, 16.100.101.4.1, 16.100.103.1, 16.100.103.2, 16.100.105.1.3, 16.100.105.2, 16.100.105.3.4, 16.100.105.3.5, 16.100.105.3.6, 16.100.105.3.7, 16.100.105.3.8, 16.100.105.3.9, 16.100.105.5, 16.100.108.2, 16.100.112.1.1, 16.100.112.1.2, 16.100.112.1.3, 16.100.112.2.1, 16.100.112.3.1, 16.100.113.3, 16.100.113.4, 16.100.113.5, 16.100.3103.1.1, 16.110.100, 16.110.101.2, 16.110.102.5.1, 16.110.103, 16.110.120, 16.110.301.2(1), 16.110.306.5, 16.110.309.7, 16.110.310.1, 16.110.321.1, 16.110.321.2, 16.110.328, 16.110.403.1.1.1, 16.110.403.1.6.2, 16.110.404.1.3, 16.110.801.3, 16.110.901.2, 16.110.901.3, 16.110.1101.2, 16.120.100, 16.120.101.2, 16.120.102.6, 16.120.104.12, 16.120.105.1, 16.120.109.3, 16.120.111.4, 16.120.310.2, 16.120.407.2, 16.120.503.3, 16.120.505.1, 16.120.506.2, 16.120.508.1, 16.120.508.4, 16.120.508.5.2, 16.120.510.1, 16.120.901.4.5, 16.120.906.1, 16.120.913.4, 16.120.2403.2, 16.120.3301.1.3, 16.120.3304.1, 16.120.3305, 16.120.3403.6.3.2, 16.120.3404.2.11.5.2, 16.120.3404.2.12.3, 16.120.3404.2.13.1.3, 16.120.3404.2.13.1.4, 16.120.D103.1, 16.120.D104.1, 16.120.D107.1, 16.130.100, 16.130.101.2, 16.130.103, 16.130.305.6.1, 16.130.305.6.2, 16.130.312.1, 16.130.312.6, 16.130.312.9, 16.130.504.3, 16.130.701.2.1, 16.130.715.1, 16.130.1101.1, 16.140.100, 16.140.101.2, 16.140.102.10, 16.140.103, 16.150.100, 16.150.101.3.1, 16.150.103, 16.160.100, 16.160.334.10, 16.170.100, 16.180.100, 16.180.101.2, 16.180.101.3, 16.180.102.2, 16.180.103, 16.180.302.2, 16.180.403.1.6, 16.180.403.5, 16.180.404, 16.180.405.2.5, 16.180.405.2.6, 16.180.406.1, 16.180.603.1, 16.180.605.1, 16.180.605.3, 16.180.605.5, 16.180.605.10, 16.180.702.2.1, 16.180.802.2, 16.180.802.7.1, 16.180.805.1, 16.180.903.6.4, 16.180.1202.7, 16.190.100, 16.190.101.1, 16.190.101.5, 16.190.102.3, 16.190.102.7, 16.190.103, 16.190.107.4, 16.190.108.1.4, 16.190.108.6, 16.190.110.1.1, 16.190.111, 16.190.112, 16.190.304.2, 16.190.304.3.1, 16.190.304.7, 16.190.304.14, 16.190.602.3, 16.190.602.4, 16.190.800; ADDING NEW SECTIONS 16.100.101.4.6, 16.100.101.4.8, 16.100.105.1, 16.100.106.1, 16.100.112.1, 16.100.903.3.5.3, 16.100.903.4, 16.100.906.1, 16.100.907.14, 16.100.907.18, 16.100.912.2, 16.100.912.3, 16.100.913, 16.100.1007.3, 16.100.1008.1.8, 16.100.1019.1, 16.100.1020.1.6, 16.100.2902.1, 16.100.3303.7, 16.100.3400, 16.110.101.1, 16.110.301.5, 16.110.506.2.5, 16.110.506.2.6, 16.110.703.6.3, 16.110.907.3, 16.110.1102.2.6, 16.120.104.1, 16.120.104.2, 16.120.105.3, 16.120.105.4, 16.120.105.6, 16.120.105.6.20, 16.120.105.6.30, 16.120.105.6.43, 16.120.105.7, 16.120.108.1, 16.120.307.4, 16.120.308.3, 16.120.312.4, 16.120.314.4, 16.120.503.5.1, 16.120.503.6, 16.120.505.2, 16.120.510.2, 16.120.806.1.1, 16.120.901.2, 16.120.903.3.5.3, 16.120.903.4, 16.120.907.15, 16.120.912.2, 16.120.912.3, 16.120.1007.3, 16.120.1008.1.8, 16.120.1020.1.6, 16.130.403.1; 16.150.101.1, 16.150.301.16, 16.160.190.4, 16.160.190.10, 16.170.101.1, 16.170.402.2.6, 16.180.101.1, 16.180.505.12, 16.190.109.1, 16.190.404.4, 16.190.404.5, 16.190.606.1; AND REPEALING SECTIONS 16.100.101.2, 16.100.310.2, 16.100.507.2, 16.100.903.3.7, 16.100.903.4.3.1, 16.100.907.9.1.5, 16.100.1019.1.7, 16.100.3410.2, 16.110.403.1.1.2, 16.110.506.2.4, 16.110.602.10.5.1, 16.110.703.6,

16.110.703.6.2.2, 16.110.1102.1, 16.110.3103.1, 16.110.3802.11, 16.120.103, 16.120.105.6.15, 16.120.105.6.21, 16.120.105.6.31, 16.120.105.7.12, 16.120.108, 16.120.307.2, 16.120.307.3, 16.120.308.3.1.1, 16.120.804.1.1, 16.120.903.3.7, 16.120.1019.1.7, 16.130.108, 16.130.904.1, 16.130.1301, 16.130.1301.1, 16.140.106.3, 16.140.107, 16.150.106, 16.150.107, 16.160.180, 16.160.210.12, 16.160.310.14, 16.170.101.2, 16.170.101.4, 16.170.130, 16.170.601.2, 16.170.802.1, 16.170.802.2, 16.170.830, 16.180.106.3, 16.180.107, AND 16.180.505.11.

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

SECTION 1. Overland Park Municipal Code Section 16.100.100 is hereby amended to read as follows:

16.100.100 Building Code – Incorporation

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~6~~ International Building Code, dated ~~December, 2002~~January, 2006 , as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2003~~6~~ International Building Code shall be marked Official Copy as Adopted by Ordinance No. BC-~~2459~~2635, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 2. Overland Park Municipal Code Section 16.100.101.1 is hereby amended to read as follows:

16.100.101.1

Section 101.1 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

101.1 Title. ~~These regulations shall be known as the Building Code of [NAME OF JURISDICTION], hereinafter referred to as “this code.”~~ The 2006 International Building Code, as published by the International Code Council, Inc., and the deletions, changes, and additions contained in the Overland Park Municipal Code, Chapter 16.100 through 16.190, shall be known as the Building Code of the City of Overland Park, Kansas, hereinafter referred to as "this code" or "the Building Code."

SECTION 3. Overland Park Municipal Code Section 16.100.101.4.1 is hereby amended to read as follows:

16.100.101.4.1

Section 101.4.1 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

101.4.1 Electrical. The provisions of the ~~ICCNFPA 70 National~~ Electrical Code, 2005 Edition, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

SECTION 4. Overland Park Municipal Code Section 16.100.101.4.6 is hereby added to read as follows:

16.100.101.4.6

Section 101.4.6 of the 2006 International Building Code is hereby amended to read as follows:

101.4.6 Fire prevention. The provisions of the 2006 International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the ~~construction, extension, repair, alteration or~~ removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

SECTION 5. Overland Park Municipal Code Section 16.100.101.4.8 is hereby added to read as follows:

16.100.101.4.8

Section 101.4.8 of the 2006 International Building Code is hereby added as follows:

101.4.8 Existing buildings. The provisions of the 2006 International Existing Building Code shall apply to all matters governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.

SECTION 6. Overland Park Municipal Code Section 16.100.103.1 is hereby amended to read as follows:

16.100.103.1

Section 103.1 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

103.1 Creation of enforcement agency. The executive official in charge of the Building Safety Division for the City of Overland Park shall be the designated enforcement officer of this code, and is herein referred to ~~Department of Building Safety is hereby created and the official in charge thereof shall be known~~ as the "Bbuilding Oofficial." The term "Code Official," "authority having jurisdiction," and/or "Code Administrator" shall be used synonymously with the term "Building Official" and the term "Building Safety Division" shall be used synonymously with the term "Department of Building Safety."

SECTION 7. Overland Park Municipal Code Section 16.100.103.2 is hereby amended to read as follows:

16.100.103.2

Section 103.2 of the 2003~~6~~ International Building Code is hereby deleted.

SECTION 8. Overland Park Municipal Code Section 16.100.105.1 is hereby added to read as follows:

16.100.105.1

Section 105.1 of the 2006 International Building Code is hereby amended to read as follows:

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, plumbing, fire alarm, fire detection, automatic fire-extinguishing, LP-Gas system, or where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the bBuilding eOfficial and obtain the required permit.

105.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the bBuilding eOfficial is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned and operated by the applicant for the permit.

105.1.2 Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The bBuilding eOfficial shall have access to such records at all times or such records shall be filed with the bBuilding eOfficial as designated.

SECTION 9. Overland Park Municipal Code Section 16.100.105.1.3 is hereby amended to read as follows:

16.100.105.1.3

Section 105.1.3 of the 2003~~6~~ International Building Code is hereby added to read as follows:

105.1.3 County license required. Effective January 1, 2002, all persons undertaking work which requires a permit as provided in Section 105, or seeking to obtain that permit from the City, are required to have a currently valid Johnson County contractors license. That County license shall have been issued by the County in accordance with the provisions of the Johnson County Contractors Licensing Program and the Contractor Licensing Regulations adopted by the Board of County Commissioners by Resolution 058-01 on August 9, 2001, and any regulations subsequently adopted by the Contractor Licensing Review Board as authorized by said County Licensing Regulations, as said Resolution and regulations may be amended from time to time by said Boards.

The Building Official may waive the need for a contractor's license in those instances where it can be established that no license exists for the installation, alteration, or repair of a certain type of work requiring a permit.

SECTION 10. Overland Park Municipal Code Section 16.100.105.2 is hereby amended to read as follows:

16.100.105.2

Section 105.2 of the 2003~~6~~ International Building Code are hereby amended to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required ~~for the following~~as provided for in this Section:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed ~~120~~200 square feet ~~(11 m²)~~.
2. ~~Fences not over 6 feet (1829 mm) high~~Re-siding the dwelling or structure with materials other than stucco or EIFS.
3. ~~Oil derricks~~Temporary structures 900 square feet or less in area with an occupant load of 50 or less (IBC Section 3103).
4. Retaining walls ~~that, which~~ are not over 4 feet ~~(1219 mm)~~ in height, measured from the bottom of the footing ~~grade on the low side~~ to the top of the wall, unless supporting a surcharge or impounding Class I, II, III-A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons ~~(18,925 L)~~ and the ratio of height to diameter or width does not exceed ~~2:1~~ to 1.
6. Sidewalks and driveways not more than 30 inches ~~(762 mm)~~ above adjacent grade; and not over any basement or story below and are not part of an accessible route. **Note: right-of-way work permits are required for sidewalk or driveway installation or replacement in the public right-of-way.**
7. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy ~~that, as applicable in Section 101.2, which~~ are less than 24 inches ~~(610 mm)~~ deep, do not exceed 5,000 gallons ~~(18,925 L)~~ and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes; ~~and~~ not including service systems.
11. Swings and other playground equipment accessory to ~~detached~~ one- and two-family dwellings.
12. Window awnings supported by an exterior wall ~~that~~which do not project more than 54 inches ~~(1372 mm)~~ from the exterior wall and do not require additional

- support of Group R-3, as applicable to Section 101.2, and Group U occupancies.
13. ~~Nonfixed and m~~Movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches ~~(1753 mm)~~ in height.
 14. Arbors or shade structures a minimum 50 percent open at the top with no member wider than 2 inches in a horizontal plane and incapable of accumulating ice or snow.
 15. Moving buildings or structures with a floor area of 200 square feet or less.

Electrical:

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

1. Listed cord and plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlet therefor.
3. Repair or replacement of branch circuit over current devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy, and are not part of a fire alarm system.
5. ~~Radio and television transmitting stations:~~—The provisions of this 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.
6. ~~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 code.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds ~~(5 kg)~~ or less of refrigerant and actuated by motors of 1 horsepower ~~(746 W)~~ or less.

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 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~~sinks, and lavatories in the same location.

SECTION 11. Overland Park Municipal Code Section 16.100.105.3.4 is hereby amended to read as follows:

16.100.105.3.4

Section 105.3.4 of the 2003~~6~~ International Building Code is hereby added to read as follows:

105.3.4 Potable water certification. A permit shall not be issued until written evidence is presented to the Building Official certifying the availability of satisfactory potable water supply. Applicants from areas within the corporate limits of the City that are also within areas under the jurisdiction of a duly constituted water district shall submit a connection permit or notice of intent to supply water service from the water district. Applicants from areas within the corporate limits of the City that are not within an area under the jurisdiction of a duly constituted water district shall submit a certificate from the Johnson County Health Director that the proposed water supply meets the required standards for health and safety.

105.3.4.1 On structures other than one- and two-family dwellings, the Building Official may issue a building permit prior to receiving the connection permit or notice of intent to supply water service specified in Section 105.3.4 if all the following conditions are met:

1. A written document acceptable to the City is provided to the Building Official describing the unusual circumstances preventing the issuance of such connection permit.
2. Documentation acceptable to the City is provided showing the status of the application to the water district.
3. The applicant verifies in writing, in a form acceptable to the City, an acknowledgement and understanding that the permit required in Section 105.3.4 must be provided to the Building Safety Division prior to any form of final inspection being conducted by the City and prior to any temporary or final occupancy permit being issued by the City.
4. The Building Official is satisfied that all pertinent information has been provided and that issuance of a building permit under these circumstances would be in full compliance with the intent and purpose of this code.

SECTION 12. Overland Park Municipal Code Section 16.100.105.3.5 is hereby amended to read as follows:

16.100.105.3.5

Section 105.3.5 of the 2003~~6~~ International Building Code is hereby added to read as follows:

105.3.5 Fire protection certification. A permit for construction shall not be issued until written evidence is presented to the Building Official certifying the availability of satisfactory hydrant locations.

Applicants for areas within the corporate limits of the City, that are also within areas under the jurisdiction of a duly constituted water district, shall submit a statement from the district certifying that the proposed fire protection system conforms to the regulations of the district. The water supply and hydrants shall also comply with the requirements of Section 508 and Appendices B and C of the 2006 International Fire Code.

SECTION 13. Overland Park Municipal Code Section 16.100.105.3.6 is hereby amended to read as follows:

16.100.105.3.6

Sections 105.3.6, 105.3.6.1, and 105.3.6.2 of the 2003~~6~~ International Building Code are hereby added to read as follows:

105.3.6 Connection to public sewer. No building permit shall hereafter be issued for any structure requiring or providing a sanitary drainage system regulated by the 2006 International Plumbing Code until a public sanitary sewer system is available to serve the premises and is in operation except as provided in Sections 105.3.6.1 and 105.3.6.2.

105.3.6.1 Private sewage disposal facilities. Private sewage disposal systems as permitted by the 2006 International Private Sewage Disposal Code.

105.3.6.2 Temporary sewage disposal facilities. Temporary sewage disposal facilities are permitted for systems meeting all of the following:

1. The system is installed for a period of time not to exceed two years. Sufficient documentation, acceptable to the Building Official, shall be submitted to substantiate the temporary nature of the facility to ensure the facility will be removed or connected to the public sewer system within two years. The design and construction of the system conforms to the Holding Tank requirements of the 2006 International Private Sewage Disposal Code.
2. Public sewers are not available as defined in the 2006 International Plumbing Code.
3. The use of the building shall not utilize commercial cooking operations or any material that would be detrimental to the system.

SECTION 14. Overland Park Municipal Code Section 16.100.105.3.7 is hereby amended to read as follows:

16.100.105.3.7

Section 105.3.7 of the 2003~~6~~ International Building Code is hereby added to read as follows:

105.3.7 Sanitary sewer connection permit. No building permit for any structure or building

to be located within a legally created sewer district in the City in which sanitary sewage will, or may, originate shall be issued until and unless the applicant, or his or her agent, has previously applied for and received from the sewer district, an outside sanitary sewer construction and connection permit as required by the rules and regulations of the Johnson County Wastewater District.

105.3.7.1 On structures other than one- and two-family dwellings, the Building Official may issue a building permit prior to receiving the sanitary sewer permit specified in Section 105.3.7 if all the following conditions are met:

1. A written document acceptable to the City is provided to the Building Official describing the unusual circumstances preventing the issuance of such connection permit.
2. Documentation acceptable to the City is provided showing the status of the application to the Johnson County Wastewater District.
3. The applicant verifies in writing, in a form acceptable to the City, an acknowledgement and understanding that the permit required in Section 105.3.7 must be provided to the Building Safety Division prior to any form of final inspection being conducted by the City and prior to any temporary or final occupancy permit being issued by the City.
4. The Building Official is satisfied that all pertinent information has been provided and that issuance of a building permit under these circumstances would be in full compliance with the intent and purpose of this code.

SECTION 15. Overland Park Municipal Code Section 16.100.105.3.8 is hereby amended to read as follows:

16.100.105.3.8

Section 105.3.8 of the 2003~~6~~ International Building Code is hereby added to read as follows:

105.3.8 Denial of permits. The Building Official is authorized to deny a permit to any applicant not meeting the provisions as set forth in this code and to any person who has outstanding a failure to appear in court with respect to any violation of the Overland Park Municipal Code. The Building Official is further authorized, with respect to the insurance requirements, to take any necessary administrative enforcement action including, without limitation, stopping construction operations on any incomplete permits and denying issuance of any additional permits.

SECTION 16. Overland Park Municipal Code Section 16.100.105.3.9 is hereby amended to read as follows:

16.100.105.3.9

Sections 105.3.9, 105.3.9.1, 105.3.9.2, ~~and~~ 105.3.9.3 and 105.3.9.4 of the 2003~~6~~ International Building Code are hereby added to read as follows:

105.3.9 Application for permit to move a building or other structure. Applications for a permit to move a structure or building shall include the information required in Section 105.3.9.1

or 105.3.9.2. Applications shall be made not less than 14 calendar days prior to the commencement of the moving.

For buildings or structures being moved into or within the City, a permit for a foundation, or a new single family or a remodel permit shall be secured prior to the issuance of a permit to move the house or structure.

The foundation shall be constructed prior to the building or structure being moved.

105.3.9.1 Moving buildings or structures within or into the city limits. All applications for permits to move buildings or structures within the city limits of Overland Park or into the City shall include the following information:

1. The dimensions of the building or structure as to length, width, and height at its highest point when loaded for moving.
2. Letters verifying that all utilities have been disconnected, i.e. gas, electric, water, sewer. In lieu of the letter a verbal communication from the utility company is acceptable.
3. Verification letter from utility companies having overhead lines along the proposed route which indicates that they have approved the route.
4. Letters from the Police Department and the Public Works Department approving the route of the move and the date and time of the move.
5. A letter indicating the day and hour when the move is to start. The length of time that the move will take. The number and type of vehicles to be provided as escort vehicles.
6. A map showing the route of the move.
7. A copy of state highway move permit, if applicable.
8. Copies of written notices to the owners of adjacent lots along the route who may be affected by utility disconnects. The letter will give the date and time of the move.
9. Written permission from the private property owner to trim any trees on private property necessary to provide clearance for move along the proposed route.
10. Written permission from the Overland Park Parks and Recreation Department to trim trees in the public right of way necessary to provide clearance for move along the proposed route.
11. Sewer permit from Johnson County Wastewater District, or a septic tank or holding tank permit as allowed by Sections 105.3.6 and 105.3.7.
12. Water availability letter from WaterOne as specified in Section 105.3.4.
13. Verification from the Fire Department that fire hydrant location per Section 105.3.5.
14. Verification from Planning Division that the house to be moved is architecturally compatible with adjacent houses in the area that the house is to be moved to.
15. Verification by Building Safety that the building or structure meets current adopted codes and standards.
16. A plot plan of the property or lot where the moved building or structure will be moved to is required. A legal description of the property shall be included. The

plot plan shall be sealed by a Kansas design professional.

105.3.9.2 Buildings or structures being moved out of the City or passing through the City. All permit applications for moving structures or buildings out of or through the City shall include the following information:

1. The dimensions of the building or structure as to length, width, and height at its highest point when loaded for moving.
2. Letters verifying that all utilities have been disconnected, i.e. gas, electric, water, and sewer. In lieu of the letter a verbal communication from the utility company is acceptable.
3. Verification letter from utility companies having overhead lines along the proposed route which indicates that they have approved the route.
4. A letter indicating the day and hour when the move is to start. The length of time that the move will take. The number and type of vehicles to be provided as escort vehicles.
5. A map showing the route of the move.
6. A copy of state highway move permit, if applicable.
7. Letters from the Police Department and the Public Works Department approving the route of the move and the date and time of the move.
8. Copies of written notices to the owners of adjacent lots along the route who may be affected by utility disconnects. The letter will give the date and time of the move.
9. Written permission from the private property owner to trim any trees on private property necessary to provide clearance for move along the proposed route.
10. Written permission from the Overland Park Parks and Recreation Department to trim trees in the public right of way necessary to provide clearance for move along the proposed route.

105.3.9.3 Bond and insurance required. It shall be the duty of any person at the time of making application for a permit as provided in Section 16.100.105.3.9 to execute in favor of this City a good and sufficient bond to the City in the sum of \$5,000, with good and sufficient security, conditioned, among other things, that the principal shall pay any and all damages which may be caused to any property, public or private, within the City when such injury or damage shall be inflicted by the principal or his agent, servant, employee, workman, contractor, or subcontractor, and such bond shall be conditioned also that the principal will serve, indemnify, and protect the City from any and all liability, and that he will, in all respects, comply with all ordinances of the City and comply with the terms of his permit and be conditional upon his faithful performance of the move. The form of such bond must be approved by the City Attorney.

The applicant shall file with the City a certificate of insurance, demonstrating evidence of satisfactory Commercial General Liability and Automobile Liability insurance. No permit shall be issued until such evidence is filed.

Policies of insurance must contain the following limits of protection and conditions:

- a) Commercial General Liability including Products/Completed Operations and Independent Contractors protection:
 - Bodily Injury: each occurrence \$250,000
aggregate \$500,000
 - Property Damage: each occurrence \$250,000
aggregate \$250,000

Or

 - Bodily Injury and Property Damage, Combined Single Limit:
each occurrence \$500,000
aggregate \$500,000
- b) Commercial Automobile Liability - including Hired and Non-Owned:
 - Bodily Injury: each person \$250,000
each occurrence \$500,000
 - Property Damage: each occurrence \$250,000

Or

 - Bodily Injury and Property Damage, Combined Single Limit:
each occurrence \$500,000

The City will only accept coverage from an insurance carrier meeting these criteria:

- 1) Is licensed to do business in the state of Kansas; and
- 2) Carries a Best's policyholder and financial rating of B+ or better; and
- 3) Carries at least a Class X financial rating.

or

Is a company mutually agreed upon by the City and the applicant

The City shall be notified by the insurance carrier in writing not less than 30 days prior to cancellation or material modification of any policy provisions

105.3.9.4 Conditions of the permit. In addition to other provisions of the code, the permit holder shall be responsible for compliance with the following:

- 1. Move a building or structure only over streets approved by the Department of Public Works and the Chief of Police and designated for such use in the written application.
- 2. Notify the Building Official within 48 hours of move in writing of a desired change in moving date and hour and route of move as proposed in the application. Change of route must be approved by the Building Official before initiating the move.
- 3. Notify the Building Official in writing of any and all damages to public and private property within 24 hours after the damage has occurred.
- 4. It shall be the duty of any persons moving any building or structure to 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 30 minutes after sunset to 30 minutes before sunrise, 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.
5. No building or structure or any part of any building or structure being moved shall be left in the parkway, street, or on the dedicated right-of-way line between the curb and the front property line of any lot.
 6. Any open foundation or excavation shall be protected by a four foot fence. Erosion and sediment control measures shall be put in place as needed and shall remain in place until vegetation has been established.
 7. Within 30 days of the move, all debris and miscellaneous building materials shall be removed from the site. The existing foundation shall be demolished. All excavations shall be filled to grade.
 8. An enclosed parking space shall be provided as required by the Unified Development Ordinance.

SECTION 17. Overland Park Municipal Code Section 16.100.105.5 is hereby amended to read as follows:

16.100.105.5

Section 105.5 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of ~~180~~90 days after the time the work is commenced. ~~It is the intent of this code that once work has commenced that the work will proceed at a normal rate until the permitted work has been completed. Should the work cease for a period of 90 days the Building Official shall make a determination as to whether the work has been suspended or abandoned. Failure to request an inspection of newly completed work for any period of 90 days or more shall constitute suspension or abandonment of work.~~

~~All work is to be inspected per Section 109 of this code. Commencement of work shall be documented by an inspection.~~

Exception: A permit shall remain valid indefinitely where a valid Temporary Certificate of Occupancy has been issued.

~~The ~~b~~Building ~~e~~Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. ~~Permit extensions shall only be granted for new residential and commercial structures, additions to residential and commercial structures, and alterations to commercial structures, provided that the extension of the permit and related construction work will not adversely impact the surrounding property.~~~~

~~It shall be unlawful for any person, firm, or corporation to allow a permit to become invalid after work has commenced.~~

SECTION 18. Overland Park Municipal Code Section 16.100.106.1 is hereby added to read as follows:

16.100.106.1

Section 106.1 of the 2006 International Building Code is hereby amended to read as follows:

106.1 Submittal of documents. Construction documents, the statement of special inspections and other data as deemed necessary by the Building Official shall be submitted ~~in one or more sets~~ with each permit application. The number of construction documents (plans) required at the time of permit application shall be as set forth by the Building Official. The construction documents shall be prepared by a registered design professional and shall bear their professional seal where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the ~~b~~Building ~~e~~Official is authorized to require additional construction documents to be to be prepared by a registered design professional.

Construction documents for new one- and two-family dwellings shall be prepared by a design professional duly registered in the state of Kansas. The drawings shall bear the professional seal of the design professional.

Exception: The ~~b~~Building ~~e~~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 code.

106.1.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the ~~b~~Building ~~e~~Official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations, as determined by the ~~b~~Building ~~e~~Official.

106.1.1.1 Fire protection and fire alarm system shop drawings. Shop drawings for the fire protection and fire alarm system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

SECTION 19. Overland Park Municipal Code Section 16.100.108.2 is hereby amended to read as follows:

16.100.108.2

Section 108.2 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

108.2 Schedule of permit fees. ~~On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a~~ fee for each permit shall be paid as required, in accordance with the schedule as established by ~~the applicable resolution of the~~ ~~g~~Governing ~~authority~~Body.

SECTION 20. Overland Park Municipal Code Section 16.100.112.1 is hereby added to read as

follows:

16.100.112.1

Section 112.1 of the 2006 International Building Code is hereby amended to read as follows:

112.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the ~~b~~Building ~~e~~Official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, **and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.**

112.1.1 Stays of Enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

SECTION 21. Overland Park Municipal Code Section 16.100.112.1.1 is hereby amended to read as follows:

16.100.112.1.1

Section 112.1.1 of the 2003~~6~~ International Building Code is hereby added to read as follows:

112.1.1 Membership of Board of Appeals. The Board of Appeals shall consist of five members all of whom shall be residents of Overland Park or shall have their primary place of business in Overland Park. Members of the Board of Appeals will serve at the appointment of the Mayor by and with the consent of the Council; provided that a member may be removed by the Mayor with the consent of the Council, the consent to be given by resolution of the Governing Body for cause upon written charges filed with the secretary of the board; provided that no removal shall occur until after a public hearing is held to consider the written charges.

Each member will be appointed for three years or until his or her successor has been appointed and approved by the Governing Body.

SECTION 22. Overland Park Municipal Code Section 16.100.112.1.2 is hereby amended to read as follows:

16.100.112.1.2

Section 112.1.2 of the 2003~~6~~ International Building Code is hereby added to read as follows:

112.1.2 Alternate members. At least three alternates all of whom shall be residents of Overland Park or have their primary place of business in Overland Park shall serve at the appointment of the Mayor by and with the consent of the Council; provided that an alternate member may be removed by the Mayor with the consent of the Council, the consent to be given by resolution of the Governing Body for cause upon written charges filed with the secretary of the board; provided that no removal shall occur until after a public hearing is held to consider the written charges. Alternate members shall be called by the Building Official to hear appeals

during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for three years, or until a successor has been appointed.

SECTION 23. Overland Park Municipal Code Section 16.100.112.1.3 is hereby amended to read as follows:

16.100.112.1.3

Section 112.1.3 of the 2003~~6~~ International Building Code is hereby added to read as follows:

112.1.3 Compensation of Board of Appeals. All members shall serve without compensation.

SECTION 24. Overland Park Municipal Code Section 16.100.112.2.1 is hereby amended to read as follows:

16.100.112.2.1

Section 112.2.1 of the 2003~~6~~ International Building Code is hereby added to read as follows:

112.2.1 Application for appeal (fees). An application fee for the filing of an appeal shall be established by the Governing Body in resolution form and shall be collected by the Building Official at the time that an application is filed.

SECTION 25. Overland Park Municipal Code Section 16.100.112.3.1 is hereby amended to read as follows:

16.100.112.3.1

Section 112.3.1 of the 2003~~6~~ International Building Code is hereby added to read as follows:

112.3.1 Member qualifications. Each member shall be a licensed professional engineer or architect; or a builder, superintendent of building construction, or an individual licensed in a trade with at least ten years' experience, five of which shall have been in responsible charge of work. Not more than two members shall be from the same profession or occupation, and at least one professional engineer shall be a structural or civil engineer with architectural engineering experience.

SECTION 26. Overland Park Municipal Code Section 16.100.113.3 is hereby amended to read as follows:

16.100.113.3

Section 113.3 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

113.3 Prosecution of violation. Any person failing to comply with a notice of violation or order shall be deemed guilty of a misdemeanor, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with ~~promptly,~~ the ~~Building Official is authorized to~~ **Building Official shall** request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to

require the removal or termination of the ~~unlawful~~ occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

SECTION 27. Overland Park Municipal Code Section 16.100.113.4 is hereby amended to read as follows:

16.100.113.4

Section 113.4 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

113.4 Violation penalties. Any person who violates a provision of this code, or Chapters 16.100 through 16.190, or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the ~~h~~Building ~~e~~Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law, or other references incorporated, is guilty of a public offense, punishable as provided in Overland Park Municipal Code Section 1.12.010.

The Building Official shall be permitted to cite any or all persons identified on permit forms as being legally responsible to the City for any violations of the code pertaining to that permit. The business, and any identified responsible person, shall assume full legal responsibility and liability to the City for any permit issued to any authorized individual, and, absent written notification being received by the Building Official prior to the issuance of a permit of any changes in the authorized individuals, such responsibility shall exist regardless of whether in fact such listed authorized individual has any affiliation with the business at the time of issuance. It is further the continuing responsibility of the business to notify the Building Official in writing of any other changes to the form, and in the absence of any such notification being received by the Building Official prior to the issuance of permit, all identified responsible persons shall be responsible for that permit to the City regardless of whether they maintain any affiliation with the business.

SECTION 28. Overland Park Municipal Code Section 16.100.113.5 is hereby amended to read as follows:

16.100.113.5

Section 113.5 of the 2003~~6~~ International Building Code is hereby added to read as follows:

113.5 Abatement of violations. Should any person fail to comply with a notice of violation or order as specified in Section 113.2, the Building Official is authorized to correct or abate such violation, or to require the removal or termination of the occupancy of the structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure, or premises. This action can be taken in lieu of or in conjunction with any action taken under Section 113.3.

SECTION 29. Overland Park Municipal Code Section 16.100.903.3.5.3 is hereby added to read as follows:

16.100.903.3.5.3

Section 903.3.5.3 of the 2006 International Building Code is hereby added to read as follows:

903.3.5.3 Main control valves. Water supply lines for automatic sprinkler systems shall be provided with a control valve located on the riser. The valve shall be capable of isolating the underground fire service main from automatic sprinkler system.

903.3.5.3.1 Main control valve access. The isolation control valve shall be accessible. To be considered accessible, a clear space 3 feet by 3 feet by 7 feet high shall be provided in front of the valve. Access to the clear space shall be provided by an unobstructed aisle not less than 3 feet wide and 7 feet high. The valve shall be operable from the floor level.

SECTION 30. Overland Park Municipal Code Section 16.100.903.4 is hereby added to read as follows:

16.100.903.4

Section 903.4 of the 2006 International Building Code is hereby amended to read as follows:

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler systems, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.
8. On existing installations, isolation valves for the backflow prevention devices remotely located in pits which are locked and/or chained in the open position.
9. Underground key or hub valves in roadway boxes provided by the municipality or public utility.
10. Backflow prevention device test valves located in limited area sprinkler systems that are locked in the open position, provided that the occupancy is not equipped with a fire alarm system.

903.4.1 Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72 or, when approved by the Fire eCode Official, shall sound an audible signal at a constantly attended location.

Exceptions:

- ~~1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.~~
- ~~2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.~~

903.4.2 Alarms. An approved ~~audible~~ audio/visual devices shall be connected to every automatic sprinkler system. Such sprinkler ~~system~~ water-flow alarm device shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building ~~directly above the Fire Department connection~~ or in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor ~~in high-rise of a multi-story buildings.~~

Exception: Automatic sprinkler systems designed in accordance with Section 903.3.1.2 or 903.3.1.3.

SECTION 31. Overland Park Municipal Code Section 16.100.906.1 is hereby added to read as follows:

16.100.906.1

Section 906.1 of the 2006 International Building Code is hereby amended to read as follows:

906.1 General Where required. Portable fire extinguishers shall be ~~provided~~ installed in ~~occupancies and the following locations as required by the International Fire Code.~~

1. In Group A, B, E, F, H, I, M, R-1, R-4 and S occupancies.
Exception: In Group A, B and E occupancies equipped throughout with quick-response sprinklers, fire extinguishers shall be required only in special-hazard areas.
2. Within 30 feet of commercial cooking equipment.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms, and generator rooms, where required by the Fire Code Official.

SECTION 32. Overland Park Municipal Code Section 16.100.907.14 is hereby added to read as follows:

16.100.907.14

Section 907.14 of the 2006 International Building Code is hereby amended to read as follows:

907.14 Monitoring. Fire alarm systems required by this Chapter or the 2006 International Fire Code shall be monitored by an approved ~~supervising~~ central station ~~in accordance with as defined in NFPA 72, or the fire alarm system shall be monitored by an approved entity that has been listed by a nationally recognized agency to perform such service.~~ The approved monitoring entity shall notify the Fire Department when their service has been discontinued.

Fire alarm systems that require two or more zones, or have addressable fire alarm panels, shall report a signal to the monitoring company wherein the fire alarm initiating device and its location can be determined. The monitoring company shall then report this information to the emergency communication center dispatch.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.
4. Proprietary systems as approved by the Fire Department.
5. Alterations to existing systems which are monitored by other means than that which is specified in this Section are subject to the approval of the Fire Department.

SECTION 33. Overland Park Municipal Code Section 16.100.907.18 is hereby added to read as follows:

16.100.907.18

Section 907.18 of the 2006 International Building Code is hereby amended to read as follows:

907.18 Fire Alarm Instructions/“As-Built” plans. Operating, testing and maintenance instructions, and ~~record drawings (“as-builts”) and~~ equipment specifications ~~shall be provided at an approved location~~ for the fire alarm system shall be made available at the fire alarm control panel. In addition, a set of “as-built” building floor plans shall be made available and displayed in a permanent manner adjacent to the fire alarm control panel.

The “as-built” floor plans shall be detailed to the point that emergency responders can quickly locate the area where alarm initiating device as depicted on the fire alarm control panel has activated.

At a minimum, the plans shall show the following: the location of exit stairways, exit discharge, roof access, primary or public corridors, elevator shafts, the fire control room, fire alarm control panel, all remote enunciators and all rooms or spaces where fire alarm initiating devices and/or control panels for the unlocking of stairway doors, emergency generators, smoke control systems, and elevators are located, the location of the utility disconnects for the electrical service, water service and gas service, and the location of fire/smoke walls in Group I occupancies indicating separate smoke compartments.

Exceptions:

1. The “as-built” floor plans may be located at an alternate location when approved by the Fire Department.
2. The requirement for “as-built” floor plans for tenant finish work may be waived at the discretion of the Fire Department.

SECTION 34. Overland Park Municipal Code Section 16.100.912.2 is hereby added to read as follows:

16.100.912.2

Section 912.2 of the 2006 International Building Code is hereby amended to read as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, ~~f~~Fire ~~d~~Department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of ~~f~~Fire ~~d~~Department connections shall be **located in an approved location. A Fire Department connection for each standpipe system or water-based fire-extinguishing system shall be located not more than 100 feet from the nearest fire hydrant connection to an approved water supply.**

912.2.1 Visible location. Fire ~~d~~Department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of ~~f~~Fire ~~d~~Department vehicle access or as otherwise approved ~~by the fire code official.~~

912.2.2 Existing buildings. On existing buildings, wherever the ~~f~~Fire ~~d~~Department connection is not visible to approaching fire apparatus, the ~~f~~Fire ~~d~~Department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters “FDC” at least 6 inches ~~(152 mm)~~ high and words in letters at least 2 inches ~~(51 mm)~~ high or an arrow to indicate the location. All such signs shall be subject to the approval of the ~~f~~Fire ~~e~~Code ~~e~~Official.

SECTION 35. Overland Park Municipal Code Section 16.100.912.3 is hereby added to read as follows:

16.100.912.3

Section 912.3 of the 2006 International Building Code is hereby amended to read as follows:

912.3 Access. Immediate access to ~~f~~Fire ~~d~~Department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other object for a minimum of 3 feet ~~(914 mm)~~.

912.3.1 Locking ~~f~~Fire ~~d~~Department connection caps. The ~~F~~fire ~~e~~Code ~~e~~Official is authorized to require locking caps on ~~f~~Fire ~~d~~Department connections ~~for~~of water-based fire protection systems where the responding ~~f~~Fire ~~d~~Department carries appropriate key wrenches for removal.

912.3.2 Fire Department connections. The location of Fire Department connections

shall be approved. The connection shall be fitted with a four-inch (4") Storz quick coupling connector.

SECTION 36. Overland Park Municipal Code Section 16.100.913 is hereby added to read as follows:

16.100.913

Section 913 of the 2006 International Building Code is hereby added to read as follows:

913.1 General. Where provided, fire pumps shall be installed in accordance with this Section and NFPA 20.

913.2 Protection against interruption of service. The fire pump, driver, and controller shall be protected in accordance with NFPA 20 against possible interruption of service through damage caused by explosion, fire, flood, earthquake, rodents, insects, windstorm, freezing, vandalism and other adverse conditions.

913.3 Temperature of pump room. Suitable means shall be provided for maintaining the temperature of a pump room or pump house, where required, above 40° F (5° C).

913.3.1 Engine manufacturer's recommendation. Temperature of the pump room, pump house or area where engines are installed shall never be less than the minimum manufacturer's recommendations for oil heaters shall be followed.

913.4 Valve supervision. Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods:

1. Central-station, proprietary or remote-station signaling service.
2. Local signaling service that will cause the sounding of an audible signal at constantly attended location.

913.4.1 Test outlet valve supervision. Fire pump test outlet valves shall be supervised in the closed position.

913.5 Testing and maintenance. Fire pumps shall be inspected, tested and maintained in accordance with the requirements of this Section and NFPA 25.

913.5.1 Acceptance test. Acceptance testing shall be done in accordance with the requirements of NFPA 20.

913.5.2 Generator sets. Engine generator sets supplying emergency or standby power to fire pump assemblies shall be periodically tested in accordance with NFPA 110.

913.5.3 Transfer switches. Automatic transfer switches shall be periodically tested in accordance with NFPA 110.

913.5.5 Pump room environmental conditions. Test of pump room environmental conditions, including heating, ventilation and illumination shall be made to ensure proper manual or automatic operation of the associated equipment.

SECTION 37. Overland Park Municipal Code Section 16.100.1007.3 is hereby added to read as follows:

16.100.1007.3

Section 1007.3 of the 2006 International Building Code is hereby amended to read as follows:

1007.3 Exit stairways. In order to be considered part of an accessible means of egress, an exit stairway shall have a clear width of 48 inches (~~1219 mm~~) minimum between handrails and shall either incorporate an area of refuge within an enlarged floor-level landing or shall be accessed from either an area of refuge complying with Section 1007.6 or a horizontal exit.

Exceptions:

1. Unenclosed exit stairways as permitted by Section 1020.1 are permitted to be considered part of an accessible means of egress.
2. The area of refuge is not required at unenclosed exit stairways as permitted by Section 1020.1 in buildings or facilities that are equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
3. The clear width of 48 inches (~~1219 mm~~) between handrails is not required at exit stairways in buildings or facilities equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
4. The clear width of 48 inches (~~1219 mm~~) between handrails is not required for exit stairways accessed from a horizontal exit.
5. The areas of refuge are not required at exit stairways serving open parking garages.
6. **Areas of refuge are not required at exit stairways in buildings or facilities equipped throughout by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.**

SECTION 38. Overland Park Municipal Code Section 16.100.1008.1.8 is hereby added to read as follows:

16.100.1008.1.8

Section 1008.1.8 of the 2006 International Building Code is hereby amended to read as follows:

1008.1.8 Door operations. Except as specifically permitted by this Section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.8.1 Hardware. Door handles, pulls, latches, locks and other operating devices on doors required to be accessible by Chapter 11 of the 2006 International Building Code shall not require tight grasping, tight pinching or twisting of the wrist to operate.

1008.1.8.2 Hardware height. Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (~~864 mm~~) minimum and 48 inches (~~1219 mm~~)

maximum above the finished floor. Locks used only for security purposes and not used for normal operation are permitted at any height.

Exception: Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be permitted to have operable parts of the release of latch on self-latching devices at 54 inches (~~1370 mm~~) maximum above the finished floor or ground, provided the self-latching devices are not also self-locking devices operated by means of a key, electronic opener or integral combination lock.

1008.1.8.3 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.
2. In ~~buildings in~~ occupancy ~~Group A having an occupant load of 300 or less,~~ ~~G~~groups B, F, M and S, ~~and in places of religious worship,~~ the main exterior door or doors ~~are~~ shall be permitted to be equipped with key-operated locking devices from the egress side provided:
 - 2.1 The locking device is readily distinguishable as locked,
 - 2.2 A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. The sign shall be in letters 1 inch (~~25 mm~~) high on a contrasting background,
 - 2.3 The use of the key-operated locking device is revocable by the ~~building~~Fire eCode ~~o~~Official for due cause.
3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.
4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.

1008.1.8.4 Bolt locks. Manually operated flush bolts or surface bolts are not permitted.

Exceptions:

1. On doors not required for egress in individual dwelling units or sleeping units.
2. When a pair of doors serves a storage or equipment room, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf.

1008.1.8.5 Unlatching. The unlatching of any door or leaf shall not require more than

one operation.

Exceptions:

1. Places of detention or restraint.
2. Where manually operated bolt locks are permitted by Section 1008.1.8.4.
3. Doors with automatic flush bolts as permitted by Section 1008.1.8.3, Exception 3.
4. Doors from individual dwelling units and sleeping units of Group R occupancies as permitted by Section 1008.1.8.3, Exception 4.

1008.1.8.6 Delayed egress locks. Approved, listed, delayed egress locks shall be permitted to be installed on doors serving any occupancy except Group A, E and H occupancies in buildings that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an exit.

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The doors unlock upon loss of power controlling the lock or lock mechanism.
3. The door locks shall have the capability of being unlocked by a signal from the fire command center.
4. The initiation of an irreversible process which will release the latch in not more than 15 seconds when a force of not more than 15 pounds (67 N) is applied for 1 second to the release device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the door lock has been released by the application of force to the releasing device, relocking shall be by manual means only.

Exception: Where approved, a delay of not more than 30 seconds is permitted.

5. A sign shall be provided on the door located above and within 12 inches (~~305 mm~~) of the release device reading: PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15 [30] SECONDS.
6. Emergency lighting shall be provided at the door.

1008.1.8.7 Stairway doors. Interior stairway means of egress doors shall be openable from both sides without the use of a key or special knowledge or effort.

Exceptions:

1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.
2. This ~~s~~Section shall not apply to doors arranged in accordance with Section 403.12.
3. In stairways serving not more than four stories, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present,

or a signal by emergency personnel from a single location inside the main entrance to the building.

SECTION 39. Overland Park Municipal Code Section 16.100.1019.1 is hereby added to read as follows:

16.100.1019.1

Section 1019.1 of the 2006 International Building Code is hereby amended to read as follows:

1019.1 Minimum number of exits. All rooms and spaces within each story shall be provided with and have access to the minimum number of approved independent exits required by Table 1019.1 based on the occupant load of the story, except as modified in Section ~~1015.1 or~~ 1019.2. For the purposes of this chapter, occupied roofs shall be provided with exits as required for stories. The required number of exits from any story, basement or individual space shall be maintained until arrival at grade or the public way.

**Table 1019.1
MINIMUM NUMBER OF EXITS FOR OCCUPANT LOAD**

OCCUPANT LOAD (persons per story)	MINIMUM NUMBER OF EXITS (per story)
1-500	2
500-1000	3
More than 1,000	4

1019.1.1 Parking structures. Parking structures shall not have less than two exits from each parking tier, except that only one exit is required where vehicles are mechanically parked. Vehicle ramps shall not be considered as required exits unless pedestrian facilities are provided.

1019.1.2 Helistops. The means of egress from helistops shall comply with the provisions of this chapter, provided that landing areas located on buildings or structures shall have two or more exits. For landing platforms or roof areas less than 60 feet ~~(18,288 mm)~~ long, or less than 2,000 square feet ~~(186m²)~~ in area, the second means of egress is permitted to be a fire escape or ladder leading to the floor below.

SECTION 40. Overland Park Municipal Code Section 16.100.1020.1.6 is hereby added to read as follows:

16.100.1020.1.6

Section 1020.1.6 of the 2006 International Building Code is hereby amended to read as follows:

1020.1.6 Stairway floor number signs. A sign shall be provided at each floor landing in interior ~~vertical~~ exit enclosures connecting more than three stories designating the floor level, the terminus of the top and bottom of the stair enclosure and the identification of the stair. The signage shall also state the story of, and the direction to the exit discharge and the availability of roof access from the stairway for the ~~f~~Fire ~~d~~Department. ~~The sign shall be color coded, or have~~

colored borders that are identified as follows: red shall be used for the primary exit enclosure with roof access, yellow for the secondary stairwell, blue for the third stairwell, white for the fourth, and green for the fifth. The sign shall be located 5 feet (~~1524 mm~~) above the floor landing in a position ~~that~~ which is readily visible when the doors are in the open and closed positions.

SECTION 41. Overland Park Municipal Code Section 16.100.2902.1 is hereby added to read as follows:

16.100.2902.1

Section 2902.1 of the 2006 International Building Code is hereby amended to read as follows:

2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as shown in Table ~~2902.1.403.1~~ of the 2006 International Plumbing Code. Types of occupancies not shown in Table ~~2902.1403.1~~ shall be considered individually by the ~~b~~Building ~~e~~Official. The number of occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3.

~~[P] Table 2902.1
Minimum Number of required Plumbing Firxtures*
(See Sections 2902.2 and 2902.3)~~

No.	Classification	Occupancy	Description	Water closets (unrinals-See Section 419.2)		Lavatories		Bathtubs/ showers	Drinking Fountain (see Section 410.4)	Other
				Male	Female	Male	Female			
1	Assembly (see Sections 403.2, 403.4 and 403.4.1)	A-1 [#]	Theaters and other buildings for the performing arts and motion pictures	1-per-125	1-per-65	1-per-200		=	1-per-500	1-service sink
		A-2 [#]	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	1-per-40	1-per-40	1-per-75		=	1-per-500	1-service sink
			Restaurants, banquet halls and food courts	1-per-75	1-per-75	1-per-200		=	1-per-500	1-service sink
		A-3 [#]	Auditoriums without permanent seating, art galleries, exhibition halls,	1-per-125	1-per-65	1-per-200		=	1-per-500	1-service sink

No.	Classification	Occupancy	Description museums, lecture halls, libraries, arcades and gymnasiums	Water closets (unrinals-See Section 410.2)		Lavatories		Bathtubs/ showers	Drinking Fountain (see Section 410.4)	Other
				Male	Female	Male	Female			
			Passenger terminals and transportation facilities	1-per-500	1-per-500	1-per-750		=	1-per-1,000	1-service sink
			Places of worship and other religious services	1-per-150	1-per-75	1-per-200		=	1-per-1,000	1-service sink
		A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities	1-per-75 for the first 1,500 and 1-per-120 for the remainder exceeding 1,500	1-per-40 for the first 1,500 and 1-per-60 for the remain- der exceeding 1,500	1-per 200	1-per-150	=	1-per-1,000	1-service sink
		A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	1-per-75 for the first 1,500 and 1-per-120 for the remainder exceeding 1,500	1-per-40 for the first 1,500 and 1-per-60 for the remain- der exceeding 1,500	1-per 200	1-per-150	=	1-per-1,000	1-service sink
2	Business (see Sections 403.2, 403.4 and 403.4.1)	B-9	Buildings for the transaction of business, professiona l services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1-per-25 for the first 50 and 1-per-50 for the remainder exceeding 50		1-per-40 for the first 80 and 1-per-80 for the remainder exceeding 80		=	1-per-100	1-service sink
3	Educational	E	Educational facilities	1-per-50		1-per-50		=	1-per-100	1-service sink
4	Factory and industrial	F-1 and F- 2	Structures in which	1-per-100		1-per-100		(see Section 411)	1-per-400	1-service sink

No.	Classification	Occupancy	Description occupants are engaged in work fabricating, assembly or processing of products or materials	Water closets (uninals-See Section 410.2)		Lavatories		Bathtubs/ showers	Drinking Fountain (see Section 410.4)	Other
				Male	Female	Male	Female			
5	Institutional	I-1	Residential care	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
		I-2	Hospitals, ambulatory nursing home patients ^b	1 per room ^c		1 per room ^c		1 per 15	1 per 100	1 service sink per floor
			Employees -other than residential care ^b	1 per 25		1 per 35		=	1 per 100	=
			Visitors other than residential care	1 per 75		1 per 100		=	1 per 500	=
		I-3	Prisons ^b	1 per cell		1 per cell		1 per 15	1 per 100	1 service sink
		I-3	Reformatories, detention centers, and correctional centers ^b	1 per 15		1 per 15		1 per 15	1 per 100	1 service sink
		I-4	Adult day care and child care	1 per 15		=		=	1 per 100	1 service sink
6	Mercantile (see Sections 403.2, 403.4, 403.4.1 and 403.4.2)	M ^a	Retail stores, service stations, shops, salesrooms -markets and shopping centers	1 per 500		1 per 750		=	1 per 1,000	1 service sink
7	Residential	R-1	Hotels, motels, boarding houses (transient)	1 per sleeping unit		1 per sleeping unit		1 per sleeping unit	=	1 service sink
		R-2	Dormitories, fraternities, sororities and boarding houses (not transient)	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
		R-2	Apartment	1 per dwelling unit		1 per dwelling unit		1 per dwelling	=	1 kitchen

No.	Classification	Occupancy	Description	Water closets (unrinals-See Section 410.2)		Lavatories		Bathtubs/ showers unit	Drinking Fountain (see Section 410.4)	Other sink-per dwelling unit-1 automatic clothes washer connectio n-per 20 dwelling units
				Male	Female	Male	Female			
		R-3	One and two family dwellings	1-per dwelling unit		1-per dwelling unit		1-per dwelling unit	=	1-kitchen sink-per dwelling unit-1 automatic clothes washer connection-per 20 dwelling units
		R-4	Residential care/assisted living facilities	1-per 10		1-per 10		1-per 8	1-per 100	1-service sink
8	Storage (see Sections 403.2, 403.4 and 403.4.1)	S-1, S-2	Structures for the storage of goods, warehouse or storehouse and freight depots. Low and Moderate Hazard	1-per 100		1-per 100		See Section 411	1-per 1,000	1-service sink

- 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 this 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.

SECTION 42. Overland Park Municipal Code Section 16.100.3103.1.1 is hereby amended to read as follows:

16.100.3103.1.1

Section 3103.1.1 of the 2003~~6~~ International Building Code is hereby amended to read as follows:

3103.1.1 Permit required. Temporary structures that cover an area in excess of ~~120900~~ square feet (~~11.16 m³~~), including connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of ~~1050~~ or more persons, shall not be erected, operated or maintained for any purpose without obtaining a permit

from the ~~b~~Building ~~e~~Official.

SECTION 43. Overland Park Municipal Code Section 16.100.3303.7 is hereby added to read as follows:

16.100.3303.7

Section 3303.7 of the 2006 International Building Code is hereby added to read as follows:

3303.7 Fences. Every construction site where upon a structure or building is being demolished shall be enclosed with a barrier not less that six feet high to prevent the entry of unauthorized persons. All barriers shall be of adequate strength to resist wind pressure.

Exception: The Building Official may waive the requirement for the six foot fence for small structures that can be demolished in a short time period. Demolition debris or partially demolished structures shall always be protected.

SECTION 44. Overland Park Municipal Code Section 16.100.3400 is hereby added to read as follows:

16.100.3400

Chapter 34 of the 2006 International Building Code is hereby deleted.

SECTION 45. Overland Park Municipal Code Section 16.105.100 is hereby added to read as follows:

16.105.100 International Existing Building Code – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2006 International Existing Building Code, dated January 2006, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190 . Not less than three (3) copies of said 2006 International Existing Building Code shall be marked Official Copy as Adopted by Ordinance No. BC-2635 to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 46. Overland Park Municipal Code Section 16.105.101.1 is hereby added to read as follows:

16.105.101.1

Section 101.1 of the 2006 International Existing Building Code is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the **2006 International Existing Building Code of the City of Overland Park, Kansas**, hereinafter referred to as “this code.”

SECTION 47. Overland Park Municipal Code Section 16.105.101.2.1 is hereby added to read as follows:

16.105.101.2.1

Section 101.2.1 of the 2006 International Existing Building Code is hereby added to read as follows.

101.2.1 Administration. The administrative provisions of this code shall be those provisions contained in Overland Park Municipal Code, Chapter 16.100, Section 103 through Section 115.

SECTION 48. Overland Park Municipal Code Section 16.105.103 is hereby added to read as follows:

16.105.103

Sections 103 through 117 of the 2006 International Existing Building Code are hereby deleted.

SECTION 49. Overland Park Municipal Code Section 16.110.100 is hereby amended to read as follows:

16.110.100 Residential Code for One- & Two-Family Dwellings – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.110.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~36~~ International Residential Code for One- and Two-Family Dwellings, dated ~~February 2006~~~~January, 2003~~, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190 . Not less than three (3) copies of said 2003~~36~~ International Residential Code for One- and Two-Family Dwellings shall be marked Official Copy as Adopted by Ordinance No. BC-~~2459~~ ~~2635~~ to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 50. Overland Park Municipal Code Section 16.110.101.1 is hereby added to read as

follows:

16.110.101.1

Section R101.1 of the 2006 International Residential Code for One- and Two-family dwelling is hereby amended to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code for One-and Two-family Dwellings of **the City of Overland Park, Kansas**, and shall be cited as such and will be referred to herein as “this code.”

SECTION 51. Overland Park Municipal Code Section 16.110.101.2 is hereby amended to read as follows:

16.110.101.2

Section R101.2 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

R101.2 Scope. The provisions of the 2006 International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and **multiple single-family dwellings (townhouses)** not more than three stories above-grade in height with a separate means of egress and their accessory structures.

R101.2.1 Administration. The administrative provisions of this code shall be those provisions contained in Overland Park Municipal Code, Chapter 16.100, Section 103 through Section 115.

SECTION 52. Overland Park Municipal Code Section 16.110.102.5.1 is hereby amended to read as follows:

16.110.102.5.1

Section R102.5.1 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R102.5.1 Appendices adopted. The following appendices are adopted as part of the code:

1. Appendix E – Manufactured Housing Used as Dwellings.
2. Appendix G – Swimming Pools Spas and Hot Tubs.
3. Appendix H – Patio Covers.
4. Appendix I – Private Sewage Disposal.
5. Appendix K – Sound Transmission.

SECTION 53. Overland Park Municipal Code Section 16.110.103 is hereby amended to read as follows:

16.110.103

Sections R103 through R114 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings are hereby deleted.

SECTION 54. Overland Park Municipal Code Section 16.110.120 is hereby amended to read as follows:

16.110.120

Section R120 of the 2003~~6~~ International Residential Code is hereby added to read as follows:

R120 Disclosure requirements.

Before the purchaser is obligated under any contract to purchase covered housing, the seller shall provide the purchaser with a Residential Home Buyer Notice and Disclosure in a form approved by the Director of Planning and Development Services.

That form shall substantially contain, without being limited to, the following information or future modifications thereof:

1. That the City of Overland Park has adopted a comprehensive Master Plan (Future Development Plan Map, Official Street Map, and Greenway Linkage Map) of the City of Overland Park, Kansas.
2. That the Master Plan (including the Future Development Plan Map) is a composite of mapped and written materials which together serve as a master plan and guide for the future physical development of Overland Park and comprises land use, traffic circulation, planning objectives, policies, standards and principles. Although the Master Plan serves as a current expression of the Governing Body, the Governing Body may approve land use applications which deviate from the Master Plan after public hearing.
3. That copies of the Master Plan are available in the Planning and Development Services Department at City Hall for a nominal cost. The Master Plan contains information about projected planned land uses, existing zoning districts, the location of bike/hike trails, existing and future streets, and private streets.
4. That the City of Overland Park has adopted an Official Building Code (O.P.M.C. Section 16.100.100, the 2006 International Building Code, which includes the 2006 International Residential Code) covering the construction of one- and two-family residential structures. The purpose of the Official Building Code is to provide minimum requirements to safeguard health, safety, and public welfare and the protection of property by regulating and controlling the design and construction of one- and two-family residential structures. The builder is responsible for compliance with the Official Building Code.
5. That the City of Overland Park provides a program of required inspections of one- and two-family dwelling structures on a regularly scheduled basis during construction. That these inspections are conducted to review the construction compliance with adopted minimum life safety codes and are not intended to serve as a quality assurance program or to protect the consumer from poor workmanship. Further, that due to the extensive nature of all the adopted codes, which regulate the built environment in Overland Park, it is an unreasonable expectation that the City of Overland Park will review all aspects of construction regulated by the adopted Building Codes. Ultimately, compliance is the responsibility of the contractor and/or permit applicant.

6. That a compilation of information, including the Future Development Plan Map, Official Street Map, Greenway Linkage Map, Minimum Standards for Residential Basement Foundations, and other publications prepared by the City of Overland Park, is available for purchase at City Hall for a nominal cost.
7. That Purchasers of covered housing have a responsibility to:
 - a) Obtain and examine the compilation of information available from the City, including the Master Plan, and be familiar with the relevant information contained therein, including the proposed future development of the surrounding neighborhood.
 - b) Reasonably inspect and examine the covered housing and the various separate components thereof to evaluate the general condition and quality of construction, and to take reasonable action to determine if the covered housing has been constructed in substantial compliance with the Official Building Code; provided, however, that any such duties of the purchasers do not, in any manner, relieve the builder of primary responsibility.
 - c) Make reasonable inquiry into the builder's reputation in the community for quality construction and customer service.
 - d) Review the real estate records to determine the existence of recorded deed restrictions and covenants, notices of current or future tax assessments, and other matters which might impact or affect the covered housing and adjacent property.

For the purposes of this Section, "covered housing" shall mean real property on which there is situated a newly constructed single-family or duplex residential dwelling, used or occupied, or intended to be used or occupied in whole or in part, as the home or residence of the purchaser and not previously occupied pursuant to a Certificate of Occupancy; "seller" means any entity that transfers legal title to covered housing, in whole or in part, in return for consideration including, but not limited to, individuals, partnerships, corporations, and trusts.

The seller is required to obtain and preserve for not less than three (3) years a written acknowledgment of receipt of the required information.

This requirement is not intended to invalidate any contracts to purchase covered housing executed in violation of this ordinance or to otherwise affect a seller's or purchaser's rights under the law. Any person who knowingly fails to comply with any provision of this ordinance shall be subject to monetary penalties in accordance with the provisions of O.P.M.C. Section 1.12.010.

SECTION 55. Overland Park Municipal Code Section 16.110.301.2(1) is hereby amended to read as follows:

16.110.301.2(1)

Table No. R301.2(1) of Section 301 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

TABLE R301.2(1)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUNDROOF SNOW LOAD (PSF)	WIND SPEED ^{de} (MPH)	SEISMIC DESIGN CATEGORY ^c CONDITION BY ZONE ^g ^{fs}	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMPERATURE FOR HEATING FACILITIES ^{ef}	ICE BARRIER SHIELD UNDER-LAYMENT REQUIRED ^{hi}	FLOOD HAZARDS ^{gh}	AIR FREEZING INDEX ^{ij}	MEAN ANNUAL TEMPERATURE ^{jk}
			Weathering ^a	Frost line depth ^b	Termite ^c	Decay ^d					
20	90	A	Severe	36"	Moderate-Heavy	Slight-Moderate	6E F	No	6/17/2002	1000	54.7° F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table ~~to indicate the need for protection depending on whether there has been a history of local subterranean termite damage~~ with "very heavy," "moderate to heavy," "slight to moderate," or "none to slight" in accordance with Figure R301.2(6) depending on whether there has been a history of local damage.
- d. The jurisdiction shall fill in this part of the table with "moderate to severe" "slight to moderate," or "none to slight" in accordance with Figure R301.2(7) depending on whether there has been a history of local damage.
- de. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- ef. The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter from Appendix D of the 2006 International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect ~~local climates or~~ local weather experience as determined by the ~~b~~Building ~~e~~Official.
- fg. The jurisdiction shall fill in this part of the table with the ~~s~~Seismic ~~d~~Design ~~e~~Category determined from Section R301.2.2.1.
- gh. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.
- hi. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, ~~for areas where the average daily temperature in January is 25° F (-4°C) or less, or~~ where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- ij. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.
- jk. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

SECTION 56. Overland Park Municipal Code Section 16.110.301.5 is hereby added to read as follows:

16.110.301.5

Table R301.5 of the 2006 International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

**Table R301.5
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS
(in pounds per square foot)**

USE	LIVE LOAD
Attics with limited storage ^{b,g,h}	20
Attics without storage ^b	10
Decks ^c	40
Exterior Balconies	60

Fire Escapes	40
Guardrails and handrails ^d	200 ⁱ
Guardrails in-fill components ⁱ	50 ⁱ
Passenger vehicle garages ^a	50 ^a
Rooms other than sleeping rooms	40
Sleeping rooms	30
Stairs	40 ^c

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

- a. Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a 20 square-inch area.
- b. Attics without storage are those ~~where the maximum clear height between joist and rafter is less than 42 inches, or where there are not two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high by 2 feet wide, or greater, located within the plane of the truss. For attics without storage, this live load need not be assumed to act concurrently with any other live load requirements~~ attic areas that are not accessed by a pull-down stair, or a scuttle with a dimension of less than or equal to 30 inches high by 24 inches wide.
- c. Individual stair treads shall be designed for the uniformly distributed live load or a 300 pound concentrated load acting over an area of 4 square inches, whichever produces the greater stresses.
- d. A single concentrated load applied in any direction at any point along the top.
- e. See Section R502.2.1 for decks attached to exterior walls.
- f. Guard in-fill components (all those except the handrail), balusters and panel fillers shall be designed to withstand a horizontally applied normal load of 50 pounds on an area equal to 1 square foot. This load need not be assumed to act concurrently with any other live load requirement.
- g. For attics with limited storage and constructed with trusses, this live load need be applied only to those portions of the bottom chord where there are two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high or greater by 2 feet wide or greater, located within the plane of the truss. The rectangle shall fit between the top of the bottom chord and the bottom of any other truss member, ~~provided each of the following criteria is met:~~
 - 1. ~~The attic area is accessible by a pull-down stairway or framed opening in accordance with Section R807.1; and~~
 - 2. ~~The truss has a bottom chord pitch less than 2:12.~~
- h. Attic spaces served by a fixed stair shall be designed to support the minimum live load specified for sleeping rooms.
- i. Glazing used in handrail assemblies and guards shall be designed with a safety factor of 4. The safety factor shall be applied to each of the concentrated loads applied to the top of the rail, and to the load on the in-fill components. These loads shall be determined independent of one another, and loads are assumed not to occur with any other live load.

SECTION 57. Overland Park Municipal Code Section 16.110.306.5 is hereby amended to read as follows:

16.110.306.5

Section R306.5 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R306.5 New single-family dwellings toilet facilities. Toilet facilities shall be provided within 500 feet (measured from the property line adjacent to the street for platted subdivisions along the public way) for all new single-family dwellings starting from the time of the first footing

inspection until facilities are available in the dwelling. If the facilities are not located on the job site, the location of the required facilities shall be posted on the job site or other certification provided to the Building Official to verify the availability of toilet facilities. The facilities on the site shall be removed prior to issuance of a Temporary Certificate of Occupancy.

SECTION 58. Overland Park Municipal Code Section 16.110.309.7 is hereby amended to read as follows:

16.110.309.7

Section R309.7 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R309.7 Residential driveways. Residential concrete and asphalt driveway slabs shall be a minimum of 4-inches thick. The driveway shall have a constant slope so as to avoid ponding of water. The slope shall be away from the house or building or drain by means approved by the Building Official.

SECTION 59. Overland Park Municipal Code Section 16.110.310.1 is hereby amended to read as follows:

16.110.310.1

Section R310.1 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

R310.1 Emergency escape and rescue required. Basements and every sleeping room shall have at least one operable emergency **escape** and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided **as a means of escape and rescue** they shall have a sill height of not more than 44 inches (~~448 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 ~~s~~Section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. ~~Emergency 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. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.~~

Exceptions:

1. 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.

2. Basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet ~~(18.58 m²)~~.

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet ~~(0.530 m²)~~.

Exception: Grade floor openings shall have a minimum net clear opening of 5 square feet ~~(0.465 m²)~~.

R310.1.2 Minimum opening height. The minimum net clear opening height shall be 24 inches ~~(610 mm)~~.

R310.1.3 Minimum opening width. The minimum net clear opening width shall be 20 inches ~~(508 mm)~~.

R310.1.4 Operational constraints. Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.

SECTION 60. Overland Park Municipal Code Section 16.110.321.1 is hereby amended to read as follows:

16.110.321.1

Section R321.1 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

R321.1 Premises identification. Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property **and located not more than 50 feet from the property line. Address characters shall have a contrasting background and have a minimum height of 4 inches in Use Groups R-3 and R-4; 6 inches in Use Group R-3 Child Care Facilities.**

SECTION 61. Overland Park Municipal Code Section 16.110.321.2 is hereby amended to read as follows:

16.110.321.2

Section R321.2 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R321.2 Illumination. Single family dwellings shall have the ability to illuminate the address and numbers during the hours of darkness with a power source connected to the house electrical system or other approved source of illumination.

SECTION 62. Overland Park Municipal Code Section 16.110.328 is hereby amended to read as follows:

16.110.328

Section R328 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

**SECTION R328
PHYSICAL SECURITY**

R328.1 Purpose. The purpose of this Section is to establish minimum standards that incorporate physical security to make dwelling units resistant to unlawful entry.

R328.1.1 Scope. The provisions of this Section shall apply to all new structures and to additions and alterations made to existing buildings.

R328.2 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 Sections R328.2.1 through R328.2.5 for the type of door installed.

R328.2.1 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 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.

R328.2.2 Steel doors. Where installed, exterior steel doors shall be a minimum thickness of 24 gauge.

R328.2.3 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.

R328.2.4 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.

R328.2.5 Sliding doors. Where installed, exterior sliding doors shall comply with all of the following requirements:

- A. 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.

- B. 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.

R328.3 Door frames. The exterior door frames shall be installed prior to a rough-in inspection. Door frames shall comply with Sections R328.3.1 through R328.3.3 for the type of assembly installed.

R328.3.1 Wood frames. Wood door frames shall comply with all of the following requirements:

- A. 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.
- B. 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.

R328.3.2 Steel frames. All exterior door frames shall be constructed of 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.

R328.3.3 Door jambs.

- A. Door jambs shall be installed with solid backing in a manner so 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.
- B. 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.

R328.4 Door hardware. Exterior door hardware shall comply with Sections R328.4.1 through R328.4.6.

R328.4.1 Hinges. Hinges for exterior swinging doors shall comply with the following:

- A. 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.
- B. Hinges for out-swinging doors shall be equipped with mechanical interlock to preclude the removal of the door from the exterior.

R328.4.2 Strike plates. Exterior door strike plates shall be a minimum of 18 gauge

metal with four 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 R328.4.6.

R328.4.3 Escutcheon plates. All exterior doors shall have escutcheon plates or wrap-around door channels installed around the lock protecting the door's edge.

R328.4.4 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 inch (1/4") in diameter and two and one-fourth inches (2-1/4") in length. Bolt assembly (bolt housing) unit shall be of single piece construction. All deadbolts shall meet ANSI grade 2 specifications.

R328.4.5 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 180 degrees through windows or through view ports.

R328.4.6 Side lighted entry doors. Side light door units shall have framing of double stud construction or equivalent construction complying with Sections R328.3.1, R328.3.2 and R328.3.3. 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 R328.3.1 and R328.3.2. Double stud construction or construction of equivalent strength shall exist between the glazing unit of the side light and wall structure of the dwelling.

R328.5 Street numbers. Street numbers shall comply with Section R321.1.

R328.6 Exterior Lighting. Exterior lighting shall comply with Sections R328.6.1 through R328.6.2.

R328.6.1 Front and street side exterior lighting. All front and street side door entrances should be protected with a minimum of one light outlet having a minimum of sixty (60) watts of lighting (or energy efficient equivalent), installed so that the light source is not readily accessible.

R328.6.2 Rear exterior lighting. Homes with windows or doors near ground level below eight feet (8') on the rear side of the house shall be equipped with a minimum of one light outlet having 100 watt lighting (or energy efficient equivalent) and shall be of the flood light type. Those fixtures placed below eight feet (8') shall be fixtures manufactured such that the light source is not readily accessible.

R328.7 Alternate materials and methods of construction. The provisions of this Section are not intended to prevent the use of any material or method of construction not specifically prescribed by this Section, provided any such alternate has been approved by the enforcing authority, nor is it the intention of this Section to exclude any sound method of structural design or analysis not specifically provided for in this Section. The materials, methods of construction, and structural design limitations provided for in this Section shall be used, unless the enforcing authority grants an exception.

The enforcing authority is authorized to approve any such alternate provided they find the proposed design, materials, and methods of work to be at least equivalent to those prescribed in this Section in quality, strength, effectiveness, burglary resistance, durability, and safety.

SECTION 63. Overland Park Municipal Code Section 16.110.403.1.1.1 is hereby amended to read as follows:

16.110.403.1.1.1

Section R403.1.1.1 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R403.1.1.1 Continuous footing reinforcement. Continuous footings for basement foundation walls shall have minimum reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum 3 inches (3”) clear from the bottom of the footing.

SECTION 64. Overland Park Municipal Code Section 16.110.403.1.6.2 is hereby amended to read as follows:

16.110.403.1.6.2

Section R403.1.6.2 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R403.1.6.2 Foundation anchorage – basement walls. The spacing of anchor bolts or foundation anchor straps required by Section R403.1.6 shall be reduced to a maximum of 3 feet (3’) on center for basement foundation walls.

SECTION 65. Overland Park Municipal Code Section 16.110.404.1.3 is hereby amended to read as follows:

16.110.404.1.3

Section R404.1.3 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

R404.1.3 Design required. A design in accordance with accepted engineering practice shall be provided for cConcrete or masonry foundation walls ~~shall be designed in accordance with accepted engineering practice~~ when either any of the ~~following~~ conditions listed below exists. Where applicable, a standard design approved by the City may be used in lieu of a design from

the design professional. For new single family dwellings where standard designs approved by the City are used, the design professional sealing the plans shall specify the use of those designs on the approved plans or through a separate report.

1. Walls are subject to hydrostatic pressure from ground water.
2. Walls supporting more than 48 inches (~~1219 mm~~48") of unbalanced backfill that do not have permanent lateral support at the top and bottom.
3. Sites containing CH, MH, OL, or OH soils as identified in Table R405.1
4. Foundation walls exceeding ten feet (10') in height, measured from the top of the wall to the bottom of the slab.
5. Lots identified on the subdivision grading plan as having more than six feet (6') of fill or having a finished slope steeper than 4 horizontal to 1 vertical before grading.
6. Footings and foundations with existing fill soils below the footing level.
7. Sloping lots steeper than 4 to 1 before grading.
8. Lots where some footings will bear on soil and others will bear on rock.
9. Areas where problems have historically occurred.
10. Stepped footing and foundation walls.

SECTION 66. Overland Park Municipal Code Section 16.110.506.2.5 is hereby added to read as follows:

16.110.506.2.5

Section 506.2.5 of the 2006 International Residential Code for One- and Two-Family dwellings is hereby added to read as follows.

R506.2.5 Design required. A design in accordance with accepted engineering practice shall be provided for concrete floors when the limitations for fill material set forth in Section R506.2.1 are exceeded. Where applicable, a standard design approved by the City may be used in lieu of a design from the design professional.

SECTION 67. Overland Park Municipal Code Section 16.110.506.2.6 is hereby added to read as follows:

16.110.506.2.6

Section R506.2.6 of the 2006 International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R506.2.6 Basement floor slab isolation. Basement floor slabs shall be isolated from column pads, interior columns and interior bearing walls to facilitate differential movement. Nonbearing walls supported on basement floor slabs shall be provided with a minimum one inch (1") expansion joint to facilitate differential movement between the floor slab and the floor framing above. Isolation and/or an expansion joint is not required within six inches (6") of the exterior walls.

SECTION 68. Overland Park Municipal Code Section 16.110.703.6.3 is hereby added to read as

follows:

16.110.703.6.3

Section R703.6.3 of the 2006 International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows.

R703.6.3 Water-resistive barriers. One layer of No. 15 asphalt felt, free from holes and breaks, complying with ASTM D226 for Type 1 felt or other approved water-resistive barriers shall be installed as required in Section R703.2 and, where applied over wood-based studs or sheathing, shall include a water-resistive vapor permeable barrier with a performance at least equivalent to two layers of Grade D paper of all exterior walls. Such felt or material shall be applied horizontally, with the upper layer lapped over the lower layer not less than 2 inches. Where joints occur, felt shall be lapped not less than 6 inches. The felt or other approved material shall be continuous to the top of walls and terminated at penetrations and building appendages in a manner to meet the requirements of the exterior wall envelope as described in Section R703.1.

Exceptions: ~~Where the water-resistive barrier that is applied over wood-based sheathing has a water resistance equal to or greater than that of 60 minute Grade D paper and is separated from the stucco by an intervening, substantially nonwater-absorbing layer or designed drainage space.~~ Omission of the water-resistive barrier is permitted in the following situations:

1. In detached accessory buildings.
2. Under exterior wall finish materials as permitted in Table R703.4.

SECTION 69. Overland Park Municipal Code Section 16.110.801.3 is hereby amended to read as follows:

16.110.801.3

Section R801.3 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby amended to read as follows:

R801.3 Roof drainage. In areas where expansive or collapsible soils are known to exist, all dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface at least 53 feet ~~(1524 mm)~~ from foundation walls or to an approved drainage system.

SECTION 70. Overland Park Municipal Code Section 16.110.901.2 is hereby amended to read as follows:

16.110.901.2

Section R901.2 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R901.2 Legislative findings. The Governing Body hereby makes the following legislative findings:

1. The use of wood shingle, wood shake shingle, or other roofing materials less than Class

- C rated present a substantial threat to the public safety from the increased risk of fire and the potential for, under certain conditions, the spreading of fire to neighboring property, thereby placing lives and property at increased risk of harm.
2. A substantial number of subdivisions presently exist in the City that have homes with untreated and un-rated wood shingle, wood shake shingle, or other roofing materials, and many of those subdivisions have covenants, conditions or restrictions (hereinafter "restrictive covenants") that require the use of wood shingle or wood shake shingle roofing materials for re-roofing existing homes.
 3. While these restrictive covenants may permit the use of tile or slate materials in lieu of wood, use of these materials for re-roofing is generally not feasible for a roof support system originally constructed to accommodate wood.
 4. Although treated wood shingles and wood shake shingles that meet the Class C rating requirements may be currently available, the long term benefit of such treatment is uncertain, that treatment may render the shingles more susceptible to hail damage and such materials cost substantially more than many other Class C or better roofing materials.
 5. The use of wood shingle or wood shake shingle roofing materials throughout a subdivision is believed by some residents to preserve property values and to be aesthetically pleasing.
 6. In most instances restrictive covenants requiring the use of such roofing materials were imposed by the developer of a subdivision and the residents who currently occupy these subdivisions have never had the opportunity to balance the risks and benefits of the required uses of such materials in their personal residences or their subdivisions, and to make their own informed judgment on such required use. In fact, many of these residents have not reviewed the restrictive covenants prior to acquiring the real estate, and the only notice an owner may receive of the existence of such covenants is an oblique reference in a title insurance commitment.
 7. In most instances amendment of these restrictive covenants, through the process established by the subdivision documents, to allow the use of all Class C rated or better materials may require following complex procedures and the agreement of a super-majority of the residents of a subdivision, thereby presenting serious practical difficulties and obstacles in the way of accomplishing such amendments. Further, certain procedural obstacles concerning how often restrictive covenants can be amended might prevent a home association from adopting appropriate aesthetic regulations to govern the use of the alternate roofing materials allowed by this ordinance in a timely fashion to allow them to be in effect on April 24, 2000, the effective date of this ordinance, thereby requiring the Governing Body to modify such procedural requirements to allow such timely action to take place.
 8. In deciding issues that have a direct and immediate effect on the lives, quality of living and property values of the residents of a subdivision, and issues that have serious public safety impacts on the subdivision and the entire community, it is in the democratic tradition of this county to allow the residents of each local subdivision to make an informed decision on balancing the risks and benefits of various types of roofing materials.
 9. The Governing Body believes that, when offered the opportunity to make an informed decision on this issue, a substantial number of residents throughout the City will decide

to discontinue using wood shingle and wood shake shingle roofing materials, thereby significantly increasing the number of homes in the community that utilize alternative roofing materials that better protect the lives throughout the entire City.

SECTION 71. Overland Park Municipal Code Section 16.110.901.3 is hereby amended to read as follows:

16.110.901.3

Section R901.3 of the 2003~~6~~ International Residential Code for One- and Two-Family Dwellings is hereby added to read as follows:

R901.3 Restrictive covenants. It shall be unlawful for any individual or organization to establish or enforce restrictive covenants which prohibit or effectively prevent the owner of a residential dwelling from using any of the following types of shingles for roof covering materials allowed by this code: wood shingle or wood shake, composite, slate, tile, clay or concrete. Nothing in this ordinance shall prohibit a homes association, if it determines to do so, from adopting restrictive covenants or otherwise governing the use of such roofing materials only to the extent of regulating the colors, styles or dimensions of roofing materials, or other aesthetic factors. Notwithstanding any existing procedural provisions governing the time period for consideration of amendments of restrictive covenants by home associations to the contrary, a home association, if it determines to do so, may amend their restrictive covenants to provide for such aesthetic regulations for a period of 180 days from and after April 24, 2000. Any such amendments after that 180 day period of time shall be subject to any procedural requirements set forth in such covenants.

SECTION 72. Overland Park Municipal Code Section 16.110.907.3 is hereby added to read as follows:

16.110.907.3

Section 907.3 of the 2006 International Residential Code for One- and Two-family Dwellings is hereby amended to read as follows:

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

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
3. Where the existing roof has two or more applications of any type of roof covering.
4. For asphalt shingles, when the building is located in an area subject to ~~moderate or~~ severe hail exposure according to Figure R903.5.

Exceptions:

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

2. Installation of metal panel, metal shingle, and concrete and clay tile roof coverings over existing wood shake roofs shall be permitted when the application is in accordance with Section R907.4.
3. The application of new protective coating over existing spray polyurethane foam roofing systems shall be permitted without tear-off of existing roof coverings.

SECTION 73. Overland Park Municipal Code Section 16.110.N1101.2 is hereby amended to read as follows:

16.110.1101.2

Section N1101.2 of the 2003~~6~~ International Residential Code is hereby amended to read as follows:

N1101.2 Compliance. Compliance with this Chapter shall be demonstrated by either meeting the requirements of the 2006 International Energy Conservation Code or meeting the requirements of this chapter. Climate zones from Figure N1101.2 or Table N1101.2 shall be used in determining the applicable requirements from this chapter. Compliance with this chapter may also be demonstrated by submitting verification the home has a Home Energy Rating score of 80 or above. The home energy rating shall be performed in accordance with the Mortgage Industry national home Energy Rating System Accreditation Standard by a rater certified and listed by the Residential Energy Services Network (RESNET), based on the Model Energy code, (1993 version or later), has been achieved. The qualifications of the home energy rater shall be approved by the Building Official prior to submittal of the Home Energy Rating verification. Approval from the Building Official to utilize the Home Energy Rating as a means of demonstrating compliance with this chapter shall be obtained at the time the building permit is issued. The Building Official is authorized to approve other equivalent forms of compliance with this chapter.

N1101.2.1 Warm humid counties. Warm humid counties are listed in Table N1101.2.1.

SECTION 74. Overland Park Municipal Code Section 16.110.1102.2.6 is hereby added to read as follows:

16.110.1102.2.6

Section N1102.2.6 of the 2006 International Residential Code is hereby amended to read as follows:

N1102.2.6 Basement walls. Exterior walls associated with conditioned basements shall be insulated from the top of the basement wall down to 10 feet (~~3048 mm~~) below grade or to the basement floor, whichever is less. Walls associated with unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Sections N1102.1 and N1102.2.5.

Exception: Exterior basement walls made of concrete or masonry are not required to be insulated when such walls are not adjacent to finished space and are more than 50 percent below grade. Exterior basement walls made of concrete and masonry shall be insulated whenever the adjacent interior space is finished.

SECTION 75. Overland Park Municipal Code Section 16.120.100 is hereby amended to read as follows:

16.120.100 Fire Code -- Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~6~~ International Fire Code, dated ~~December, 2002~~ ~~January, 2006~~ as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2003~~6~~ International Fire Code shall be marked Official Copy as Adopted by Ordinance No. ~~24592635~~, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 76. Overland Park Municipal Code Section 16.120.101.2 is hereby amended to read as follows:

16.120.101.2

Section 101.2 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

101.2 Scope. This code establishes regulations affecting or relating to structures, processes, premises and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices;
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises;
3. Fire hazards in the structure or on the premises from occupancy or operation;
4. Matters related to the construction, extension, ~~or repair, alteration or removal of fire suppression or alarm systems~~ various building systems or components.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.2.1.1 Appendices adopted. The following appendices are adopted as part of this code:

- Appendix B – Fire Flow Requirements for Buildings.
- Appendix C – Fire Hydrant Locations and Distribution.
- Appendix D – Fire Apparatus Access Roads.

SECTION 77. Overland Park Municipal Code Section 16.120.102.6 is hereby amended to read as follows:

16.120.102.6

Section 102.6 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

102.6.1 Electrical Code. The ICC Electrical Code referenced in Chapter 45 has been deleted and replaced with NFPA-70 (National Electrical Code). Wherever the term ICC Electrical Code has been used in this code it shall be used synonymously with the term “NFPA-70” listed in Chapter 45.

SECTION 78. Overland Park Municipal Code Section 16.120.104.1 is hereby added to read as follows:

16.120.104.1

Section 104.1 of the 2006 International Fire Code is hereby amended to read as follows:

104.1 General. The ~~f~~Fire ~~e~~Code ~~e~~Official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

When in the enforcement of this code, the ~~F~~ire ~~C~~ode ~~O~~fficial comes across situations where an alteration or repair has been made to an existing building, or an alteration or repair needs to be made to an existing building for code compliance reasons, and a permit for the work would be required per ~~S~~ection 16.100.105.1 of the OPMC, the matter as it relates to the application of the building codes shall be referred to the ~~B~~uilding ~~O~~fficial. The ~~B~~uilding ~~O~~fficial shall exercise their authority as specified in 16.100.104.1 of the OPMC.

SECTION 79. Overland Park Municipal Code Section 16.120.104.2 is hereby added to read as follows:

16.120.104.2

Section 104.2 of the 2006 International Fire Code is hereby amended to read as follows:

104.2 Applications and permits. The ~~f~~Fire ~~e~~Code ~~e~~Official is authorized to receive applications, ~~review construction documents~~ and issue permits for ~~construction operations~~

regulated by this code, ~~issue permits for operations regulated by this code,~~ inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

SECTION 80. Overland Park Municipal Code Section 16.120.104.12 is hereby added to read as follows:

16.120.104.12

Section 104.12 of the 2003~~6~~ International Fire Code is hereby added to read as follows:

104.12 Fees. Fees required for permits, inspections, re-inspections and all other Fire Department services or activities provided for in the 2006 International Fire Code shall be established by resolution of the Governing Body.

SECTION 81. Overland Park Municipal Code Section 16.120.105.1 is hereby amended to read as follows:

16.120.105.1

Section 105.1 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.~~7.13~~6.46.

105.1.1 Permits required. Permits required by this code shall be obtained from the ~~fire code official~~Overland Park Fire Department. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the ~~fire code official~~Fire Department.

Exceptions:

1. Fireworks. Permit applications for fireworks permits shall be submitted to the City Clerk as required by O.P.M.C. Chapter 5.40.
2. Explosives and blasting agents. Permit applications for blasting and explosives shall be submitted to the Planning and Development Services Department Engineering Services Division with subsequent review and approval by the Overland Park Fire Department.

105.1.2 Types of permits. ~~There shall be two types of permits as follows:~~

~~1.~~ ~~Operational permit.~~ An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:

- ~~1.1~~ A prescribed period.
- ~~1.2~~ Until renewed or revoked.

~~2.~~ ~~Construction permit.~~ ~~A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7.~~

105.1.3 Permits for the same location. ~~When more than one permit is required for the same location, the fire code official is authorized to consolidate such permits into a single~~

~~permit provided that each provision is listed in the permit.~~

SECTION 82. Overland Park Municipal Code Section 16.120.105.3 is hereby added to read as follows:

16.120.105.3

Section 105.3 of the 2006 International Fire Code is hereby amended to read as follows:

105.3 Conditions of a permit. A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; ~~or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this code where a permit is required by Section 105.6 or 105.7.~~ Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. ~~Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work is authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year.~~ Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

105.3.2 Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this ~~s~~Section for good and satisfactory reasons. The ~~f~~Fire ~~e~~Code ~~e~~Official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 90 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

~~**105.3.3 Occupancy prohibited before approval.** The building or structure shall not be occupied prior to the fire code official issuing a permit that indicates that applicable provisions of this code have been met.~~

~~**105.3.4 Conditional permits.** Where permits are required and upon the request of a permit applicant, the fire code official is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or installation of equipment and operations without endangering~~

~~life or public welfare. The fire code official shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted.~~

105.3.53 Posting the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the ~~f~~Fire ~~e~~Code ~~e~~Official.

105.3.64 Compliance with code. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. ~~The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit.~~

105.3.75 Information on the permit. The ~~f~~Fire ~~e~~Code ~~e~~Official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the ~~f~~Fire ~~e~~Code ~~e~~Official. Issued permits shall bear the signature of the ~~f~~Fire ~~e~~Code ~~e~~Official or other approved legal authorization.

SECTION 83. Overland Park Municipal Code Section 16.120.105.4 is hereby added to read as follows:

16.120.105.4

Section 105.4 of the 2006 International Fire Code is hereby deleted.

SECTION 84. Overland Park Municipal Code Section 16.120.105.6 is hereby added to read as follows:

16.120.105.6

~~**105.6 Required operational permits.** The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.46.~~

~~The following Sections of the 2006 International Fire Code are hereby deleted: Sections 105.6.1 through 105.6.13, Sections 105.6.15 through 105.6.19, Sections 105.6.21 through 105.6.29, Sections 105.6.31 through 105.6.35, Sections 105.6.37 through 105.6.42, and Sections 105.6.44 through 105.6.46.~~

SECTION 85. Overland Park Municipal Code Section 16.120.105.6.20 is hereby added to read as follows:

16.120.105.6.20

Section 105.6.20 of the 2006 International Fire Code is hereby amended to read as follows:

105.6.20 Hazardous materials. An operational permit is required ~~to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20~~ for the using, dispensing, transporting, handling, and/or storing of extremely hazardous substances. “Extremely Hazardous Substances (EHS) Facilities” are defined as facilities subject to the provisions of Superfund Amendments and Reauthorization Act of 1986 (SARA TITLE III), Section 302, for storing, dispensing, using, or handling of listed chemicals in excess of their threshold planning quantities (TPQ).

SECTION 86. Overland Park Municipal Code Section 16.120.105.6.30 is hereby added to read as follows:

16.120.105.6.30

Section 105.6.30 of the 2006 International Fire Code is hereby amended to read as follows:

105.6.30 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. ~~Applications for open burning shall be submitted in writing to the Overland Park Fire Department, before the fire is set and shall be in such form and contain such information as required by the Fire Department. Such applications shall contain information regarding the purpose of the proposed burning, the nature and quantities of material to be burned, the time and date when such burning will take place, the location of the burning site, and the name and phone number of the person responsible for supervision of the burning.~~

SECTION 87. Overland Park Municipal Code Section 16.120.105.6.43 is hereby added to read as follows:

16.120.105.6.43

Section 105.6.43 of the 2006 International Fire Code is hereby amended to read as follows:

105.6.43 Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 2900 square feet ~~(19 m²)~~, or a canopy in excess of 4900 square feet ~~(37 m²)~~.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. ~~Funeral tents and curtains or extensions attached thereto, when used for funeral services.~~
23. Fabric canopies open on all sides which comply with all of the following:
 - 2.23.1 Individual canopies having a maximum size of 7900 square feet ~~(65 m²)~~.
 - 2.23.2 The aggregate area of multiple canopies placed side by side without a fire break ~~clearance~~ of not less than 12 feet ~~(3658 mm)~~ shall not exceed 7900 square feet ~~(65 m²)~~ total.
 - 2.33.3 A minimum clearance of 12 feet ~~(3658 mm)~~ to structures and other tents

shall be provided.

SECTION 88. Overland Park Municipal Code Section 16.120.105.7 is hereby added to read as follows:

16.120.105.7

Section 105.7 of the 2006 International Fire Code is hereby deleted.

SECTION 89. Overland Park Municipal Code Section 16.120.108.1 is hereby added to read as follows:

16.120.108.1

Section 108.1 of the 2006 International Fire Code is hereby amended to read as follows:

108.1 Board of Appeals established. ~~In order to hear and decide~~An application for appeals of orders, decisions or determinations made by the ~~fFire eCode oOfficial~~ ~~relative to the application and interpretation of this code, there shall be~~ and is hereby created a board of appeals. ~~The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.~~made to the Board of Appeals as established in 16.100.112.1 of the Overland Park Municipal Code. The appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Board shall not have authority to waive requirements of this code.

SECTION 90. Overland Park Municipal Code Section 16.120.109.3 is hereby amended to read as follows:

16.120.109.3

Section 109.3 of the 2003~~6~~ International Fire Code is amended to read as follows:

109.3 Violations penalties. Persons who shall violate a provision of this code, or Chapters 16.100 through 16.190 of the Overland Park Municipal Code, or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the ~~fFire eCode oOfficial~~, or of a permit or certificate used under provisions of this code, shall be subject to penalties as prescribed by law, or other references incorporated, is guilty of a ~~[SPECIFY OFFENSE]~~public offense, punishable by a fine of not more than ~~[AMOUNT]~~dollars or by imprisonment not exceeding ~~[NUMBER OF DAYS]~~, or both such fine and imprisonment. ~~Each day that a violation continues after due notice has been served shall be deemed a separate offense~~as provided in Overland Park Municipal Code Section 1.12.010.

SECTION 91. Overland Park Municipal Code Section 16.120.111.4 is hereby amended to read as follows:

16.120.111.4

Section 111.4 of the 2003~~6~~ International Fire Code is hereby deleted.

SECTION 92. Overland Park Municipal Code Section 16.120.307.4 is hereby added to read as follows:

16.120.307.4

Section 307.4 of the 2006 International Fire Code is hereby amended to read as follows:

307.4 Location. The location for open burning shall not be less than 50 feet ~~(15-240-mm)~~ from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet ~~(15-240-mm)~~ of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet ~~(4572-mm)~~ from a structure.
2. The minimum required distance from a structure shall be 25 feet ~~(7620-mm)~~ where the pile size is 3 feet ~~(914-mm)~~ or less in diameter and 2 feet ~~(610-mm)~~ or less in height.
3. ~~Open burning for land clearing purposes shall not be less than 1,000 feet from any structure or public roadway and at least one mile from any airport. The Fire Code Official may set the location as deemed necessary when it is determined that a closer location is not hazardous.~~

307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet ~~(15-240-mm)~~ of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet ~~(15-240-mm)~~ of a structure shall be eliminated prior to ignition.

307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet ~~(7620-mm)~~ of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet ~~(7620-mm)~~ of a structure shall be eliminated prior to ignition.

307.4.3 Land clearing. On-site open burning operations carried out for the purpose of burning materials associated with land clearing operations or crop or game management practices shall be permitted with the following restrictions:

1. Such burning is not carried out on any one parcel of land for a time period aggregating more than five days during any calendar year.
2. Such burning shall be limited to natural vegetation present on the site at which the land clearance and burning is carried out.
3. Burning operations shall not be initiated until at least one hour after sunrise, and all active blazes shall be extinguished at sunset. Burning shall not be carried out during inclement or foggy conditions or on very cloudy days.
4. Burning shall be restricted to periods when surface wind speed is more than five (5) mph and less than 15 mph and from a direction that will not carry the smoke over any occupied dwellings or public roadways or any airports within one mile

of the burning site.

5. All burning of materials associated with land clearing operations shall take place in a pit approved by the Fire Department. A blower capable of injecting sufficient air into the pit is required. Those sites without pits and blowers will be rejected.
6. The burning of vegetation in providing a firebreak in pasture or other crop management may be allowed where necessary during evening or early morning hours in order to take advantage of calm wind conditions. Such burning shall take place no closer than 1,000 feet from any structure.

Exceptions:

1. The burning of debris resulting from a declared disaster or emergency is allowed by City personnel or their designates on City-owned public property when authorized by the City Council and approved by the Fire Department.
2. The setting of fires for purposes relating to the training of government or industrial personnel in fire-fighting procedures when such activity is approved by the Fire Department.

SECTION 93. Overland Park Municipal Code Section 16.120.308.3 is hereby added to read as follows:

16.120.308.3

Section 308.3 of the 2006 International Fire Code is hereby amended to read as follows:

308.3 Open flame. A person shall not utilize or allow to be utilized, an open flame in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in Group A or E occupancies without first obtaining a permit in accordance with Section 105.6.

308.3.1 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be located or operated on combustible balconies or within 10 feet ~~(3048 mm)~~ of combustible construction.

Exceptions:

One- and two-family dwellings.

Where buildings, balconies and decks are protected by an automatic sprinkler system.

308.3.1.1 Liquefied-petroleum-gas-fueled cooking devices. LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds ~~[nominal 1 pound (0.4541.14 kg)]~~ [nominal 1 pound (0.464 kg) LP-gas capacity] shall not be located or operated on combustible balconies or within 10 feet ~~(3048 mm)~~ of combustible construction.

Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.

SECTION 94. Overland Park Municipal Code Section 16.120.310.2 is hereby amended to read as follows:

16.120.310.2

Section 310.2 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

310.2 Prohibited areas. Smoking shall be prohibited where conditions are such as to make smoking a hazard, **including areas of piers, wharves, warehouses, stores, industrial plants, institutions, schools, assembly occupancies** and in spaces where ~~flammable or~~ combustible materials are stored or handled.

Exception: Smoking shall be permitted in approved designated smoking areas as provided for in O.P.M.C. Chapter 11.52.

SECTION 95. Overland Park Municipal Code Section 16.120.312.4 is hereby added to read as follows:

16.120.312.4

Section 312.4 of the 2006 International Fire Code is hereby added to read as follows:

312.4 Protection of gas meters. Where meters supplying fuel gas are located adjacent to parking spaces or vehicular driveways they shall be protected from physical damage as provided for in Section 312.1 of this code.

SECTION 96. Overland Park Municipal Code Section 16.120.314.4 is hereby added to read as follows:

16.120.314.4

Section 314.4 of the 2006 International Fire Code is hereby amended to read as follows:

314.4 Vehicles. Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors except as follows:

1. Batteries are disconnected **or disabled in an approved manner.**
2. Fuel in ~~fuel~~ tanks does not exceed one-quarter tank or 5 gallons ~~(19 L)~~ (whichever is least).
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment are not fueled or de-fueled within the building.

SECTION 97. Overland Park Municipal Code Section 16.120.407.2 is hereby amended to read as follows:

16.120.407.2

Section 407.2 of the 2003~~6~~ International Fire Code is amended to read as follows:

407.2 Material Safety Data Sheets. Material Safety Data Sheets (MSDS) for all hazardous materials shall be readily available on the premises.

407.2.1 Extremely Hazardous Substance (EHS) repository container. A repository container (lock box) shall be provided for all facilities containing extremely hazardous substances and shall include a list of personnel designated by Section 407.4 and additional information as required by Section 407.5 through 407.7.

SECTION 98. Overland Park Municipal Code Section 16.120.503.3 is hereby amended to read as follows:

16.120.503.3

Section 503.3 of the 2003~~6~~ International Fire Code is amended to read as follows:

503.3 Marking. Where required by the ~~fFire code official~~Department, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.3.1 Marking requirements. Each separate fire lane signage, which may consist of one sign or a combination of signs, shall have a cumulative minimum size of 96 square inches and contain the "No Parking" words or symbol with the words "Fire Lane" located directly beneath the "No Parking" words or symbol. Each sign or combination of signs are required to be uniformly mounted between two feet eight inches (2'8") to seven feet zero inches (7'0") above grade to the bottom of the sign, and so located not to obstruct pedestrian traffic. The sign or combination of signs shall be mounted within six feet (6') of the curb or striped pavement and are required to face or run parallel with oncoming vehicular traffic. The sign or combination of signs may be mounted on the building, pole base, or any other structure provided the signage meets the setback and minimum and maximum height requirements indicated above. The sign, or combination of signs, are required to be spaced no more than 200 feet (200') apart. In addition, the curb, or pavement if a curb is absent, is required to be marked with a yellow stripe that shall run not less than six feet (6') of each thirty-foot length of fire lane. Each separate yellow striped area shall contain 3-inch black lettering indicating "Fire Lane"; provided, however, that the presence of such lettering is not a prerequisite to the enforcement of fire lane parking violations. Furthermore, the exceeding of any standards intended to inform the public of the location of a fire lane shall not affect the enforcement of this Section.

SECTION 99. Overland Park Municipal Code Section 16.120.503.5.1 is hereby added to read as follows:

16.120.503.5.1

Section 503.5.1 of the 2006 International Fire Code is hereby deleted.

SECTION 100. Overland Park Municipal Code Section 16.120.503.6 is hereby added to read as

follows:

16.120.503.6

Section 503.6 of the 2006 International Fire Code is by amended to read as follows:

503.6 Security Gates. ~~The installation of security gates across a fire apparatus access road shall be approved by the fire chief.~~ Where security gates are installed, ~~they shall have~~ an approved means of emergency operation ~~shall be provided.~~ The security gates and the emergency operation shall be maintained operational at all times ~~and shall comply with the following:~~

1. All gates shall be of the sliding, hinged, or counter-balanced type, and where electrically controlled, shall be capable of being operated to the full open position by emergency responders during a loss of power to the gates' operating mechanism.
2. Electrical or mechanical operated gates shall be ~~capable of being unlocked or opened~~ with an approved Fire Department county keyed cylinder installed at an accessible location on the entry side of the gate. The key-operated switch shall bypass the release mechanism to allow the gate to be operated by emergency response personnel.
3. In addition to an approved key cylinder operation device, gates shall be equipped with audible release, set to operate with an emergency response yelp tone.
4. ~~Keypads and other entry devices installed on gates shall not interfere with the operation of either the approved key access cylinder or emergency response audible release devices.~~

SECTION 101. Overland Park Municipal Code Section 16.120.505.1 is hereby amended to read as follows:

16.120.505.1

Section 505.1 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position ~~that isto be~~ plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Numbers shall be a minimum height of: four inches (~~102 mm~~4") ~~high with a minimum stroke width of 0.5 inch~~(127 mm) in Use Groups R-3 and R-4; six inches (6") in Use Group R-3 Child Care Facilities; and eight inches (8") in all other Use Groups. When required by the Building Official, the identifying numbers shall be lighted by an approved light source.

505.1.1 Secondary address numbers. Multi-tenant retail shopping centers in which tenant spaces have secondary entry doors from an exterior facade of the building and have paved vehicle access adjacent to such doors shall have approved numbers or addresses placed on or adjacent to each door. Secondary address numbers shall be a minimum of four inches (4") in height.

Exceptions:

1. If more than one entry door is installed on a facade, only one door needs

to be marked (entry doors defined as overhead or cargo doors and normal passage doors).

2. Further exceptions shall be permitted by the Building Official after consultation with the Crime Prevention Unit of Overland Park Police Department if it can be shown that marking the doors would create a security risk.

505.1.2 Additional identification. Where identification of additional exits would be of benefit to emergency response personnel, a sequential numbering system can be required by the Fire Code Official whereby the interior and exterior surfaces of each exit is marked in an approved manner.

SECTION 102. Overland Park Municipal Code Section 16.120.505.2 is hereby added to read as follows:

16.120.505.2

Section 505.2 of the 2006 International Fire Code is hereby amended to read as follows:

505.2 Street or road signs. Streets and roads shall be identified with approved signs. **The signage shall consist of Arabic numerals or alphabet letters which are reflective and contrast with their background. The numbers and letters shall be a minimum of six inches high with a minimum stroke width of 0.5 inches.** Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs.

SECTION 103. Overland Park Municipal Code Section 16.120.506.2 is hereby amended to read as follows:

16.120.506.2

Section 506.2 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

506.2 Key box maintenance. The operator of the building shall immediately notify the ~~fire code official~~ **Overland Park Fire Department** and provide the new key when a lock is changed or re-keyed. The key to such lock shall be secured in the key box. **The key box shall be maintained in working order by the operator/owner/occupant of the building.**

SECTION 104. Overland Park Municipal Code Section 16.120.508.1 is hereby amended to read as follows:

16.120.508.1

Section 508.1 of the 2003~~6~~ International Fire Code is amended to read as follows:

508.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

508.1.1 Water distribution system failures. Water districts serving areas within Overland Park shall notify the Emergency Communications Center of any failure in their water distribution system; hydrant repair, main breaks, pump failures, or other interruptions of water supply that may affect water supply for fire control purposes.

SECTION 105. Overland Park Municipal Code Section 16.120.508.4 is hereby amended to read as follows:

16.120.508.4

Section 508.4 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

508.4 Water supply test. The ~~fire code official~~Overland Park Fire Department shall be notified prior to the water supply test. Water supply tests shall be witnessed by the ~~fire code official~~Fire Department or approved documentation of the test shall be provided to the ~~fire code official~~Fire Department prior to final approval of the water supply system.

508.4.1 Testing notification. Fire Departments serving areas within Overland Park shall notify the Emergency Communications Center when conducting flow tests and when they are flowing 500 g.p.m. or more. The Emergency Communications Center shall notify the appropriate water district serving the area.

SECTION 106. Overland Park Municipal Code Section 16.120.508.5.2 is hereby amended to read as follows:

16.120.508.5.2

Section 508.5.2 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

508.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to ~~periodic~~annual tests as required by the ~~fire code official~~Fire Department. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards.

508.5.2.1 Line and hydrant tests. Private hydrants and supply piping shall be tested as specified in NFPA 24. Hydrants shall comply with the AWWA standards adopted by the Johnson County Water District and maintained to AWWA-M17.

508.5.2.2 Hydrants – color. All hydrants shall be painted and highly visible. Private hydrants shall be painted red in color.

SECTION 107. Overland Park Municipal Code Section 16.120.510.1 is hereby amended to read as follows:

16.120.510.1

Section 510.1 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

510.1 Identification. Fire protection equipment shall be identified in an approved manner.

Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the Fire Department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

510.1.1 Identification standard. Rooms containing the equipment identified in Section 510.1 shall be identified by minimum 4-inch (4”) letters with a minimum 0.5-inch (0.5”) stroke on contrasting background.

SECTION 108. Overland Park Municipal Code Section 16.120.510.2 is hereby added to read as follows:

16.120.510.2

Section 510.2 of the 2006 International Fire Code is hereby added to read as follows:

510.2 “As-built” floor plans. A digital file showing “as-built” building floor plans shall be submitted to the Fire Department for approval. The plans shall show the following: the location of exit stairways, exit discharge, roof access, primary or public corridors, elevator shafts, the fire control room, fire alarm control panel, all remote enunciators and all rooms or spaces where fire alarm initiating devices and/or control panels for the unlocking of stairway doors, emergency generators, smoke control systems, and elevators are located, the location of utility disconnects for the electrical service, water service and gas service, and the location of fire/smoke walls in Group I occupancies indicating separate smoke compartments.

A hard copy of the approved “as-built” drawings shall be made available and displayed in a permanent manner immediately adjacent to the fire alarm control panel.

Exceptions:

1. The “as-built” floor plans may be located at an alternate location when approved.
2. The requirement for “as-built” floor plans for tenant finish work may be waived at the discretion of the Fire Department.

SECTION 109. Overland Park Municipal Code Section 16.120.806.1.1 is hereby added to read as follows:

16.120.806.1.1

Section 806.1.1 of the 2006 International Fire Code is hereby amended to read as follows:

806.1.1 Restricted occupancies. Natural cut **needle bearing** trees shall be prohibited in Group A, E, I-1, I-2, I-3, I-4, M, R-1, R-2 and R-4 occupancies.

Exceptions:

- ~~1. Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Use Groups A, E, M, R-1 and R-2.~~
- ~~2. Trees shall be allowed within dwelling units in Group R-2 occupancies.~~

SECTION 110. Overland Park Municipal Code Section 16.120.901.2 is hereby added to read as

follows:

16.120.901.2

Section 901.2 of the 2006 International Fire Code is hereby deleted.

SECTION 111. Overland Park Municipal Code Section 16.120.901.4.5 is hereby amended to read as follows:

16.120.901.4.5

Section 901.4.5 of the 2003~~6~~ International Fire Code is hereby added to read as follows:

901.4.5 Existing installations - supervision. All existing required fire suppression and fire alarm systems shall be supervised in conformance with Sections 903.4 and 907.15, respectively.

SECTION 112. Overland Park Municipal Code Section 16.120.903.3.5.3 is hereby added to read as follows:

16.120.903.3.5.3

Section 903.3.5.3 of the 2006 International Fire Code is here by added to read as follows:

903.3.5.3 Main control valves. Water supply lines for automatic sprinkler systems shall be provided with a control valve located on the riser. The valve shall be capable of isolating the underground fire service main from automatic sprinkler system.

903.3.5.3.1 Main control valve access. The isolation control valve shall be accessible. To be considered accessible, a clear space 3 feet by 3 feet by 7 feet high shall be provided in front of the valve. Access to the clear space shall be provided by an unobstructed aisle not less than 3 feet wide and 7 feet high. The valve shall be operable from the floor level.

SECTION 113. Overland Park Municipal Code Section 16.120.903.4 is hereby added to read as follows:

16.120.903.4

Section 903.4 of the 2006 International Fire Code is hereby amended to read as follows:

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.

4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.
8. On existing installations, isolation valves for the backflow prevention devices remotely located in pits which are locked and/or chained in the open position.
9. Underground key or hub valves in roadway boxes provided by the municipality or public utility.
10. Backflow prevention device test valves located in limited area sprinkler systems that are locked in the open position, provided that the occupancy is not equipped with a fire alarm system.

903.4.1 Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72 or, when approved by the Fire Code Official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. ~~Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.~~
2. ~~Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.~~

903.4.2 Alarms. An approved ~~audible~~ audio/visual devices shall be connected to every automatic sprinkler system. Such sprinkler system water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building ~~directly above the Fire Department connection or~~ in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor ~~in high-rise of a multi-story buildings.~~

Exception: Automatic sprinkler systems designed in accordance with Section 903.3.1.2 or 903.3.1.3.

SECTION 114. Overland Park Municipal Code Section 16.120.906.1 is hereby amended to read as follows:

16.120.906.1

Section 906.1 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

906.1 Where required. Portable fire extinguishers shall be installed in the following locations.

1. In ~~new and existing~~ Group A, B, E, F, H, I, M, R-1, ~~R-2~~, R-4 and S occupancies.
Exception: In ~~new and existing~~ Group A, B and E occupancies equipped throughout with quick-response sprinklers, ~~portable~~ fire extinguishers shall be required only in ~~locations specified in Items 2 through 6~~ special-hazard areas.
2. Within 30 feet (~~9144 mm~~) of commercial cooking equipment.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms, and generator rooms, where required by the ~~fire code~~ Building Official.

SECTION 115. Overland Park Municipal Code Section 16.120.907.15 is hereby added to read as follows:

16.120.907.15

Section 907.15 of the 2006 International Fire Code is hereby amended to read as follows:

907.15 Monitoring. Fire alarm systems required by this chapter or by the 2006 International Building Code shall be monitored by an approved ~~supervising~~ central station ~~in accordance with as defined in NFPA 72, or the fire alarm system shall be monitored by an approved entity that has been listed by a nationally recognized agency to perform such service.~~ The approved monitoring entity shall notify the Fire Department when their service has been discontinued.

~~Fire alarm systems that require two or more zones, or have addressable fire alarm panels, shall report a signal to the monitoring company wherein the fire alarm initiating device and its location can be determined. The monitoring company shall then report this information to the emergency communication center dispatch.~~

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.
4. ~~Proprietary systems as approved by the Fire Department.~~
5. ~~Alterations to existing systems which are monitored by other means than that which is specified in this Section are subject to the approval of the Fire Department.~~

SECTION 116. Overland Park Municipal Code Section 16.120.912.2 is hereby added to read as follows:

16.120.912.2

Section 912.2 of the 2006 International Fire Code is hereby amended to read as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, ~~f~~Fire ~~d~~Department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of ~~f~~Fire ~~d~~Department connections shall be **located in an approved location. A Fire Department connection for each standpipe system or water-based fire-extinguishing system shall be located not more than 100 feet from the nearest fire hydrant connection to an approved water supply.**

912.2.1 Visible location. Fire ~~d~~Department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of ~~f~~Fire ~~d~~Department vehicle access or as otherwise approved ~~by the fire code official.~~

912.2.2 Existing buildings. On existing buildings, wherever the ~~f~~Fire ~~d~~Department connection is not visible to approaching fire apparatus, the ~~f~~Fire ~~d~~Department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters “FDC” at least 6 inches ~~(152 mm)~~ high and words in letters at least 2 inches ~~(51 mm)~~ high or an arrow to indicate the location. All such signs shall be subject to the approval of the ~~f~~Fire ~~e~~Code ~~e~~Official.

SECTION 117. Overland Park Municipal Code Section 16.120.912.3 is hereby added to read as follows:

16.120.912.3

Section 912.3 of the 2006 International Fire Code is hereby amended to read as follows:

912.3 Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other object for a minimum of 3 feet ~~(914 mm).~~

912.3.1 Locking ~~f~~Fire ~~d~~Department connection caps. The ~~f~~Fire ~~e~~Code ~~e~~Official is authorized to require locking caps on ~~f~~Fire ~~d~~Department connections for water-based fire protection systems where the responding ~~f~~Fire ~~d~~Department carries appropriate key wrenches for removal.

912.3.2 Fire Department connections. The location of Fire Department connections shall be in an approved location. The connection shall be fitted with a four-inch (4”) Storz quick coupling connector.

SECTION 118. Overland Park Municipal Code Section 16.120.913.4 is hereby amended to read as follows:

16.120.913.4

Section 913.4 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

913.4 Valve supervision. Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary, or remote-station signaling service.

2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.
- ~~3. Locking valves open.~~
- ~~4. Sealing of valves and approved weekly recorded inspection where valves are located within fenced enclosures under the control of the owner.~~

913.4.1 Test outlet valve supervision. Fire pump test outlet valves shall be supervised in the closed position.

SECTION 119. Overland Park Municipal Code Section 16.120.1007.3 is hereby added to read as follows:

16.120.1007.3

Section 1007.3 of the 2006 International Fire Code is hereby amended to read as follows:

1007.3 Exit stairways. In order to be considered part of an accessible means of egress, an exit stairway shall have a clear width of 48 inches ~~(1219 mm)~~ minimum between handrails and shall either incorporate an area of refuge within an enlarged floor-level landing or shall be accessed from either an area of refuge complying with Section 1007.6 or a horizontal exit.

Exceptions:

1. Unenclosed exit stairways as permitted by Section 1020.1 are permitted to be considered part of an accessible means of egress.
2. The area of refuge is not required at unenclosed exit stairways as permitted by Section 1020.1 in buildings or facilities that are equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
3. The clear width of 48 inches ~~(1219 mm)~~ between handrails is not required at exit stairways in buildings or facilities equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
4. The clear width of 48 inches ~~(1219 mm)~~ between handrails is not required for exit stairways accessed from a horizontal exit.
5. The areas of refuge are not required at exit stairways serving open parking garages.
- ~~6. Areas of refuge are not required at exit stairways in buildings or facilities equipped throughout by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.~~

SECTION 120. Overland Park Municipal Code Section 16.120.1008.1.8 is hereby added to read as follows:

16.120.1008.1.8

~~Section 1008.1.8 of the 2006 International Fire Code is hereby amended to read as follows:~~

1008.1.8 Door operations. Except as specifically permitted by this ~~s~~Section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.8.1 Hardware. Door handles, pulls, latches, locks and other operating devices on

doors required to be accessible by Chapter 11 of the 2006 International Building Code shall not require tight grasping, tight pinching or twisting of the wrist to operate.

1008.1.8.2 Hardware height. Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches ~~(864 mm) minimum and 48 inches (1219 mm)~~ maximum above the finished floor. Locks used only for security purposes and not used for normal operation are permitted at any height.

Exception: Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be permitted to have operable parts of the release of latch on self-latching devices at 54 inches ~~(1370 mm)~~ maximum above the finished floor or ground, provided the self-latching devices are not also self-locking devices operated by means of a key, electronic opener or integral combination lock.

1008.1.8.3 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.
2. In ~~buildings in~~ occupancy ~~Group A having an occupant load of 300 or less,~~ Groups B, F, M and S, ~~and in places of religious worship,~~ the main exterior door or doors ~~are~~ shall be permitted to be equipped with key-operated locking devices from the egress side provided:
 - 2.1 The locking device is readily distinguishable as locked,
 - 2.2 A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. The sign shall be in letters 1 inch ~~(25 mm)~~ high on a contrasting background,
 - 2.3 The use of the key-operated locking device is revocable by the ~~f~~Fire ~~e~~Code ~~e~~Official for due cause.
3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.
4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.

SECTION 121. Overland Park Municipal Code Section 16.120.1020.1.6 is hereby added to read as follows:

16.120.1020.1.6

Section 1020.1.6 of the 2006 International Fire Code is amended to read as follows:

1020.1.6 Stairway floor number signs. A sign shall be provided at each floor landing in interior ~~vertical~~ exit enclosures connecting more than three stories designating the floor level, the terminus of the top and bottom of the stair enclosure and the identification of the stair. The signage shall also state the story of, and the direction to the exit discharge and the availability of

roof access from the stairway for the ~~f~~Fire ~~d~~Department. The signs shall be color coded, or have colored borders that are identified as follows: red shall be used for the primary exit enclosure with roof access, yellow for the secondary stairwell, blue for the third stairwell, white for the fourth, and green for the fifth. The sign shall be located ~~five~~ feet ~~(1524 mm)~~ above the floor landing in a position ~~that~~ which is readily visible when the doors are in the open and closed positions.

SECTION 122. Overland Park Municipal Code Section 16.120.2403.2 is hereby amended to read as follows:

16.120.2403.2

Section 2403.2 of the 200~~3~~6 International Fire Code is hereby deleted.

SECTION 123. Overland Park Municipal Code Section 16.120.3301.1.3 is hereby amended to read as follows:

16.120.3301.1.3

Section 3301.1.3 of the 200~~3~~6 International Fire Code is amended to read as follows:

3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. ~~Wholesale, s~~Storage, sale and/or handling of fireworks as ~~allowed~~permitted in Section 3304, and OPMC 5.40.020 and 5.40.120.
2. ~~Manufacture, assembly and testing of fireworks as allowed in Section 3308~~Activities complying with OPMC 5.40.120.
3. The use of fireworks for display as ~~allowed~~permitted in Section 3308.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable ~~local or state~~ laws, ordinances and regulations; provided such fireworks comply with; CPSC 16 CFR, Parts 1500-~~and~~ 1507, and DOTn 49 CFR, Parts 100-178, for consumer fireworks.

SECTION 124. Overland Park Municipal Code Section 16.120.3304.1 is hereby amended to read as follows:

16.120.3304.1

Section 3304.1 of the 200~~3~~6 International Fire Code is amended to read as follows:

3304.1 General. Storage of explosives and explosive materials, ~~other than Division 1.4G fireworks~~, small arms ammunition, small arms primers, propellant-actuated cartridges, and smokeless propellants in magazines, shall ~~comply with~~conform to the provisions of this ~~s~~Section and OPMC Chapters 5.36 and 5.38.

SECTION 125. Overland Park Municipal Code Section 16.120.3305 is hereby amended to read as follows:

16.120.3305

Section 3305 of the 2003~~6~~ International Fire Code is hereby deleted.

SECTION 126. Overland Park Municipal Code Section 16.120.3403.6.3.2 is hereby amended to read as follows:

16.120.3403.6.3.2

Section 3403.6.3.2 of the 2003~~6~~ International Fire Code is hereby added to read as follows:

3403.6.3.2 Maintenance testing. All pressure piping in remote pumping installations shall be subjected to a pressure test at intervals no greater than two years. The test shall be conducted using an approved testing system or method approved by the Building Official and tested per manufacturer's specifications. The date of test, the duration, the name of the operator, operator certification number, and test results shall be recorded and maintained until the date of the next test.

SECTION 127. Overland Park Municipal Code Section 16.120.3404.2.11.5.2 is hereby amended to read as follows:

16.120.3404.2.11.5.2

Section 3404.2.11.5.2 of the 2003~~6~~ International Fire Code is hereby deleted.

SECTION 128. Overland Park Municipal Code Section 16.120.3404.2.12.3 is hereby amended to read as follows:

16.120.3404.2.12.3

Section 3404.2.12.3 of the 2003~~6~~ International Fire Code is hereby added to read as follows:

3404.2.12.3 Testing of storage tanks in service. All underground flammable liquid storage tanks which have been buried for five or more years shall be tested for tightness to the standards set forth in NFPA 30 2003 and NFPA 30A 2003. The test shall be conducted using an approved testing system or method approved by the Building Official. In the event that such approved testing system or method is required on any buried storage tank prior to the expiration of the five years, a later test will not be required without cause until the expiration of five years from the date of the last test. After the fifth year, such approved tests shall be repeated on all such tanks at intervals no greater than five years without cause. The date of the test, the model and the type of tester, the name of the operator of the equipment, the operator's certification number, the duration, and results thereof shall be recorded and maintained until the date of the next test. A copy of the test results shall be sent to the Building Official.

Exception: All steel tanks which have been internally coated shall be tested for tightness every two years as indicated above.

SECTION 129. Overland Park Municipal Code Section 16.120.3404.2.13.1.3 is hereby amended to read as follows:

16.120.3404.2.13.1.3

Section 3404.2.13.1.3 of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

3404.2.13.1.3 Out of service for one (1) year. Underground tanks that have been out of service for a period of one (1) year shall be removed from the ground in accordance with Section 3404.2.14 ~~or abandoned in place in accordance with Section 3404.2.13.1.4.~~

SECTION 130. Overland Park Municipal Code Section 16.120.3404.2.13.1.4 is hereby amended to read as follows:

16.120.3404.2.13.1.4

Section 3404.2.13.1.4 of the 2003~~6~~ International Fire Code is hereby deleted.

SECTION 131. Overland Park Municipal Code Section 16.120.D103.1 is hereby amended to read as follows:

16.120.D103.1

Section D103.1 of Appendix D of the 2003~~6~~ International Fire Code is hereby deleted.

SECTION 132. Overland Park Municipal Code Section 16.120.D104.1 is hereby amended to read as follows:

16.120.D104.1

Section D104.1 of Appendix D of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (~~9144 mm~~) or three stories in height shall have at least ~~three~~two means of fire apparatus access for each structure.

SECTION 133. Overland Park Municipal Code Section 16.120.D107.1 is hereby amended to read as follows:

16.120.D107.1

Section D107.1 of Appendix D of the 2003~~6~~ International Fire Code is hereby amended to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds ~~30~~50 shall be provided with separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. ~~Where there are more than 30~~ The number of dwelling units ~~onserved~~ by a single ~~public or private~~ fire apparatus access road ~~and may be increased where approved by the Fire Department when all dwelling units are equipped throughout with~~protected by an approved ~~automatic~~ sprinkler system ~~in accordance with~~

~~Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.3, access from two directions shall not be required.~~

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the ~~fFire code official~~Department.

SECTION 134. Overland Park Municipal Code Section 16.130.100 is hereby amended to read as follows:

16.130.100 Plumbing Code - Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 200~~36~~ International Plumbing Code, dated ~~February~~January, 200~~36~~, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 200~~36~~ International Plumbing Code shall be marked Official Copy as Adopted by Ordinance No. BC-~~24592635~~, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 135. Overland Park Municipal Code Section 16.130.101.2 is hereby amended to read as follows:

16.130.101.2

Section 101.2 of the 200~~36~~ International Plumbing Code is hereby amended to read as follows:

101.2 Scope. The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, non-medical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel gas-fired water heaters and water heater venting systems shall be regulated by the 2006 International Fuel Gas Code. Provisions in the appendices shall not apply unless specifically adopted.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the 2006 International Residential Code.

101.2.1 Administration. The administrative provisions of this code shall be those provisions contained in the Overland Park Municipal Code, Chapter 16.100, Section 103

through Section 115.

SECTION 136. Overland Park Municipal Code Section 16.130.103 is hereby amended to read as follows:

16.130.103

Sections 103 through ~~106~~109 of the 200~~36~~ International Plumbing Code are hereby deleted.

SECTION 137. Overland Park Municipal Code Section 16.130.305.6.1 is hereby amended to read as follows:

16.130.305.6.1

Section 305.6.1 of the 200~~36~~ International Plumbing Code is hereby amended to read as follows:

305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of ~~[NUMBER]eighteen~~ inches (~~mm18~~"') below finished grade at the point of septic tank connection. Building sewers shall be a minimum of ~~[NUMBER]forty-two~~ inches (~~mm42~~"') below grade ~~measured from the top of the pipe. Sewer pipe below grade connecting to the public sewer shall comply with the requirements of the Johnson County Wastewater District regulations for sewers.~~

SECTION 138. Overland Park Municipal Code Section 16.130.305.6.2 is hereby amended to read as follows:

16.130.305.6.2

Section 305.6.2 of the 200~~36~~ International Plumbing Code is hereby added to read as follows:

305.6.2 Frost depth. The frost depth is 36 inches (36").

SECTION 139. Overland Park Municipal Code Section 16.130.312.1 is hereby amended to read as follows:

16.130.312.1

Section 312.1 of the 200~~36~~ International Plumbing Code is hereby amended to read as follows:

312.1 Required tests. The permit holder shall make the applicable tests prescribed in Sections 312.2 through 312.9 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the ~~code~~Building Official when the plumbing work is ready for tests. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. All plumbing system piping shall be tested with either water or, for piping systems other than plastic, by air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The ~~code~~Building Official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.

Exception: DWV Plastic plumbing systems may be tested by air when the plumbing system being tested would be subjected to freezing conditions.

312.1.1 Test gauges. Gauges used for testing shall be as follows:

1. Tests requiring a pressure of 10 ~~pounds per square inch (psi) (69 kPa)~~ or less shall utilize a testing gauge having increments of 0.10 psi ~~(0.69 kPa)~~ or less.
2. Tests requiring a pressure of greater than 10 psi ~~(69 kPa)~~ but less than or equal to 100 psi ~~(689 kPa)~~ shall utilize a testing gauge having increments of 1 psi ~~(6.9 kPa)~~ or less.
3. Tests requiring a pressure of greater than 100 psi ~~(689 kPa)~~ shall utilize a testing gauge having increments of 2 psi ~~(14 kPa)~~ or less.

SECTION 140. Overland Park Municipal Code Section 16.130.312.6 is hereby amended to read as follows:

16.130.312.6

Sections 312.6 and 312.7 of the 2003~~6~~ International Plumbing Code are hereby deleted.

SECTION 141. Overland Park Municipal Code Section 16.130.312.9 is hereby amended to read as follows:

16.130.312.9

Section 312.9 of the 2003~~6~~ International Plumbing Code is hereby deleted.

SECTION 142. Overland Park Municipal Code Section 16.130.403.1 is hereby added to read as follows:

16.130.403.1

Table 403.1 of the 2006 International Plumbing Code is hereby amended to read as follows:

Table 403.1
MINIMUM NUMBERS OF REQUIRED PLUMBING FIXTURES^a
(See Sections 403.2 and 403.3)

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS SEE SECTION 419.2)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410.1)	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly (see Sections 403.2, 403.4 and 403.4.1)	A-1 ^d	Theaters and other buildings for the performing arts and motion pictures	1 per 125	1 per 65	1 per 200		—	1 per 500	1-service sink
		A-2 ^d	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	1 per 40	1 per 40	1 per 75		—	1 per 500	1-service sink
			Restaurants, banquet halls and food courts	1 per 75	1 per 75	1 per 200		—	1 per 500	1-service sink
		A-3 ^d		1 per 125	1 per 65	1 per 200		—	1 per 500	1-service sink

Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and

Table 403.1
MINIMUM NUMBERS OF REQUIRED PLUMBING FIXTURES^a
 (See Sections 403.2 and 403.3)

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS SEE SECTION 419.2)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410.1)	OTHER
				MALE	FEMALE	MALE	FEMALE			
			gymnasiums							
			Passenger terminals and transportation facilities	1 per 500	1 per 500	1 per 750		—	1 per 1,000	1-service sink
			Places of worship and other religious services	1 per 150	1 per 75	1 per 200		—	1 per 1,000	1-service sink
		A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,500 and 1 per 60 for the remainder exceeding 1,500	1 per 200	1 per 150	—	1 per 1,000	1-service sink
		A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,500 and 1 per 60 for the remainder exceeding 1,500	1 per 200	1 per 150	—	1 per 1,000	1-service sink
2	Business (see Sections 403.2, 403.4 and 403.4.1)	B ^e	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50		1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80		—	1 per 100	1-service sink
3	Educational	E	Educational facilities	1 per 50		1 per 50		—	1 per 100	1-service sink
4	Factory and industrial	F-1 and F-2	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	1 per 100		1 per 100		(see Section 411)	1 per 400	1-service sink
5	Institutional	I-1	Residential care	1 per 10		1 per 10		1 per 8	1 per 100	1-service sink
		I-2	Hospitals, ambulatory nursing home patients ^b	1 per room ^c		1 per room ^c		1 per 15	1 per 100	1-service sink
		I-2	Employees, other than residential care ^b	1 per 25		1 per 35		—	1 per 100	—
		I-2	Visitors other than residential care	1 per 75		1 per 100		—	1 per 500	—
		I-3	Prisons ^b	1 per cell		1 per cell		1 per 15	1 per 100	1-service sink
		I-3	Reformatories, detention centers, and correctional centers ^b	1 per 15		1 per 15		1 per 15	1 per 100	1-service sink
		I-4	Adult day care and child care	1 per 15		—		—	1 per 100	1-service sink

Table 403.1
MINIMUM NUMBERS OF REQUIRED PLUMBING FIXTURES^a
 (See Sections 403.2 and 403.3)

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS SEE SECTION 419.2)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410.1)	OTHER
				MALE	FEMALE	MALE	FEMALE			
6	Mercantile (see Sections 403.2, 403.4, 403.4.1 and 403.4.2)	M ^r	Retail stores, service stations, shops, sales-rooms, markets and shopping centers	1 per 500		1 per 750		—	1 per 1,000	1-service sink
7	Residential	R-1	Hotels, motels, boarding houses (transient)	1 per sleeping unit		1 per sleeping unit		1 per sleeping unit	—	1-service sink
		R-2	Dormitories, fraternities, sororities and boarding houses (not transient)	1 per 10		1 per 10		1 per 8	1 per 100	1-service sink
		R-2	Apartment house	1 per dwelling unit		1 per dwelling unit		1 per dwelling unit	—	1-kitchen sink per dwelling unit-1 automatic clothes washer connection per 20 dwelling units
		R-3	One- and two-family dwellings	1 per dwelling unit		1 per dwelling unit		1 per dwelling unit	—	1-kitchen sink per dwelling unit-1 automatic clothes washer connection per dwelling unit
		R-4	Residential care/ assisted living facilities	1 per 10		1 per 10		1 per 8	1 per 100	1-service sink
8	Storage (see Sections 403.2, 403.4 and 403.4.1)	S-1, S-2	Structures for the storage of goods, warehouses, storehouse and freight depots. Low and Moderate Hazard	1 per 100		1 per 100		See Section 411	1 per 1,000	1-service sink

- 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 2006 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. A drinking fountain is not required in B occupancies with an occupant load less than 15.
- f. A drinking fountain is not required in mercantile occupancies with a total occupant load less than 50.

SECTION 143. Overland Park Municipal Code Section 16.130.504.3 is hereby amended to read as follows:

16.130.504.3

Section 504.3 of the 2003~~6~~ International Plumbing Code is hereby amended to read as follows:

504.3 Shutdown. A means for disconnecting an electric hot water supply system from its energy supply shall be provided in accordance with the ~~ICENFPA~~ **70 National Electrical Code, 2005 Edition**. A separate valve shall be provided to shut off the energy fuel supply to all other types of hot water supply systems.

SECTION 144. Overland Park Municipal Code Section 16.130.701.2.1 is hereby amended to read as follows:

16.130.701.2.1

Section 701.2.1 of the 2003~~6~~ International Plumbing Code is hereby added to read as follows:

701.2.1 Public systems available. A public water main or public sewer system shall be considered available when the lot or tract is located within 400 feet (400') of the public water main or sewer and public water main or sewer is considered available for connection by the Johnson County Water District or the Johnson County Wastewater District.

SECTION 145. Overland Park Municipal Code Section 16.130.715.1 is hereby amended to read as follows:

16.130.715.1

Section 715.1 of the 2003~~6~~ International Plumbing Code is hereby amended as follows:

715.1 Sewage backflow. 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.** ~~Plumbing fixtures having flood level rims above the elevation of the manhole cover of the next upstream manhole in the public sewer shall not discharge through a backwater valve.~~

SECTION 146. Overland Park Municipal Code Section 16.130.1101.1 is hereby amended to read as follows:

16.130.1101.1

Section 1101.1 of the 2003~~6~~ International Plumbing Code is hereby amended to read as follows:

1101.1 Scope. The provisions of this chapter shall govern the materials, design, construction and installation of storm drainage **starting at the building roof and terminating at the connection to the site storm drainage system as covered in Title 15 of the Overland Park Municipal Code.** **Nothing in this chapter shall be construed to take precedence over the requirements set forth in Title 15 of the Overland Park Municipal Code or the requirements set forth by the Johnson County Wastewater District.**

SECTION 147. Overland Park Municipal Code Section 16.140.100 is hereby amended to read as follows:

16.140.100 Mechanical Code – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~6~~ International Mechanical Code, dated ~~February~~January, 200~~36~~, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2003~~6~~ International Mechanical Code shall be marked Official Copy as Adopted by Ordinance No. BC-~~2459~~2635, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 148. Overland Park Municipal Code Section 16.140.101.2 is hereby amended to read as follows:

16.140.101.2

Section 101.2 of the 2003~~6~~ International Mechanical Code is hereby amended to read follows:

101.2 Scope. This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the 2006 International Fuel Gas Code.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the 2006 International Residential Code.

101.2.1 Appendices. Provisions of the appendices shall not apply unless specifically adopted.

101.2.2 Administration. The administrative provisions of this code shall be those provisions contained in the Overland Park Municipal Code, Chapter 16.100, Section 103 through Section 115.

SECTION 149. Overland Park Municipal Code Section 16.140.102.10 is hereby amended to read as follows:

16.140.102.10

Section 102.10 of the 2003~~6~~ International Mechanical Code is hereby added to read as follows:

102.10 State Boiler Inspector. Where permits are issued and portions of the work require inspection and approval of boilers and pressure vessels by the state of Kansas, those portions of the work will comply with the state requirements in lieu of compliance with the technical provisions of this code. Contact the State Boiler Inspector at the State Department of Human Resources for complete information regarding state requirements. State approval is generally required for all boilers that require permits.

Exceptions:

1. Boilers serving individual dwelling units and their accessory structures.
2. Boilers serving apartment houses with less than five (5) families.
3. Pressure vessels that do not exceed 15 cubic feet and 250 psi.

SECTION 150. Overland Park Municipal Code Section 16.140.103 is hereby amended to read as follows:

16.140.103

Sections 103 ~~and 104 through 109~~ of the 2003~~6~~ International Mechanical Code are hereby deleted.

SECTION 151. Overland Park Municipal Code Section 16.150.100 is hereby amended to read as follows:

16.150.100 Fuel Gas Code – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~6~~ International Fuel Gas Code, dated January, 2003~~6~~, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2003~~6~~ International Fuel Gas Code shall be marked Official Copy as Adopted by Ordinance No. BC-~~2459~~2635, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 152. Overland Park Municipal Code Section 16.150.101.1 is hereby added to read as follows:

16.150.101.1

Section 101.1 of the 2006 International Fuel Gas Code is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Fuel Gas Code of ~~NAME OF JURISDICTION~~the City of Overland Park, Kansas, hereinafter referred to as “this code.”

101.1.1 Administration. The administrative provisions of this code shall be those provisions contained in the Overland Park Municipal Code, Chapter 16.100, Section 103 through Section 115.

SECTION 153. Overland Park Municipal Code Section 16.150.101.3.1 is hereby amended to read as follows:

16.150.101.3.1

Section 101.3.1 of the 2003~~6~~ International Fuel Gas Code is hereby added to read as follows:

101.3.1 Appendices adopted. The following appendices are adopted as part of the code:

1. Appendix A – Sizing and Capacities of Gas Piping.
2. Appendix B – Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use and Type B Vents.
3. Appendix C – Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

SECTION 154. Overland Park Municipal Code Section 16.150.103 is hereby amended to read as follows:

16.150.103

Sections 103 through 109 of the 2003~~6~~ International Fuel Gas Code ~~is-are~~ hereby deleted.

SECTION 155. Overland Park Municipal Code Section 16.150.301.16 is hereby added to read as follows:

16.150.301.16

Section 301.16 of the 2006 International Fuel Gas Code is here by added to read as follows:

301.16 Protection from physical damage. Where meters supplying fuel gas are located adjacent to parking spaces or vehicular driveways they shall be protected from physical damage per Section 312 of the 2006 International Fire Code.

SECTION 156. Overland Park Municipal Code Section 16.160.100 is hereby amended to read as follows:

16.160.100 Electrical Code -- Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of

inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the NFPA 70 National Electrical Code, 2002~~5~~ Edition, approved as an American National Standard on August 2, 2004, as published by National Fire Protection Association, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said NFPA 70 National Electrical Code, 2002~~5~~ Edition, approved as an American National Standard on August 2, 2004, shall be marked Official Copy as Adopted by Ordinance No. BC-~~24592635~~, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 157. Overland Park Municipal Code Section 16.160.190.4 is hereby added to read as follows:

16.160.190.4

Article 90, Section 90.4 of NFPA 70 National Electrical Code, 2005 Edition, is hereby deleted.

SECTION 158. Overland Park Municipal Code Section 16.160.190.10 is hereby added to read as follows:

16.160.190.10

Article 90, Section 90.10 of NFPA 70 National Electrical Code, 2005 Edition, is hereby added to read as follows:

90.10 Administration. The administrative provisions for this code shall be those provisions contained in the Overland Park Municipal Code, Chapter 16.100, Section 103 through Section 115.

SECTION 159. Overland Park Municipal Code Section 16.160.334.10 is hereby amended to read as follows:

16.160.334.10

Article 334, Section 334.10 of the NFPA 70 National Electrical Code, 2002~~5~~ Edition, is hereby amended to read as follows:

334.10 Uses ~~P~~permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following.

- (1). One- and two-family dwellings.
- (2). Multifamily dwellings ~~permitted to be of Types III, IV, and V construction~~ except as prohibited in 334.12.
- (3). Other structures ~~permitted to be of Types III, IV, and V construction~~ except as prohibited in 334.12. Cables shall be concealed within walls, floors, or ceiling that provide a

thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies.

~~FPN No. 1: Types of building construction and occupancy classifications are defined in NFPA 220-1999, Standard on Types of Building Construction, or the applicable building code, or both.~~

~~FPN No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1].~~

~~(4). Cable trays in structures permitted to be Types III, IV or V, where the cables are identified for the use.~~

~~FPN: See 310.10 for temperature limitation of conductors.~~

~~(A). **Type NM.** Type NM cable shall be permitted as follows:~~

- ~~(1) For both exposed and concealed work in normally dry locations except as prohibited in 334.10(3).~~
- ~~(2) To be installed or fished in air voids in masonry block or tile walls.~~

~~(B). **Type NMC.** Type NMC cable shall be permitted as follows:~~

- ~~(1) For both exposed and concealed work in dry, moist, damp, or corrosive locations, except as prohibited in 334.10(3).~~
- ~~(2) In outside and inside walls of masonry block or tile.~~
- ~~(3) In a shallow chase in masonry, concrete, or adobe protected against nails or screws by a steel plate at least 1.59 mm (1/16 in.) thick and covered with plaster, adobe, or similar finish.~~

~~(C). **Type NMS.** Type NMS cable shall be permitted as follows:~~

- ~~(1) For both exposed and concealed work in normally dry locations except as prohibited in 334.10(3).~~
- ~~(2) To be installed or fished in air voids in masonry block or tile walls.~~
- ~~(3) To be used as permitted in Article 780.~~

SECTION 160. Overland Park Municipal Code Section 16.170.100 is hereby amended to read as follows:

16.170.100 Energy Conservation Code – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~6~~ International Energy Conservation Code, dated January, 2003~~6~~, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or

amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2003~~6~~ International Energy Conservation Code shall be marked Official Copy as Adopted by Ordinance No. BC-24592635, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 161. Overland Park Municipal Code Section 16.170.101.1 is hereby added to read as follows:

16.170.101.1

Section 101.1 of the 2006 International Energy Conservation Code is hereby amended to read as follows:

101.1 Title. This code shall be know as the 2006 International Energy Conservation Code of ~~[NAME OF JURISDICTION]~~ the City of Overland Park, Kansas, and shall be cited as such. It is referred to herein as “this code.”

SECTION 162. Overland Park Municipal Code Section 16.170.402.2.6 is hereby added to read as follows:

16.170.402.2.6

Section 402.2.6 of the 2006 International Energy Conservation Code is hereby amended to read as follows:

402.2.6 Basement walls. Exterior basement ~~W~~walls associated with conditioned basements shall be insulated from the top of the basement wall down to 10 feet ~~(3048 mm)~~ below grade or to the basement floor, whichever is less. Walls associated with unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Sections 402.1.1 and 402.2.5.

Exception: Exterior basement walls made of concrete or masonry are not required to be insulated when such walls are not adjacent to finished space and are more than 50 percent below grade. Exterior basement walls shall be insulated whenever the adjacent interior space is finished.

SECTION 163. Overland Park Municipal Code Section 16.180.100 is hereby amended to read as follows:

16.180.100 Private Sewage Disposal Code – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland

Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~6~~ International Private Sewage Disposal Code, dated January, 2003~~6~~, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2003~~6~~ International Private Sewage Disposal Code shall be marked Official Copy as Adopted by Ordinance No. BC-~~24592635~~, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 164. Overland Park Municipal Code Section 16.180.101.1 is hereby added to read as follows:

16.180.101.1

Section 101.1 of the 2006 International Private Sewage Disposal Code is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Private Sewage Disposal Code of ~~[NAME OF JURISDICTION]~~ the City of Overland Park, Kansas, hereinafter referred to as “this code.”

SECTION 165. Overland Park Municipal Code Section 16.180.101.2 is hereby amended to read as follows:

16.180.101.2

Section 101.2 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

101.2 Scope. Septic tank and effluent absorption systems or other treatment tank and effluent disposal systems shall be permitted where ~~a public sewer is not available to the property served~~ an exception has been granted by the Governing Body or where both the following conditions are met:

1. Public sewers are not available as defined in the 2006 International Plumbing Code; and
2. The building being served is a single-family dwelling located either on a lot of at least five (5) acres in area unless a preliminary plat has been approved prior to September 13, 1976, or on a lot zoned RE, Residential Estates, of at least one (1) acre in area.

Exception: The Governing Body, upon good cause being shown and after public hearing, may grant exceptions from the provisions of Items 1 and 2 above if two-thirds (2/3) or more of the votes cast by Councilmembers are affirmative votes in favor of the exception. The applicant shall serve notice of public hearing. A copy of the plat map with the 200-foot (200’) radius shown must be submitted. Any information or plans concerning improvements on this property must also be submitted. This information must be filed with the Building Official at least ten (10) days prior to the hearing.

Notification shall be by certified mail, return receipt requested, to all owners of record within the 200-foot (200') radius of subject property stating the date, time and place of the hearing and the nature of the variance or appeal requested. This shall be done no later than ten (10) days prior to the hearing. A copy of the application shall accompany the notice.

Return receipts, a copy of the notice to the owners, and a list of all owners of record of property within or touched by the 200-foot (200') radius shall be filed with the Building Official at least five (5) days prior to the hearing, at which time, an Affidavit of Mailing stating that the certified notices were mailed by the required date shall be signed by the applicant and notarized.

Unless specifically approved, the private sewage disposal system of each building shall be entirely separate from and independent of any other building. The use of a common system or a system on a parcel other than the parcel where the structure is located shall be subject to the full requirements of this code as for systems serving public buildings.

Except where specific reference is made in this code to an appendix, the provisions in the appendices shall not apply unless specifically adopted.

SECTION 166. Overland Park Municipal Code Section 16.180.101.3 is hereby amended to read as follows:

16.180.101.3

Section 101.3 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

101.3 Public sewer connection. Where public sewers become available to the premises served, the use of the private sewage disposal system shall be discontinued within that period of time required by ~~law, but such period shall not exceed 1 year~~the Building Official. The building sewer shall be disconnected from the private sewage disposal system and connected to the public sewer. Sewers shall be deemed available in accordance with the 2006 International Plumbing Code. A public sewer system shall be considered available when the lot or tract is located within 400 feet of the public sewer and public sewer is considered available for connection by the Johnson County Wastewater District.

SECTION 167. Overland Park Municipal Code Section 16.180.102.2 is hereby amended to read as follows:

16.180.102.2

Section 102.2 of the 2003~~6~~ International Private Sewage Disposal Code is hereby ~~amended to read as follows:~~deleted.

SECTION 168. Overland Park Municipal Code Section 16.180.103 is hereby amended to read as follows:

16.180.103

Sections 103 through ~~104-109~~ of the 2003~~6~~ International Private Sewage Disposal Code are hereby deleted.

SECTION 169. Overland Park Municipal Code Section 16.180.302.2 is hereby amended to read as follows:

16.180.302.2

Section 302.2 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

302.2 Cesspools and privies. Privies ~~shall be prohibited and~~ Cesspools shall be prohibited, ~~except where approved by the code official. Where approved, cesspools shall be designed and installed in accordance with Chapter 10~~Any existing cesspool or privy shall be considered a nuisance and abated.

SECTION 170. Overland Park Municipal Code Section 16.180.403.1.6 is hereby amended to read as follows:

16.180.403.1.6

Section 403.1.6 of the 2003~~6~~ International Private Sewage Disposal Code is hereby added to read as follows:

403.1.6 Soil data. A soil test report shall be submitted, indicating soil boring and percolation test data related to the undisturbed and finished grade elevations, vertical elevation reference point, and horizontal reference point. Surface elevations shall be given for all soil borings. All soil reports shall bear the signature of a soil tester and shall reference the soil in accordance with the Munsell Color System at each horizon level.

The City is to be notified at least 24 hours prior to the conduction of any soil testing to allow monitoring of these tests by the City at its discretion.

SECTION 171. Overland Park Municipal Code Section 16.180.403.5 is hereby amended to read as follows:

16.180.403.5

Section 403.5 of the 2006 International Private Sewage Disposal Code is hereby added to read as follows:

403.5 Protection of excavated areas. All borings, trenches, and other excavations shall be protected by fences or other means to prevent injury by parties entering the property.

SECTION 172. Overland Park Municipal Code Section 16.180.404 is hereby amended to read as follows:

16.180.404

Section 404 of the 2003~~6~~ International Private Sewage Disposal Code is hereby deleted.

SECTION 173. Overland Park Municipal Code Section 16.180.405.2.5 is hereby amended to read as follows:

16.180.405.2.5

Section 405.2.5 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

405.2.5 Observations. The first observation shall be made on or before ~~{DATE}~~March 1. Observations shall be made thereafter every seven (7) days or less until ~~{DATE}~~November 30 or until the site is determined to be unacceptable, whichever occurs first. Where water is observed above the critical depth at any time, an observation shall be made one (1) week later. Where water is present above the critical depth at both observations, monitoring shall cease and the site shall be considered unacceptable. Where water is not present above the critical depth at the second observation, monitoring shall continue until ~~{DATE}~~November 30. Where any two observations seven (7) days apart show the presence of water above the critical depth, the site shall be considered unacceptable and the ~~code~~Building Official shall be notified in writing. When rainfall of 0.5 inch (~~12.7 mm~~1/2”) or more occurs in a 24-hour period during monitoring, observations shall be made at more frequent intervals, where necessary.

SECTION 174. Overland Park Municipal Code Section 16.180.405.2.6 is hereby amended to read as follows:

16.180.405.2.6

Section 405.2.6 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

405.2.6 Reporting data. Where monitoring shows saturated conditions, the following data shall be submitted in writing: test locations; ground elevations at the wells; soil profile descriptions; soil series, if available from soil maps; dates observed; depths to observed water; and local precipitation data—, monthly from ~~{DATE}~~ at least one year prior to monitoring and daily during monitoring.

Where monitoring discloses that the site is acceptable, the following data shall be submitted in writing: location and depth of test holes; ground elevations at the wells and soil profile descriptions; soil series, if available from soil maps; dates observed; results of observations; information on artificial drainage; and local precipitation data—, monthly from ~~{DATE}~~ at least one year prior to monitoring and daily during monitoring. A request to install a soil absorption system shall be made in accordance with Section 106.

SECTION 175. Overland Park Municipal Code Section 16.180.406.1 is hereby amended to read as follows:

16.180.406.1

Table 406.1 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

**TABLE 406.1
MINIMUM HORIZONTAL SEPARATION DISTANCES
FOR SOIL ABSORPTION SYSTEMS**

ELEMENT	DISTANCE (feet)
Cistern	50
Habitable building, below-grade foundation	25
Habitable building, slab-on-grade	15
Lake, high-water mark	50
Lot line	50 510
Reservoir	50
Roadway ditches	10
Spring	100
Streams or watercourse	50
Swimming pool	15
Uninhabited building	10
Water main	50
Water service	10
Water well	50

For SI: 1 foot = 304.8 mm.

SECTION 176. Overland Park Municipal Code Section 16.180.505.12 is hereby added to read as follows:

16.180.505.12

Section 505.12 of the 2006 International Private Sewage Disposal Code is hereby amended to read as follows:

505.12 Vitrified clay pipe. ~~Joints between vitrified clay pipe or fittings shall be made by the use of an elastomeric seal conforming to ASTM C 425, ASTM C 1173 or CAN/CSA B602~~ The use of vitrified clay pipe is prohibited.

SECTION 177. Overland Park Municipal Code Section 16.180.603.1 is hereby amended to read as follows:

16.180.603.1

Section 603.1 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

603.1 General. The bottom area for seepage trenches or beds or the side-wall area for seepage pits required for a soil absorption system serving residential property shall be determined from Table 603.1 using soil percolation test data and type of construction.

Exception: The only percolation class permitted in the City of Overland Park is Class 4.

SECTION 178. Overland Park Municipal Code Section 16.180.605.1 is hereby amended to read as follows:

16.180.605.1

Section 605.1 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

605.1 Seepage trench excavations. Seepage trench excavations shall be 1 foot to ~~5 3 feet (305 mm to 1534 mm)~~ wide. Trench excavations shall be spaced a minimum of 6 feet ~~(1829 mm)~~ apart. The absorption area of a seepage trench shall be computed by using only the bottom of the trench area. ~~Distribution piping in a seepage bed shall be uniformly spaced a maximum of 5 feet and a minimum of 3 feet apart, and a maximum of 3 feet and a minimum of 1 foot from the sidewall or headwall.~~ The bottom excavation area of the distribution header shall not be computed as absorption area. Individual seepage trenches shall be a maximum of 100 feet ~~(30 480 mm)~~ long, ~~except as unless~~ otherwise approved.

SECTION 179. Overland Park Municipal Code Section 16.180.605.3 is hereby amended to read as follows:

16.180.605.3

Section 605.3 of the 2003~~6~~ International Private Sewage Disposal Code is hereby deleted.

SECTION 180. Overland Park Municipal Code Section 16.180.605.5 is hereby amended to read as follows:

16.180.605.5

Section 605.5 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

605.5 Aggregate and backfill. A minimum of 6 inches ~~(152 mm)~~ of aggregate ranging in size from ½ to 2 ½ inches ~~(12.7 mm to 64 mm)~~ shall be laid into the trench or bed below the distribution pipe elevation. The aggregate shall be evenly distributed a minimum of 2 inches ~~(51 mm)~~ over the top of the distribution pipe. The aggregate shall be covered with approved synthetic materials or 9 inches ~~(229 mm)~~ of uncompacted marsh hay or straw. Building paper shall not be used to cover the aggregate. A minimum of 18 inches ~~(457 mm)~~ of soil backfill shall be provided above the covering.

Exceptions:

1. **Shallow-in-ground system:** On sites where conventional in-ground systems are unsuitable due to conditions such as high water table, shallow bedrock or slowly permeable soil layer, it may be possible to install a shallow-in-ground system. Essentially shallow-in-ground systems are identical to conventional systems in terms of design and construction with the following modifications:
 - a. The trench excavation can be as shallow as six inches (6”). The actual

excavation will be dependent upon the depth to the limiting factor. There must be two-to-four foot (2'-4') separation between the bottom of the trench and the limiting factor.

- b. The backfill material must be of the same textural class as the excavated soil. This material must be inspected and accepted by the local authority. A minimum of 10-12 inches (10"-12") of backfill cover needs to be provided, and it should extend at least 20 feet (20') beyond the perimeter of the absorption field.
 - c. It is recommended that the site be prepared by cutting grass as short as possible or even chisel plowing the area as is done prior to installation of a mound.
2. **Gravel less/chambered system:** This system may be considered in a situation where there is a residential property with a failed septic system under the following conditions:
- a. There is not enough property available to accommodate a full sized gravel trench system in square feet.
 - b. Upon doing soil profile excavation pits, the soils are found to be permeable to 60" in depth with no limiting areas.
 - c. The required square footage of trench will be determined by calculating the square footage of trench required for a convention absorption system, which is 330 square feet per bedroom (Section 603) and then allowing only 70% of that total square foot requirement for a chambered system.
 - d. All other aspects of the system will be installed according to the 2006 International Private Sewage Disposal Code.

SECTION 181. Overland Park Municipal Code Section 16.180.605.10 is hereby amended to read as follows:

16.180.605.10

Section 605.10 of the 2003~~6~~ International Private Sewage Disposal Code is hereby added to read as follows:

605.10 New construction. Where a private sewage system is installed where new home construction is not completed, distribution piping shall be protected with barriers to prevent construction traffic from crossing over the lateral field, trunk lines, and manifold piping.

SECTION 182. Overland Park Municipal Code Section 16.180.702.2.1 is hereby amended to read as follows:

16.180.702.2.1

Section 702.2.1 of the 2003~~6~~ International Private Sewage Disposal Code is hereby added to read as follows:

702.2.1 Percolation rate. The only percolation rate permitted in the City of Overland Park for Table 702.2 is 45 to 60.

SECTION 183. Overland Park Municipal Code Section 16.180.802.2 is hereby amended to read as follows:

16.180.802.2

Section 802.2 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

802.2 Design of septic tanks. Septic tanks shall have ~~not less than~~ a minimum of two (2) compartments. The inlet compartment shall be not less than two-thirds (~~2/3~~) of the total capacity of the tank, not less than a ~~500~~670-gallon (~~1893 L~~) liquid capacity and not less than 3 feet (~~914 mm~~)-wide and 5 feet (~~1524 mm~~)-long. The secondary compartment of a septic tank shall have ~~not less than~~ a minimum capacity of ~~250~~330 gallons (~~946 L~~) and not more than one-third (~~1/3~~) of the total capacity. The secondary compartment of septic tanks having a capacity ~~more~~greater than 1,500 gallons (~~5678 L~~) shall be not less than 5 feet (~~1524 mm~~)-long.

The liquid depth shall be a ~~not less than~~minimum of 30 inches (~~762 mm~~) and a maximum average of 6 feet (~~1829 mm~~). The total depth shall be ~~not less than~~at least 8 inches (~~203 mm~~) greater than the liquid depth.

Rectangular tanks shall be constructed with the longest dimensions parallel to the direction of the flow.

Cylindrical tanks shall ~~be not less than~~have a minimum inside diameter of 48 inches (~~1219 mm~~) in diameter.

SECTION 184. Overland Park Municipal Code Section 16.180.802.7.1 is hereby amended to read as follows:

16.180.802.7.1

Section 802.7.1 and Table 802.7.1 of the 2003~~6~~ International Private Sewage Disposal Code are hereby amended to read as follows:

802.7.1 Sizing of septic tank. The minimum liquid capacity for one- and two-family dwellings shall be in accordance with Table 802.7.1.

**TABLE 802.7.1
SEPTIC TANK CAPACITY FOR
ONE- AND TWO-FAMILY DWELLINGS**

NUMBER OF BEDROOMS	SEPTIC TANK (gallons)
1	750 1,000
2	750 1,200
3	1,000 1,200
4	1,200 1,425
5	1,425
6	1,650 1,875

7	1,875
8	2,100

For SI: 1 gallon = 3.785 L.

SECTION 185. Overland Park Municipal Code Section 16.180.805.1 is hereby amended to read as follows:

16.180.805.1

Section 805.1 of the 2003~~6~~ International Private Sewage Disposal Code is hereby amended to read as follows:

805.1 Approval. The installation of a holding tank shall not be approved where the site can accommodate the installation of any other private sewage disposal system specified in this code. A pumping and maintenance schedule for each holding tank installation shall be submitted to the ~~code~~~~-Building~~ ~~o~~Official.

Exception: Temporary sewage disposal facilities are permitted for systems meeting all of the following:

1. The system is installed for a period of time not to exceed two (2) years. Sufficient documentation, acceptable to the Building Official, shall be submitted to substantiate the temporary nature of the facility to ensure the facility will be removed or connected to the public sewer system within two (2) years.
2. The design and construction of the system conforms to the Holding Tank requirements of the 2006 International Private Sewage Disposal Code.
3. Public sewers are not available as defined in the 2006 International Plumbing Code.
4. The use of the building shall not utilize commercial cooking operations or any material that would be detrimental to the system.

SECTION 186. Overland Park Municipal Code Section 16.180.903.6.4 is hereby amended to read as follows:

16.180.903.6.4

Section 903.6.4 of the 2003~~6~~ International Private Sewage Disposal Code is hereby added to read as follows:

903.6.4 Percolation rate. The only percolation rate permitted in the City of Overland Park for Table 903.6 is greater than 60 to 120.

SECTION 187. Overland Park Municipal Code Section 16.180.1202.7 is hereby amended to read as follows:

16.180.1202.7

Section 1202.7 of the 2003~~6~~ International Private Sewage Disposal Code is hereby added to read as follows:

1202.7 Certification. Prior to occupancy, a certified engineer registered in the State of Kansas, which designed the sewage system, is required to certify the installation of the complete sewage system.

SECTION 188. Overland Park Municipal Code Section 16.190.100 is hereby amended to read as follows:

16.190.100 Property Maintenance Code – Incorporation.

There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications, for the control of buildings and structures within the City; the issuing, suspension, and revocation of permits; the collection of fees; the making of inspections; the execution of plan reviews; the enforcement of Chapter 16.100 of the Overland Park Municipal Code and the fixing of penalties for violations thereof, the 2003~~6~~ International Property Maintenance Code, dated ~~December, 2002~~January, 2006, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in Overland Park Municipal Code Chapters 16.100 through and including 16.190 and including such new and additional provisions added to said code by Overland Park Municipal Code Chapters 16.100 through and including 16.190. Not less than three (3) copies of said 2003~~6~~ International Property Maintenance Code shall be marked Official Copy as Adopted by Ordinance No. BC-~~24592635~~, to which shall be attached a copy of the ordinance codified herein, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. The Municipal Court and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

SECTION 189. Overland Park Municipal Code Section 16.190.101.1 is hereby amended to read as follows:

16.190.101.1

Section 101.1 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of ~~[NAME OF JURISDICTION]~~ the City of Overland Park, Kansas, hereinafter referred to as “this code.”

SECTION 190. Overland Park Municipal Code Section 16.190.101.5 is hereby amended to read as follows:

16.190.101.5

Section 101.5 of the 2003~~6~~ International Property Maintenance Code is hereby added to read as follows:

101.5 General. The Building Official, or, where appropriate, the Governing Body, is authorized, subject to any adopted policies or administrative rules or regulations, to take the following actions to bring the subject property into compliance with this code or other ordinances of the City. Those actions include, without being limited to, abatement of the

violation; vacation of the premises until the violation is corrected; prohibition of occupancy of the premises until the violation is corrected; issuance of a Notice to Appear in Municipal Court; injunctive or other relief in the District Court of Johnson County; suspension or revocation of any City licenses pertaining to the premises that remain in violation, and any other necessary or appropriate actions authorized by any applicable law, ordinance, statute, rule or regulation. If no public necessity is found for the immediate demolition of the structure or premises, the Building Official or Governing Body may take such other action, including, without limitation, causing the property to be cleaned, cleared, vacated, secured or otherwise repaired or any other action deemed necessary to promote the public health, safety or general welfare. The provisions of O.P.M.C. Section 7.26.230 shall be made applicable to this Section and pursuant to those provisions and any other applicable laws, statutes, ordinances, rules or regulations, the property owner may be charged for the costs incurred by the City in taking any actions to abate or correct such unlawful conditions, including administrative fees, and a lien may be placed on the property for any such unpaid costs and fees. The City Manager shall designate the department, division, employee or agency of the City to enforce this code, and such designee shall, for the purposes of this code, be known as the “Building Official” or “Code Administrator.” In this code the term “Department of Property Maintenance Inspection” shall be used synonymously with the term “Building Official” or “Code Administrator.”

SECTION 191. Overland Park Municipal Code Section 16.190.102.3 is hereby amended to read as follows:

16.190.102.3

Section 102.3 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the 2006 International Existing Building Code, ~~International Fuel Gas Code, International Mechanical Code and the ICC Electrical Code~~. Nothing in this code shall be construed to cancel, modify or set aside any provisions of ~~the International Zoning Code~~ Title 18 of the Overland Park Municipal Code also known as the “Unified Development Ordinance.”

SECTION 192. Overland Park Municipal Code Section 16.190.102.7 is hereby amended to read as follows:

16.190.102.7

Section 102.7 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and ~~such codes and standards shall be~~ considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

102.7.1 Electrical Code. The ICC Electrical Code referenced in Chapter 45 has been deleted and replaced with NFPA-70 (National Electrical Code, 2005 Edition). Wherever the term ICC Electrical Code has been used in this code it shall be used synonymously with the term "NFPA-70" listed in Chapter 45.

SECTION 193. Overland Park Municipal Code Section 16.190.103 is hereby amended to read as follows:

16.190.103

Sections 103, 104, 105, and 106 of the 2003~~6~~ International Property Maintenance Code are hereby deleted.

SECTION 194. Overland Park Municipal Code Section 16.190.107.4 is hereby amended to read as follows:

16.190.107.4

Section 107.4 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section ~~106.41~~13.4 of the 2006 International Building Code.

SECTION 195. Overland Park Municipal Code Section 16.190.108.1.4 is hereby amended to read as follows:

16.190.108.1.4

Section 108.1.4 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered, or occupied ~~contrary to law~~ or is being maintained in violation of the Municipal Code or any other applicable laws, statutes, rules or regulations.

SECTION 196. Overland Park Municipal Code Section 16.190.108.6 is hereby amended to read as follows:

16.190.108.6

Sections 108.6 through 108.6.11 of the 2003~~6~~ International Property Maintenance Code are hereby added to read as follows:

108.6 Fire, explosion, or windstorm. Damage created by fire, explosion, or windstorm shall comply with the provisions of Sections 108.6.1 through 108.6.11.

108.6.1 Scope and application. The City of Overland Park, Kansas, is hereby authorized to utilize the procedures established by K.S.A. 40-3901 et seq., whereby no

insurance company shall pay a claim of a named insured for loss or damage to any building or structure located within the City, arising out of any fire, explosion or windstorm, where the amount recoverable for the loss or damage to the building or structure under all policies covering such building or structure is in excess of 75 percent (75%) of the face value of the policy covering such building or structure, unless there is compliance with the procedures set out in this ordinance.

108.6.2 Lien created. The Governing Body of the City hereby creates a lien in favor of the City on the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure located within the City, caused by or arising out of any fire, explosion or windstorm, where the amount recoverable for all the loss or damage to the building or other structure under all policies is in excess of 75 percent (75%) of the face value of the policy(s) covering such building or other insured structure. The lien arises upon any unpaid tax, special ad valorem levy, or any other charge imposed upon real property by or on behalf of the City which is an encumbrance on real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that has remained undischarged for at least one year prior to the filing of a proof of loss.

108.6.3 Same, encumbrances. Prior to final settlement on any claim covered by Section 108.6.2, the insurer or insurers shall contact the County Treasurer, Johnson County, Kansas, to determine whether any such encumbrances are presently in existence. If the same are found to exist, the insurer or insurers shall execute and transmit in an amount equal to the owing under the encumbrances a draft payable to the County Treasurer, Johnson County, Kansas.

108.6.4 Same; pro rata basis. Such transfer of proceeds shall be on a pro rata basis by all insurance companies insuring the building or other structure.

108.6.5 Procedure:

1. When final settlement on a covered claim has been agreed to or arrived at between the named insured or insureds and the company or companies, and the final settlement exceeds 75 percent (75%) of the face value of the policy covering the building or other structure, and when all amounts due the holder of a first mortgage against the building or other structure, pursuant to the terms of the policy and endorsements thereto, shall have been paid, the insurance company or companies shall execute a draft payable to the City Treasurer in an amount equal to the sum of 15 percent (15%) of the covered claim payment unless the Building Official of the City has issued a certificate to the insurance company or companies that the insured has removed the damaged building or other structure, as well as all associated debris, or repaired, rebuilt, or otherwise made the premises safe and secure.
2. Such transfer of funds shall be on a pro rata basis by all companies insuring the building or other structure. Policy proceeds remaining after the transfer to the City shall be disbursed in accordance with the policy terms.

3. Upon the transfer of funds as required by Section 108.6.1 of this Section, the insurance company shall provide the City with the name and address of the named insured or insureds, the total insurance coverage applicable to said building or other structure, and the amount of the final settlement agreed to or arrived at between the insurance company or companies and the insured or insureds, whereupon the Building Official shall contact the named insured or insureds by registered mail, informing them that said insurance proceeds have been received by the City and apprise them of the procedures to be followed under this ordinance.

108.6.6 Fund created; deposit of moneys. The City Treasurer is hereby authorized and shall create a fund to be known as the "Insurance Proceeds Fund." All moneys received by the City Treasurer as provided for by this ordinance, shall be placed in said fund and deposited in an interest-bearing account.

108.6.7 Building Inspector; investigation, removal of structure.

1. Upon receipt of moneys provided for by this ordinance, the City Treasurer shall immediately notify the Building Official of said receipt, and transmit all documentation received from the insurance company or companies to the Building Official.
2. Within 20 days of the receipt of said moneys, the Building Official shall determine, after prior investigation, whether the City shall instigate proceedings under the provisions of K.S.A. 12-1750 et seq., as amended.
3. Prior to the expiration of the 20 days established by Section 108.6.7(2) of this Section, the Building Official shall notify the City Treasurer whether he or she intends to initiate proceedings under K.S.A. 12-1750 et seq., as amended.
4. If the Building Official has determined that proceedings under K.S.A. 12-1750 et seq., as amended shall be initiated, he or she will do so immediately but no later than 30 days after receipt of the moneys by the City Treasurer.
5. Upon notification to the City Treasurer by the Building Official that no proceedings shall be initiated under K.S.A. 12-1750 et seq., as amended, the City Treasurer shall return all such moneys received, plus accrued interest, to the insured or insureds as identified in the communication from the insurance company or companies. Such return shall be accomplished within 30 days of the receipt of the moneys from the insurance company or companies.

108.6.8 Removal of structure excess moneys. If the Building Official has proceeded under the provisions of K.S.A. 12-1750 et seq., as amended, all moneys in excess of that which is ultimately necessary to comply with the provisions for the removal of the building or structure, less salvage value, if any, shall be paid to the insured.

108.6.9 Same; disposition of funds. If the Building Official, with regard to a building or other structure damaged by fire, explosion, or windstorm, determines that it is necessary to act under K.S.A. 12-1756, any proceeds received by the City Treasurer under the authority of Section 108.6.5(1) relating to that building or other structure shall be used to reimburse the City for any expenses incurred by the City in proceeding under

K.S.A. 12-1756. Upon reimbursement from the insurance proceeds, the Building Official shall immediately effect the release of the lien resulting therefrom. Should the expenses incurred by the City exceed the insurance proceeds paid over to the City Treasurer under Section 108.6.5(1), the Building Official shall publish a new lien as authorized by K.S.A. 12-1756, in an amount equal to such excess expenses incurred.

108.6.10 Effect upon insurance policies. This ordinance shall not make the City a party to any insurance contract, nor is the insurer liable to any party for any amount in excess of the proceeds otherwise payable under its insurance policy.

108.6.11 Insurers; liability. Insurers complying with this ordinance or attempting in good faith to comply with this ordinance shall be immune from civil and criminal liability and such action shall not be deemed in violation of K.S.A. 40-2404 and any amendments thereto, including withholding payment of any insurance proceeds pursuant to this ordinance, or releasing or disclosing any information pursuant to this ordinance.

SECTION 197. Overland Park Municipal Code Section 16.190.109.1 is hereby added to read as follows:

16.190.109.1

Section 109.1 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

109.1 Imminent danger. When, in the opinion of the ~~code~~ Building Official, there is imminent danger of failure or collapse of a building ~~or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure,~~ or when any structure or part of a structure has collapsed, or when there is actual or potential danger to the building occupants because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the ~~code~~ Building Official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. ~~When the Building Official has determined that a structure is in danger of collapse or has suffered a partial collapse, and thus poses an imminent danger to life for those in proximity to the structure, the Building Official is further authorized to order the immediate removal or demolition of the structure or portion thereof as authorized under K.S.A. 12-1756.~~

The ~~code~~ Building Official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the ~~Code~~ Building Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

SECTION 198. Overland Park Municipal Code Section 16.190.110.1.1 is hereby amended to read as follows:

16.190.110.1.1

Section 110.1.1 of the 2003~~6~~ International Property Maintenance Code is hereby added to read as follows:

110.1.1 Enforcement against unsafe structure. The following procedures shall be used to process actions regarding unsafe structures:

1. The Building Official shall cause a written report to be filed with the Governing Body of the City describing the situation, its location, and the circumstances that support the determination that the structure is unsafe; and,
2. The Governing Body shall fix a time and place at which the owner, representative, tenant, or lien holders of record may appear and show cause why such structure should not be condemned and ordered repaired or demolished; and,
 - 2.1 A resolution, including the findings of the Governing Body and the time and place for the hearing, shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing. A copy of the resolution shall be mailed by certified mail, return receipt requested, within three days after its first publication to each such owner, representative, tenant or lien holder of record, as can reasonably be determined, at the last known address and shall be marked, "deliver to addressee only."
3. On the hearing date fixed by the Governing Body's resolution all relevant parties, interest holders, and relevant City officials shall be allowed to present evidence concerning the status of the property. The Governing Body shall subsequently make findings by resolution; and,
4. If the Governing Body finds that such structure is unsafe or dangerous, such resolution shall direct the structure to be repaired or removed and the premises made safe and secure; and,
 - 4.1 Such resolution shall be published once in the official city newspaper and a copy mailed to the owners, representatives, tenants, or lien holders of record by certified mail, return receipt requested.
 - 4.2 The resolution shall fix a reasonable time within which the repair or removal of the structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated, or fails to diligently commence such action until the work is completed, the Governing Body will cause the structure to be razed and removed.
5. If the Building Official determines that a violation of this Act exists, he or she may issue a Notice to Appear in Municipal Court for such violation. No other procedures are required as a prerequisite to the issuance of a Notice to Appear.

SECTION 199. Overland Park Municipal Code Section 16.190.111 is hereby amended to read as follows:

16.190.111

Section 111 of the 2003~~6~~ International Property Maintenance Code is hereby deleted.

SECTION 200. Overland Park Municipal Code Section 16.190.112 is hereby amended to read as follows:

16.190.112

Section 112 of the 2006 International Property Maintenance Code is hereby added to read as follows:

112 Appeals. Any person directly affected by a decision of the Building Official or a notice or order issued under this code directly pertaining to the interpretation or application of technical provisions of this code or the City’s adopted building codes shall have the right to appeal to the Code Board of Appeals, pursuant to the applicable provisions of the Overland Park Municipal Code pertaining to that board. Any person directly affected by any decision of the Building Official or a notice or order issued under this code not under the jurisdiction of the Code Board of Appeals shall have only such rights of appeal as are specified in any applicable laws, statutes, ordinances, rules or regulations.

SECTION 201. The Overland Park Municipal Code Section 16.190.304.2 is hereby amended to read as follows:

16.190.304.2

Section 304.2 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint areas in excess of 20 percent (20%) of any individual surface area shall be eliminated and such surfaces repainted. The area of peeling, flaking or chipped paint shall be calculated by drawing one rectangle around all occurrences of the peeling, flaking and chipped paint on any individual surface and calculating the area of that rectangle. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

SECTION 202. The Overland Park Municipal Code Section 16.190.304.3.1 is hereby amended to read as follows:

16.190.304.3.1

Section 304.3.1 of the 2003~~6~~ International Property Maintenance Code is hereby added to read as follows:

304.3.1 Secondary entry numbers. Multi-tenant shopping centers in which tenant spaces

have secondary entry doors from an exterior facade of the building and have paved vehicle access adjacent to such doors shall have approved numbers or addresses placed on or adjacent to each door. Secondary address numbers shall be a minimum of 4 inches in height.

Exception 1: If more than one entry door is installed on a facade, only one door needs to be marked (entry doors defined as overhead cargo doors and normal passage doors).

Exception 2: The Building Official may grant further exceptions after consultation with the Crime Prevention Unit of the Overland Park Police Department if it can be shown that marking the doors would create a security risk.

SECTION 203. The Overland Park Municipal Code Section 16.190.304.7 is hereby amended to read as follows:

16.190.304.7

Section 304.7 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water and water from intermittent sources such as discharges from sump pumps, foundation drains, or other similar sources, excluding lawn sprinklers, shall not be discharged at a point closer than five feet to any adjoining property line nor in a manner that creates a public nuisance.

SECTION 204. The Overland Park Municipal Code Section 16.190.304.14 is hereby amended to read as follows:

16.190.304.14

Section 304.14 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

304.14 Insect screens. During the period from ~~{DATE}~~May 15 to ~~{DATE}~~October 15, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (~~16 mesh per 25 mm~~), and every screen-swinging door ~~used for insect control~~ shall have a self-closing device in good working condition.

Exception: Screens ~~doors~~ shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

SECTION 205. The Overland Park Municipal Code Section 16.190.404.4 is hereby added to read as follows:

16.190.404.4

Section 404.4 of the 2006 International Property Maintenance Code is hereby amended to read

as follows:

404.4 Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of Section 404.4.1 through 404.4.5.

404.4.1 Room area. Every living room shall contain at least 120 square feet ~~(11.2m²)~~. ~~and~~ Every bedroom occupied by one person shall contain at least 70 square feet ~~(6.5m²)~~. Every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

SECTION 206. The Overland Park Municipal Code Section 16.190.404.5 is hereby added to read as follows:

16.190.404.5

Section 404.5 of the 2006 International Property Maintenance Code is hereby by amended to read as follows:

404.5 Overcrowding. The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the ~~code~~Building Official, endanger the life, health, safety or welfare of the occupants. Dwelling units shall not be occupied by more occupants than permitted by Table 404.5.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

Table 404.5
MINIMUM AREA REQUIREMENTS

Space	Minimum Area in square feet		
	1-2 Occupants	3-5 Occupants	6 or more Occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

a. See Section 404.5.2 for combined living room/dining room spaces.

- b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

SECTION 207. The Overland Park Municipal Code Section 16.190.602.3 is hereby amended to read as follows:

16.190.602.3

Section 602.3 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units ~~or sleeping units~~, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from ~~{DATE}~~October 15 to ~~{DATE}~~May 15 to maintain a temperature of not less than 68°F (~~18~~20°C) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the 2006 International Plumbing Code.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

SECTION 208. The Overland Park Municipal Code Section 16.190.602.4 is hereby amended to read as follows:

16.190.602.4

Section 602.4 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from ~~{DATE}~~October 15 to ~~{DATE}~~May 15 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

SECTION 209. The Overland Park Municipal Code Section 16.190.606.1 is hereby added to read as follows:

16.190.606.1

Section 606.1 of the 2006 International Property Maintenance Code is hereby amended to read as follows:

606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodical intervals listed in ~~ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.~~ Table 606.1.

**TABLE 606.1
INSPECTION AND TEST INTERVALS IN “MONTHS”**

Reference Section	Equipment Type	Periodic Inspections		Periodic Test					
		Requirement	Interval	Category 1		Category 3		Category 5	
				Requirement	Interval	Requirement	Interval	Requirement	Interval
8.11.2	Electric elevators	8.11.2.1	6	8.11.2.2	12	N/A	N/A	8.11.2.3	60
8.11.3	Hydraulic elevators	8.11.3.1	6	8.11.3.2	12	8.11.3.3	36	8.11.3.4	60
8.11.4	Escalators and moving walks	8.11.4.1	6	8.11.4.2	12	N/A	N/A	N/A	N/A
8.11.5.1	Sidewalk elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.3	Hand elevators	8.11.2.1	12	8.11.2.2	12	N/A	N/A	8.11.2.3, 8.11.3.4	60
8.11.5.4	Dumbwaiters	8.11.2.1, 8.11.3.1	12	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.5	Material lifts and dumbwaiters with automatic transfer devices	8.11.2.1, 8.11.3.1	12	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.6	Special purpose personnel elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.7	Inclined elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.8	Shipboard elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.9	Screw-column elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.10	Rooftop elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.12	Limited-use/limited-application elevators	8.11.2.1, 8.11.3.1	6	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60
8.11.5.13	Elevators used for construction	8.11.2.1, 8.11.3.1	3	8.11.2.2, 8.11.3.2	12	8.11.3.3	36	8.11.2.3, 8.11.3.4	60

SECTION 210. The Overland Park Municipal Code Section 16.190.800 is hereby amended to read as follows:

16.190.800

Chapter 8 of the 2003~~6~~ International Property Maintenance Code is hereby amended to read as follows:

REFERENCED STANDARDS. The referenced standards shall be amended as follows:

Delete:

ICC EC – 200~~3~~06 ICC Electrical Code.

IZC – 200~~36~~ International Zoning Code.

Add:

NFPA 70 National Electrical Code, 200~~25~~ Edition

SECTION 211. Existing Overland Park Municipal Code Sections 16.100.100, 16.100.101.1, 16.100.101.2, 16.100.101.4.1, 16.100.103.1, 16.100.103.2, 16.100.105.1.3, 16.100.105.2, 16.100.105.3.4, 16.100.105.3.5, 16.100.105.3.6, 16.100.105.3.7, 16.100.105.3.8, 16.100.105.3.9, 16.100.105.5, 16.100.108.2, 16.100.112.1.1, 16.100.112.1.2, 16.100.112.1.3, 16.100.112.2.1, 16.100.112.3.1, 16.100.113.3, 16.100.113.4, 16.100.113.5, 16.100.310.2, 16.100.507.2, 16.100.903.3.7, 16.100.903.4.3.1, 16.100.907.9.1.5, 16.100.1019.1.7, 16.100.3103.1.1, 16.100.3410.2, 16.110.100, 16.110.101.2, 16.110.102.5.1, 16.110.103, 16.110.120, 16.110.301.2(1), 16.110.306.5, 16.110.309.7, 16.110.310.1, 16.110.321.1, 16.110.321.2, 16.110.328, 16.110.403.1.1.1, 16.110.403.1.1.2, 16.110.403.1.6.2, 16.110.404.1.3, 16.110.506.2.4, 16.110.602.10.5.1, 16.110.703.6, 16.110.703.6.2.2, 16.110.801.3, 16.110.901.2, 16.110.901.3, 16.110.1101.2, 16.110.1102.1, 16.110.3103.1, 16.110.3802.11, 16.120.100, 16.120.101.2, 16.120.102.6, 16.120.103, 16.120.104.12, 16.120.105.1, 16.120.105.6.15, 16.120.105.6.21, 16.120.105.6.31, 16.120.105.7.12, 16.120.108, 16.120.109.3, 16.120.111.4, 16.120.307.2, 16.120.307.3, 16.120.308.3.1.1, 16.120.310.2, 16.120.407.2, 16.120.503.3, 16.120.505.1, 16.120.506.2, 16.120.508.1, 16.120.508.4, 16.120.508.5.2, 16.120.510.1, 16.120.804.1.1, 16.120.901.4.5, 16.120.903.3.7, 16.120.906.1, 16.120.913.4, 16.120.1019.1.7, 16.120.2403.2, 16.120.3301.1.3, 16.120.3304.1, 16.120.3305, 16.120.3403.6.3.2, 16.120.3404.2.11.5.2, 16.120.3404.2.12.3, 16.120.3404.2.13.1.3, 16.120.3404.2.13.1.4, 16.120.D103.1, 16.120.D104.1, 16.120.D107.1, 16.130.100, 16.130.101.2, 16.130.103, 16.130.108, 16.130.305.6.1, 16.130.305.6.2, 16.130.312.1, 16.130.312.6, 16.130.312.9, 16.130.504.3, 16.130.701.2.1, 16.130.715.1, 16.130.904.1, 16.130.1101.1, 16.130.1301, 16.130.1301.1, 16.140.100, 16.140.101.2, 16.140.102.10, 16.140.103, 16.140.106.3, 16.140.107, 16.150.100, 16.150.101.3.1, 16.150.103, 16.150.106, 16.150.107, 16.160.100, 16.160.180, 16.160.210.12, 16.160.310.14, 16.160.334.10, 16.170.100, 16.170.101.2, 16.170.101.4, 16.170.130, 16.170.601.2, 16.170.802.1, 16.170.802.2, 16.170.830, 16.180.100, 16.180.101.2, 16.180.101.3, 16.180.102.2, 16.180.103, 16.180.106.3, 16.180.107, 16.180.302.2, 16.180.403.1.6, 16.180.403.5, 16.180.404, 16.180.405.2.5, 16.180.405.2.6, 16.180.406.1, 16.180.505.11, 16.180.603.1, 16.180.605.1, 16.180.605.3, 16.180.605.5, 16.180.605.10, 16.180.702.2.1, 16.180.802.2, 16.180.802.7.1, 16.180.805.1, 16.180.903.6.4, 16.180.1202.7, 16.190.100, 16.190.101.1, 16.190.101.5, 16.190.102.3, 16.190.102.7, 16.190.103, 16.190.107.4, 16.190.108.1.4, 16.190.110.1.1, 16.190.112, 16.190.304.2, 16.190.304.3.1, 16.190.304.7, 16.190.304.14, 16.190.602.3, 16.190.602.4, and 16.190.800 are hereby repealed.

SECTION 212. This ordinance shall take effect and be in force from and after January 1, 2007, and after its publication in *The Olathe Daily News*, an official City newspaper.

PASSED by the City Council this 18th day of December, 2006.

APPROVED by the Mayor this 18th day of December, 2006.

Carl Gerlach, Mayor

ATTEST:

Marian Cook
City Clerk

APPROVED AS TO FORM:

J. Bart Budetti
Senior Assistant City Attorney