

ORDINANCE NO. 2674

AN ORDINANCE DECLARING, ESTABLISHING, AMENDING AND CREATING CODES, PROCEDURES AND POLICIES FOR CONSTRUCTION, INCLUDING THE BUILDING, ELECTRIC, FIRE, FUEL GAS, HOUSING, MECHANICAL, PLUMBING, AND RESIDENTIAL CODES, AMENDING CHAPTERS 15.05, 15.15, 15.25, 15.30, 15.35, 15.40, 15.45 AND 15.50. BUILDINGS AND CONSTRUCTION OF THE CODE OF THE CITY OF GARDNER, KANSAS, AND AMENDING OR REPEALING ALL ORDINANCES OR REGULATIONS NOT IN CONFORMITY HEREWITH.

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

SECTION ONE: Title 15, Buildings and Construction, Chapter 15.05, Building Code is hereby amended to read as follows:

Chapter 15.05 Building Code

15.05.010 ADOPTION OF BUILDING CODE. The International Building Code, 2018 Edition, including Appendix Chapters C, E, and N, published by the International Code Council is hereby adopted by reference as the Building Code of the City of Gardner, Kansas, and not less than one copy of last edition of said code, marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Building Code" shall mean the International Building Code, 2018 Edition, published by the International Code Council.

15.05.020 AMENDMENTS TO THE CODE. The "Building Code," as adopted by GMC 15.05.010, is hereby amended and changed to read as follows:

- A. Section 101.1 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Title. These regulations shall be known as the Building Code for the City of Gardner, Kansas, hereinafter referred to as "this code."

- B. Section 103 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Code Official. The City Administrator shall appoint the "Building Official" or "Code Official," who shall have the duty of enforcing the provisions of this Chapter.

- C. Section 105.1.3 of the International Building Code, 2018 Edition, is hereby enacted and reads as follows:

County License Required: All persons undertaking work which requires a permit as provided in Title 15, chapters 15.05, 15.15, 15.25, 15.30, 15.40, 15.45, and 15.50 or seeking to obtain that permit from the City, except for the construction of fences, the owner-occupant of one and two family structures, and other ancillary structures as determined by the Building Official, are required to have a current valid Johnson County contractor's license as adopted by the Board of

County Commissioners by Resolution 058-01 and all additional regulations adopted by the Contractor Licensing Review Board. Single family homeowners performing their own work are required to live and reside in the dwelling as their primary residence for twelve (12) consecutive months after the passing final inspection.

D. Section 105.2 of the International Building Code, 2018 Edition, is hereby amended to omit the exemption of 2. Fences not over 7 feet, 3. Oil Derricks, and 6. Sidewalks and driveways not more than 30 inches above grade, and not over any basement or story below and not part of any accessible route.

E. Section 109.2 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Permit Fees. The Governing Body shall establish the permit fees by resolution.

F. Section 109.3 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Building permit valuations. The Governing Body shall establish the building permit valuation by resolution.

G. Section 109.6 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Refunds. The Code Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than seventy-five (75) percent of the permit fee when no work has been done after 180 days under a permit issued in accordance with this code.

The Code Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than sixty (60) days after the date of the fee payment.

H. Section 111.1 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification or change in the existing business of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy thereof as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction. An inspection is required by the building official prior to issuing a new certificate of occupancy and a fee paid to the jurisdiction. The fee shall be set by the Governing Body by resolution, unless the work is exempt under Section 105.2 of the International Building Code, 2018 Edition.

I. Section 111.3 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Temporary Occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The time period for temporary occupancy shall be set by the Building Official. At such time one extension can be granted by the building official for exterior work only and only for seasonal conditions. The fee for temporary occupancy certificates shall be set by the governing body by resolution.

- J. Section 113 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Board of Appeals

(a) Organization and Members: In order to determine the suitability of alternate material and types of construction and to provide for reasonable interpretations of the provisions of this Building Code, Mechanical Code, Plumbing Code, Fire Code and Electrical Codes, there shall be and is hereby created a Board of Appeals, consisting of five (5) members, appointed by the Mayor with the consent of the City Council, who are qualified by experience and training to pass upon matters pertaining to construction. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant and may recommend to the City Council such new legislation as is consistent therewith.

(b) Rules, Meetings and Records: The Board shall adopt rules to govern its proceedings in accordance with the provisions of this code.

(c) Appeals: Any person whose application for a building permit for the use of an alternate material or type of construction has been refused by the building official, or who may consider that the provisions of this building code or the electrical, fire, fuel gas, property maintenance, mechanical, plumbing, and residential codes do not cover the point raised, or that any particular provisions would cause a manifest injury to be done may appeal to the Board of Appeals by serving written notice on the building official in which it shall be stated that the applicant desiring to use the alternate materials or types of construction shall guarantee payment of all expenses for necessary tests made or ordered by the Board of Appeals. Such notice shall be at once transmitted to the Board, which Board shall arrange a hearing on the particular point raised. The Board shall meet upon notice of the chairman within fourteen (14) days of the filing of an appeal. It shall be the responsibility of the applicant to notify other interested parties they would like present at the meeting.

(d) Authority of Board: The Board of Appeals shall interpret the provisions of this Code to cover a special case if it appears that the provisions of this Code or the electrical, fire, fuel gas, property maintenance, mechanical, plumbing, or residential codes not definitely cover the point raised or that a manifest injustice might be done. The decision of the Board shall be by majority vote provided that a quorum is present and if not permitted by this building code shall become effective only when authorized by an amendment to this Code or the mechanical, plumbing or electric codes whichever is applicable.

- K. Section 114 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Violations:

(a) Unlawful Acts: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, extend, repair, move, improve, remove, convert, use, maintain, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any provisions of this code.

(b) Notice of Violation: The building official is authorized to serve a notice of violation or order on the person or owner responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of the code. Such order or notice shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(c) Penalties: The violation of any provision of this code shall be deemed to be a misdemeanor; and any person, firm, association, partnership or corporation convicted thereof shall be punished by a fine of not less than \$100.00 or greater than \$500.00 per offense; and the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this code and seek civil penalties in the amount of not less than \$100.00 or greater than \$500.00 per offense; and to abate nuisances maintained in violation thereof, and, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the occupancy of said building, structure or land. Each day a violation of this Code shall continue shall constitute a separate offense.

- L. Section 903.2.10 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the International Building Code where either of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 12,000 square feet (1115m²).
2. Where the enclosed parking garage is located beneath other groups.

- M. Section 903.3.1.2.4 of the International Building Code, 2018 Edition, is hereby is hereby enacted and reads as follows:

Attached garages. Fire sprinkler protection shall be provided in attached garages.

- N. Section 903.3.1.3 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings, Group R-3, and Group R-4, Condition 1; and townhouses shall be permitted to be

installed throughout in accordance with NFPA 13D. This shall include sprinkler protection in attached garages.

- O. Section 903.3.5.3 of the International Building Code, 2018 Edition, is hereby enacted and reads as follows:

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 the automatic sprinkler system.

- P. Section 903.4.2.1 of the International Building Code, 2018 Edition, is hereby enacted and reads as follows:

Occupant notification in sprinklered buildings. Where a new automatic fire sprinkler system is installed in a building that does not have a fire alarm system, occupant notification shall be provided. Occupant notification shall be provided in accordance with Section 907.5.

Exception: Occupant notification may be provided by an alternative method when approved by the fire code official.

- Q. Section 903.3.5.3 of the International Building Code, 2018 Edition, is hereby enacted and reads as follows:

Main control valve access. The main control valve shall be accessible. To be considered accessible, a clear space 3 feet wide by 3 feet deep 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 floor level.

- R. Section 1023.9.1 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Signage requirements. Stairways should be identified using a method approved by the fire code official. Stairway identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches by 12 inches.
2. The letters designating the identification of the interior exit stairway and ramp shall be not less than 1 1/2 inches in height.
3. The number designating the floor level shall be not less than 5 inches in height and located in the center of the sign.
4. Other lettering and numbers shall be not less than 1 inch in height.
5. Characters and their background shall have a non-glare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.
6. Where signs required by Section 1023.9 are installed in the interior exit stairways and ramps of buildings subject to Section 1025, the signs shall be made of the same materials as required by Section 1025.4.

- S. Chapter 13 of the International Building Code, 2018 Edition, Energy Efficiency, is hereby deleted in its entirety.
- T. Section 1809.5 of the International Building Code, 2018 Edition, is hereby amended with the addition of the following sentence:

Frost Protection. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

- 1) Extending below the frost line of thirty-six (36) inches.
- 2) Constructing in accordance with ASCE 32.
- 3) Erecting on solid rock with support from a geo-technical report.

Exception: free standing, non-habitable buildings of light frame construction less than 400 square feet in floor area.

- U. Section 3303.1 of the International Building Code, 2018 Edition, is hereby amended to read as follows:

Construction documents and permits. A permit must be obtained before any demolition. Construction documents and a schedule for demolition shall be submitted to the building official before any permit is issued. Work shall not be done until such permit is issued. The fee for a demolition permit will be set by a separate resolution passed by the Governing Body.

15.05.030 APPLICATION OF OTHER LAWS. The provisions of this Code shall not be deemed to nullify any provisions of the zoning law or any other ordinance of the City of Gardner pertaining to the location or type of construction of buildings, except as may be specifically required by the provisions of this Code.

SECTION TWO: Title 15, Buildings and Construction, Chapter 15.15, Electric Code is hereby amended to read as follows:

Chapter 15.15 Electric Code

15.15.010 ADOPTION OF ELECTRIC CODE. The National Electrical Code, 2017 Edition, published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, 02169, is hereby adopted by reference as the Electric Code of the City of Gardner, Kansas, and not less than one copy of last said edition, marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Electric Code" shall mean the National Electric Code, 2017 Edition, published by the National Fire Protection Association.

15.15.020 AMENDMENTS TO THE CODE. The "Electric Code," as adopted by GMC 15.15.010, is hereby amended and changed to read as follows:

- A. Section 90.4 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraphs to the existing Section 90.4 as follows.

Existing Equipment: Electrical conductors and equipment lawfully installed prior to the effective date of this Code may have their existing use, maintenance or repair continued, if the use, maintenance or repair is in accordance with the original design and location and is not a hazard to life, health or property. The owner or his/her designated agent shall be responsible for adequate maintenance of electrical conductors and equipment.

- B. Section 90-4 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraphs to the existing Section 90.4 as follows.

Right of Entry: Upon presentation of proper credentials, the building official or his/her duly authorized representatives may enter any building, structure, or premises in the City at reasonable hours, to perform any duty imposed upon him/her by this Code.

- C. Section 90-4 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraphs to the existing Section 90.4 as follows.

Stop Orders: Whenever any work is being done contrary to the provisions of this Code, the building official shall notify in writing the persons engaged in the doing or causing such work to be done, of violations found, specifying a period of time allowed to bring the work into code conformance.

- D. Section 90.4 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraphs to the existing Section 90.4 as follows.

Authority to Condemn Equipment:

(a) Whenever the building official learns or ascertains that any electrical conductor or equipment, as defined in this Code, has become hazardous to life, health, or property, he/she shall order, in writing, that such equipment be restored to a condition of safety or be dismantled or removed from its present location. The written notice shall fix a time limit for compliance with such order.

(b) The building official is authorized to seal off electrical current and/or fuel supply to equipment as defined in this Code where such installation is done without permit or does not meet the provisions of this Code. Where electric current or fuel supply has been sealed off, it shall be unlawful for any unauthorized person to break such seal. Upon corrections being made to meet requirements set forth in this Code the building official shall remove such seal.

- E. Section 90.4 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraphs to the existing Section 90.4 as follows.

Authority to Abate:

(a) Any portion of an electrical system found by the building official to be unsafe as defined herein is hereby declared to be a nuisance.

(b) Where a nuisance exists or an electrical system is maintained in violation of this Code or any notice issued pursuant to this section the building official shall require the nuisance or violation to be abated and, where necessary, shall seek such abatement in the manner provided by Law.

- F. Section 90.4 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraphs to the existing Section 90.4 as follows.

Administrative Authority: The building official or authorized representatives shall be the authority duly appointed to enforce this Code.

(a) **Violations:** It shall be unlawful for any person, firm or corporation to violate any of the provisions of this Code. The issuance or granting of a permit or approval of plans shall not prevent the building official from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code or of any other Ordinance or from revoking any certificate of approval when issued in error. Every permit issued by the building official under the provisions of this Code shall expire by limitation and become null and void, if the work authorized by such permit is not commenced within 180 days from date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore 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 plans and specifications for such work; and provided, further, that such suspension or abandonment has not exceeded one (1) year.

(b) **Penalties:** The violation of any provisions of this Code shall be deemed to be a misdemeanor; and any person, firm, association, partnership or corporation convicted thereof shall be punished by a fine of not less than \$100.00 or greater than \$500.00 per offense; and the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this Code and to seek civil penalties in the amount of not less than \$100.00 or greater than \$500.00 per offense and to abate nuisances maintained in violation thereof, and in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful installation of electrical conductor and equipment or to correct or abate such violation, or to prevent the occupancy of said building, structure or land. Each day a violation of this Code shall continue shall constitute a separate offense.

(c) **Liability:** The building official or any employee charged with the enforcement of this Code, acting in good faith without malice for the jurisdiction in the discharge of his/her duties, shall not thereby render himself liable personally and he/she hereby is relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reasons of any act or omission in the discharge of his/her duties. Any suit brought against the building official or his/her employees, because of such act or omission performed by him/her in the enforcement of any provisions of this Code, shall be defended by legal representation of the City until final termination of the proceeding.

- G. Section 90.4 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraphs to the existing Section 90.4 as follows.

Permit Required:

(a) No installation, alteration or removal shall be made to the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus or heating devices, nor shall alterations be made thereto, without a permit being first issued by the City. Contractor licensing shall be required as stated in 15.05 Section 105.1.3.

(b) The building official may, in writing, suspend or revoke a permit issued under provisions of this Code, whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any Ordinance or regulation of any provisions of this Code.

(c) Permit fees. The governing body shall establish the permit fees by resolution.

(d) The refunding of permit fees shall be the same as stated in 15.05.020 G.

(e) Inspections: All work shall be subject to inspection by Business and Economic Development personnel. Any portion of equipment which will be concealed prior to completion shall be subject to inspection prior to such work being concealed.

(f) Board of Appeals: The same board as appointed to act as a Board of Appeals for the building code, Section 15.05.020 J, shall act as Board of Appeals for the electric code in making determinations of any appeal arising from the actions of the building official. Procedures followed shall be the same as outlined for the Building Code Appeals.

- H. Section 210.12(A)'s Exception of the National Electrical Code, 2017 Edition, is hereby amended to read as follows:

Where an individual branch circuit to a fire alarm system installed in accordance with 760.41(B) or 760.121 (B) is installed in RMC, IMC, EMT, or steel sheathed cable, Type AC or Type MC, meeting the requirements of 250.118, with metal outlet and junction boxes, AFCI protection shall be permitted to be omitted. In apartment units smoke detectors supplied by NM cable are permitted omission of Arc-Fault protection.

- I. Section 300.5 of the National Electrical Code, 2017 Edition, is hereby amended to add the following paragraph to the existing section:

(L) In addition to the requirements of this section, the electric service feeding any structure or pedestal must be installed to meet the Gardner Energy's and the City of Gardner's service specifications.

- J. Section 310.1 of the National Electrical Code, 2017 Edition, is hereby amended to read as follows:

Scope. This Article covers general requirements for conductors and their type designations, insulations, markings, mechanical strengths, ampacities ratings, and uses. These requirements do not apply to conductors that form an integral part of equipment, such as motors, motor

controllers, and similar equipment, or to conductors specifically provided for elsewhere in this Code.

Informational Note: For flexible cords and cables, see Article 400. For fixture wires, see Article 402.

The use of non-metallic sheathed cable with aluminum or copper clad aluminum conductors, size 8 or smaller, will not be permitted for branch circuit wiring in construction, alteration or repair. This shall apply to branch circuits from distribution point.

15.15.030 FIRES. The Building Official, or Fire Code Official, shall have the authority to cause the immediate removal of all wires or the turning off of all electricity where the same may interfere with the work of the Police or Fire Department during the progress of a fire. Restoration of electrical service, including the resetting of any removed electrical meter, shall not be completed until the premises and electrical wiring are inspected and approved by the Building Official.

15.15.040 INVALIDITY IN PART. Should any section, subsection, paragraph, clause or provision of this chapter be declared by a court of competent jurisdiction to be invalid or unconstitutional, the same shall not affect the validity of the chapter as a whole or any part thereof other than the part to be declared unconstitutional.

15.15.050 APPLICATION OF OTHER LAWS. The provisions of this Code shall not be deemed to nullify any provisions of the zoning law or any other ordinance of the City of Gardner pertaining to the location or type of construction of buildings, except as may be specifically required by the provisions of this Code.

SECTION THREE: Title 15, Buildings and Construction, Chapter 15.25, Fire Code is hereby amended to read as follows:

Chapter 15.25 Fire Code

15.25.010 ADOPTION OF THE INTERNATIONAL FIRE CODE. The International Fire Code, 2018 Edition, including Appendix Chapters B, C, D, H, I, J, K, and N, published by the International Code Council and as amended by Fire District #1 of Johnson County, Kansas, is hereby adopted by reference as the Fire Code of the City of Gardner, Kansas. Not less than one copy of last edition of said code, marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Fire Code" shall mean the International Fire Code, 2018 Edition, published by the International Code Council.

15.25.020 AMENDMENTS TO THE CODE. The "Fire Code," as adopted by GMC 15.25.010, is hereby amended and changed to read as follows:

- A. Section 101.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:
Title. These regulations shall be known as the Fire Code for the City of Gardner, Kansas, hereinafter referred to as "this code."

- B. Section 103.2 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Appointment. The fire code official shall be appointed by the Fire Chief of Fire District #1 of Johnson County, Kansas; and the fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before Fire District #1 of Johnson County, Kansas.

- C. Sections 105.6.1 through 105.6.50 of the International Fire Code, 2018 Edition, are hereby omitted with the exception of sections 105.6.14 and 105.6.32.

- D. Section 105.6.32 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

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. This permit shall be issued through Fire District #1 of Johnson County, Kansas. Any fee for recovery costs incurred shall be established by Fire District #1 of Johnson County, Kansas.

- E. Section 105.7.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Fire Protections Systems. A construction permit is required for installation of or modification to a fire protection system as listed in Chapter Nine, Fire Protection and Life Safety Systems, of the International Fire Code, 2018 Edition. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

- F. Sections 105.7.2 through 105.7.25 of the International Fire Code, 2018 Edition, are hereby omitted with the exception of sections 105.7.6, 105.7.7, 105.7.8, and 105.7.24.

- G. Section 109.1 of the International Fire Code, 2018 Edition, Board of appeals established, is hereby amended to read as follows:

The same board as appointed to act as a Board of Appeals for the Building Code, Section 15.05.020 J shall act as a Board of Appeals for the Fire Code.

- H. Section 110.3.3.1 of the International Fire Code, 2018 Edition, Authority, is hereby enacted and reads as follows:

The *fire code official* is authorized to issue a notice to appear in court for any person who fails to correct or abate the violation(s) or for those who fail to comply with the orders and notices issued by the *fire code official*.

- I. Section 110.4 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Violation penalties. Persons who shall violate a provision of this Code or shall fail 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 fire code official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of an infraction, punishable by a fine between a minimum amount of 100 dollars and a maximum amount of 500 dollars per violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- J. Section 307.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5. In addition to the requirements of this code, this individual shall conform to any ordinance or regulation adopted by the City of Gardner pertaining to open burning.

- K. Section 308.1.4 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction. The use of barbecue grills or portable heating appliances on multi-family decks and balconies is prohibited.

Exception: One- and two-family dwellings as well as townhomes.

- L. Section 310.6.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Outdoor smoking receptacles. Where smoking materials are being carelessly discarded outdoors, approved non-combustible smoking receptacles shall be provided at locations specified by the fire code official.

- M. Section 312.1.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Protection of utility equipment. Where gas or electrical utility equipment is located in an area subject to vehicle impact, vehicle impact protection shall be provided in accordance with Section 312.

- N. Section 315.8 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Indoor pallet storage. The indoor storage of idle combustible pallets shall not be allowed to accumulate to a condition in which it creates a fire hazard. Where required by the fire code official, the storage of idle combustible pallets creating the fire hazard shall be removed from the building.

- O. Section 503.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 as well as Appendix D.

- P. Section 503.3 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Marking. Where required by the fire code official, approved signs and painted curb, or pavement if a curb is absent, or other approved notices or markings shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. The curb, or pavement if a curb is absent, shall be painted red with white letters indicating NO PARKING – FIRE LANE. Lettering shall occur at a spacing interval of 25 feet along the fire lane. Signs used to indicate fire

lanes shall meet the requirements of section D103.6 of the International Fire Code. Spacing of these signs will be determined by the fire code official.

- Q. Section 503.6 of the International Fire Code, 2018 Edition, is hereby amended to read as follows: Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved primary means of emergency operation as well as a secondary means of operation in the event of a failure of the primary operation. The security gates as well as the two means of emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.
- R. Section 504.4 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows: Roof access sign. Where required by the fire code official, a sign on or near each room serving as access to the roof shall be provided. The sign shall be approved by the fire code official.
- S. Section 505.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows: Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches high with a minimum stroke width of $\frac{3}{4}$ inch for commercial occupancies and 4 inches high with a minimum stroke width of $\frac{1}{2}$ inch for one- and two-family dwellings and townhomes. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall not be used to identify the structure. Address identification shall be maintained.

Exception: An alternate method of address identification may be installed when approved by the fire code official.

- T. Section 505.1.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Multiple tenant buildings. Where a new or existing building serves multiple tenants, additional address identification shall be placed on the rear exterior doors to identify which address each door serves. The size and style of the numbers shall meet the same requirements of 505.1.

- U. Section 506.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Where required. In new or existing buildings, where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

- V. Section 506.1.2 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Key boxes for fire service elevator keys. Key boxes provided for fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and approved by the fire code official.
2. The front cover shall be permanently labeled with the words “Fire Department Use Only—Elevator Keys” when required by the fire code official.
3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.
4. The key box shall be mounted at an approved location by the fire code official.
5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted where authorized by the fire code official.
6. In buildings with two or more elevator banks, a single key box shall be permitted to be used where such elevator banks are separated by not more than 30 feet. Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet.

Exception: A single key box shall be permitted to be located adjacent to a fire command center or the nonstandard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.

W. Section 507.5.2.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Hydrant color maintenance. All fire hydrants shall be painted and be readily visible. Private fire hydrants shall be painted red in color. Public fire hydrants shall be painted in an approved color by the fire code official.

X. Section 507.5.1.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Hydrant for fire sprinkler and standpipe systems. Buildings equipped with a fire sprinkler or standpipe systems that are installed in accordance with Section 903 or 905 shall have a fire hydrant within 100 feet of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet where approved by the fire code official.

Y. Section 509.3 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows: Protection of fire equipment. Where fire protection equipment is located in an area subject to vehicle impact, protection shall be provided in accordance with Section 312.

Z. Section 901.7 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be

provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch from fires.

Proper documentation shall be completed for fire watch including the dates, times, and individuals performing the fire watch as well as the system(s) out of service during the fire watch. This documentation shall be submitted to the fire code official when required.

AA. Section 903.2.10 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the International Building Code where either of the following conditions exists:

1. Where the fire area of the enclosed parking garage exceeds 12,000 square feet (1115m²).
2. Where the enclosed parking garage is located beneath other groups.

BB. Section 903.3.1.2.4 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Attached garages. Fire sprinkler protection shall be provided in attached garages.

CC. Section 903.3.1.3 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings, Group R-3, and Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. This shall include sprinkler protection in attached garages.

DD. Section 903.3.5.3 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

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 the automatic sprinkler system.

EE. Section 903.3.5.3.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Main control valve access. The main control valve shall be accessible. To be considered accessible, a clear space 3 feet wide by 3 feet deep 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 floor level.

FF. Section 903.4.2.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Occupant notification in sprinklered buildings. Where a new automatic fire sprinkler system is installed in a building that does not have a fire alarm system, occupant notification shall be provided. Occupant notification shall be provided in accordance with Section 907.5.

Exception: Occupant notification may be provided by an alternative method when approved by the fire code official.

GG. Section 1023.9.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Signage requirements. Stairways should be identified using a method approved by the fire code official. Stairway identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches by 12 inches.
2. The letters designating the identification of the interior exit stairway and ramp shall be not less than 1 1/2 inches in height.
3. The number designating the floor level shall be not less than 5 inches in height and located in the center of the sign.
4. Other lettering and numbers shall be not less than 1 inch in height.
5. Characters and their background shall have a non-glare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.
6. Where signs required by Section 1023.9 are installed in the interior exit stairways and ramps of buildings subject to Section 1025, the signs shall be made of the same materials as required by Section 1025.4.

HH. Section 2001.4 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Other requirements. Where other fire safety requirements for aviation facilities have been adopted by the City of Gardner, those regulations, in addition to the requirements of this code, shall apply. Where conflicts arise, the most restrictive requirement shall apply.

II. Section 3310.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Required access. Approved vehicle access for firefighting and emergency responses shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

JJ. Section 5607.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

General. Blasting operations shall be conducted only by approved, competent operators familiar with the required safety precautions and the hazards involved and in accordance with the provision of NFPA 495. Blasting operations shall be done in accordance with this code as well as

the regulations of the Kansas Explosive Materials Code and the blasting regulations that have been adopted by the City of Gardner. Where conflicts arise, the blaster shall contact the fire code official for proper guidance and clarification.

KK. Section 5607.4 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Restricted hours. Surface-blasting operations shall only be conducted during daylight hours in the times established by the City of Gardner blasting regulations or as directed by the fire code official. Other blasting shall be performed during the same time frame unless otherwise approved by the fire code official.

LL. Section 6105.3 of the International Fire Code, 2018 Edition is hereby enacted and reads as follows:

Prohibited use. The storage and use of LP gas for primary and secondary heating, utility connections, and accessory uses in residential, non-residential and agricultural land is not permitted.

Exceptions:

1. LP gas is permitted for outdoor residential cooking appliances and outdoor decorative/heating uses in containers 5 gallons (17 pounds) or less. No use is permitted on multi-family decks.
2. LP gas is permitted for oil well fields on properties of 40 acres or larger. The size of each container shall not exceed 1000 gallons with a minimum of one (1) per tank battery. Oil field LP tanks must be 20 feet from adjoining property lines and must be a minimum of 500 feet from residential zoned properties.
3. LP containers 500 gallons or less are permitted to supply municipal water and wastewater facilities. All LP tanks are to be a minimum of 500 feet from residential zoned properties. LP containers must be a minimum of 500 feet from residential zoned properties.

MM. Chapter 80 of the International Fire Code, 2018 Edition, in reference to NFPA 495 is hereby amended to read as follows:

Remove NFPA 495, 2018 Edition

Replace with NFPA 495: Kansas Explosives Materials Code, 2013 Edition

NN. Section C102.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Additional required fire hydrants. The fire code official is authorized to modify the location, number, and distribution of fire hydrants based on site-specific constraints and hazards.

OO. Section C103.4 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Hydrant spacing for Fire Department Connections. A fire hydrant shall be located within 100 feet of all Fire Department Connections.

Exception: The distance shall be permitted to exceed 100 feet where approved by the fire code official.

PP. Figure D103.1 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

The cul-de-sac figure shall be amended to display 88-foot as the minimum diameter.

QQ. Table D103.4 of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

Length	Width	Turnarounds Required
0-150	20	None Required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 88-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 88-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special Approval Required	

RR. Section D103.4.1 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Islands. Fire apparatus access roads and turnarounds that contain interior islands shall have dimensions that are approved by the fire code official prior to their installation.

SS. Section D103.4.2 of the International Fire Code, 2018 Edition, is hereby enacted and reads as follows:

Alternate designs. Turnarounds that are proposed to have an alternate design other than the criteria described in Section D103 shall first be approved by the fire code official prior to their installation.

TT. Appendix J of the International Fire Code, 2018 Edition, is hereby comprehensively re-written and amended to read as follows:

J101.1 Scope. New buildings shall have a building information sign or label that shall comply with Sections J101.1 through J101.2 when the building is constructed with truss materials in the floor(s) or the roof. These requirements shall not apply to buildings that were not constructed with truss materials.

J101.1.1 Sign Location. The building information sign shall be placed near the utility service meters or in a location *approved* by the *fire code official*. Additional signage shall be installed near the main entrance when required by the *fire code official*.

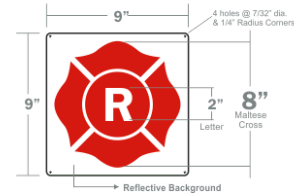
J101.1.2 Sign Features. The building information sign shall consist of all of the following:

1. Reflective background.
2. Durable material.
3. Alphabetical letters shall be capitalized.
4. Permanently affixed to the building or structure in an approved manner.

J101.1.3 Sign shape and color. The building information sign shall be an 8-inch tall Maltese cross red in color with 2-inch tall white text.

J101.2 Sign text. The text of the sign shall represent the truss construction that has been installed within the building. The text shall be in capital alphabetic letters in the center of the Maltese cross as indicated below:

1. Truss Roof – R
2. Truss Floor – F
3. Truss Roof and Floor - RF



Example shown to the right:



J101.3 Maintenance. When the building information sign becomes damaged or weathered, it shall be replaced with a new sign.

UU. Section N101.1 of the International Fire Code, 2018 Edition, is hereby omitted.

VV. Section N101.1.2 of the International Fire Code, 2018 Edition, is hereby omitted.

15.25.030 APPLICATION OF OTHER LAWS. The provisions of this Code shall not be deemed to nullify any provisions of the zoning law or any other ordinance of the City of Gardner pertaining to the location or type of construction of buildings except as may be specifically required by the provisions of this Code.

SECTION FOUR: Title 15, Buildings and Construction, Chapter 15.30, Fuel Gas Code is hereby added to read as follows:

Chapter 15.30 Fuel Gas Code

15.30.010 ADOPTION OF THE FUEL GAS CODE. The International Fuel Gas Code, 2018 Edition, is hereby adopted by reference as the Fuel Gas Code of the City of Gardner, Kansas, and not less than one copy of last edition of said code, marked and showing portions that are amended and to which shall be attached a copy of amendments, shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Fuel Gas Code" shall mean the International Fuel Gas Code, 2018 Edition.

15.30.020 AMENDMENTS TO THE CODE. The "Fuel Gas Code" as adopted by GMC 15.30.010 is hereby amended and changed to read as follows:

- A. Section 101.1 of the International Fuel Gas Code, 2018 Edition, Title, is hereby amended to read as follows:

The words, "Name of Jurisdiction" shall be replaced by the words, "City of Gardner."

- B. Section 106.6.2 of the International Fuel Gas Code, 2018 Edition, Fee Schedule, is hereby amended to read as follows:

The Schedule of Permit fees shall be established by the Governing Body by resolution.

- C. Section 106.6.3 of the International Fuel Gas Code, 2018 Edition, is hereby amended to read as follows:

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than seventy-five (75) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 60 days after the date of the fee payment.

- D. Section 108.4 of the International Fuel Gas Code, 2018 Edition, Violation Penalties, is hereby amended to read as follows:

The violation of any provision of this code shall be deemed to be a misdemeanor; and any person, firm, association, partnership or corporation convicted thereof shall be punished by a fine of not less than \$100.00 or greater than \$500.00 per offense; and the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this code and seek civil penalties in the amount of not less than \$100.00 or greater than \$500.00 per offense; and to abate nuisances maintained in violation thereof, and in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the occupancy of said building, structure or land. Each day a violation of this code shall constitute a separate offense.

- E. Section 109 of the International Fuel Gas Code, 2018 Edition, Means of Appeal, is hereby amended to read as follows:

The same board and appeal process as used under the building code, section 15.05.020 J shall be used for appeals to the Fuel Gas Code.

- F. Section 403.4.3 of the International Fuel Gas Code, 2018 Edition, Copper and Copper Alloy, is hereby deleted

- G. Section 406.4.1 of the International Fuel Gas Code, 2018 Edition, Test Pressure, is hereby amended to read as follows:

The test pressure to be used shall be not less than 1 ½ times the proposed maximum working pressure, but not less than 10 psig (69 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

15.30.030 APPLICATION OF OTHER LAWS. The provisions of this Code shall not be deemed to nullify any provisions of the zoning law or any other ordinance of the City of Gardner pertaining to the location or type of construction of buildings except as may be specifically required by the provisions of this Code.

SECTION FIVE: Title 15, Buildings and Construction, Chapter 15.35, Housing Code is hereby added to read as follows:

Chapter 15.35 Property Maintenance Code

15.35.010 ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE. "The International Property Maintenance Code, 2018 Edition" is hereby adopted by reference as the Housing Code of the City of Gardner, Kansas, and three copies, marked and showing portions that are amended and to which shall be attached a copy of amendments, shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Housing Code" shall mean "The International Property Maintenance Code, 2018 Edition."

15.35.020 AMENDMENTS TO THE CODE. The "International Property Maintenance Code, 2018 Edition" as adopted by GMC 15.35.010 is hereby amended and changed to read as follows:

- A. Section 101.1 of the International Property Maintenance Code, 2018 Edition, Title, is hereby amended to read as follows:

These regulations shall be known as the International Property Maintenance Code of the City of Gardner, hereafter referred to as "this code"

- B. Section 111 of the International Property Maintenance Code, 2018 Edition, Means of Appeal, is hereby amended to read as follows

111.1 Board of Appeals. The same board as appointed to act as a Board of Appeals for the Building Code, Section 15.05.020 J, shall act as a Board of Appeals for the Property Maintenance Code.

SECTION SIX: Title 15, Buildings and Construction, Chapter 15.40, Mechanical Code is hereby amended to read as follows:

Chapter 15.40 Mechanical Code

15.40.010 ADOPTION OF THE MECHANICAL CODE. The International Mechanical Code, 2018 Edition, is hereby adopted by reference as the Mechanical Code of the City of Gardner, Kansas, and not less than one copy of last edition of said code, marked and showing portions that are amended and to which shall be attached a copy of amendments, shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Mechanical Code" shall mean the International Mechanical Code, 2018 Edition.

15.40.020 AMENDMENTS TO THE CODE. The Mechanical Code as adopted by GMC 15.40.010 is hereby amended and changed to read as follows:

- A. Section 101.1 of the International Mechanical Code, 2018 Edition, is hereby amended to read:

Title:

The regulations shall be known as the Mechanical Code of the City of Gardner, Kansas, hereinafter referred to as "this code."

- B. Section 106.5.2 of the International Mechanical Code, 2018 Edition, is hereby amended to read as follows:

The schedule of permit fees shall be established by the Governing Body by resolution.

- C. Section 106.5.3 of the International Mechanical Code, 2018 Edition, is hereby amended to read as follows:

Fee Refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than seventy-five (75%) percent of the permit fee paid when no work has been done under a permit issued in accordance with the code.

The Code Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 60 days after the date of fee payment.

- D. Section 108.4 of the International Mechanical Code, 2018 Edition, is hereby amended to read as follows:

Violation Penalties:

Penalties: The violation of any provision of this Code shall be deemed to be a misdemeanor; and any person, firm, association, partnership or corporation convicted thereof shall be punished by a fine of not less than \$100.00 or greater than \$500.00 per offense; and the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this Code and to seek civil penalties in the amount of not less than \$100.00 or greater than \$500.00 per offense and to abate nuisances maintained in violation thereof, and in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, insulation, alteration, addition, repair, relocation, replacement, maintenance, or use of any plumbing system or to correct or abate such violation, or to prevent the occupancy of said building, structure or land. Each day a violation of this Code shall continue shall constitute a separate offense.

- E. Section 108.5 of the International Mechanical Code, 2018 Edition, is hereby amended to read:

Replace the words "Amount" with the number "One Hundred (100)" and "Five Hundred (500)" respectively.

- F. Section 109 of the International Mechanical Code, 2018 Edition, is hereby amended to read as follows:

Board of Appeals. The same board as appointed to act as a Board of Appeals for the Building Code, Section 15.05.020 J, shall act as a Board of Appeals for the Mechanical Code.

15.40.030 APPLICATION OF OTHER LAWS. The provisions of this Code shall not be deemed to nullify any provisions of the zoning law or any other ordinance of the City of Gardner pertaining to the location or type of construction of buildings except as may be specifically required by the provisions of this Code.

SECTION SEVEN: Title 15, Buildings and Construction, Chapter 15.45, Plumbing Code is hereby amended to read as follows:

Chapter 15.45 Plumbing Code

15.45.010 ADOPTION OF PLUMBING CODE. The International Plumbing Code, 2018 Edition, including Appendix Chapter C, is hereby adopted by reference as the Plumbing Code of the City of Gardner, Kansas, and not less than one copy marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments, shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Plumbing Code" shall mean the International Plumbing Code, 2018 Edition, published by the International Code Council.

15.45.020 AMENDMENTS TO THE CODE. The "Plumbing Code," as adopted by GMC 15.45.010, is hereby amended and changed to read as follows:

- A. Section 101.1 of the International Plumbing Code, 2018 Edition, is hereby amended to read as follows:

Title:

Replace the words "Name of Jurisdiction" with the words "City of Gardner, Kansas."

- B. Section 103.1 of the International Plumbing Code, 2018 Edition, is hereby deleted.
- C. Section 103.2 of the International Plumbing Code, 2018 Edition, is hereby deleted.
- D. Section 106.6.2 of the International Plumbing Code, 2018 Edition, is hereby amended to read as follows:

Fee Schedule – The Governing Body shall establish permit fees by resolution.

- E. Section 106.6.3 of the International Plumbing Code, 2018 Edition, is hereby amended to read as follows:

Fee Refunds. The Code Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

2. Not more than seventy-five (75%) percent of the permit fee when no work has been done under a permit issued in accordance with this code.

The Code Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 60 days after the date of fee payment.

- F. Section 106.7 shall be added to the end of Section 106 of the International Plumbing Code, 2018 Edition, and shall read as follows:

Contractor Licensing. Licensing shall be required as noted in Chapter 15.05 section 105.1.3.

- G. Section 108.4 of the International Plumbing Code, 2012 Edition, is hereby amended to read as follows:

Violation Penalties:

Penalties: The violation of any provision of this Code shall be deemed to be a misdemeanor; and any person, firm, association, partnership or corporation convicted thereof shall be punished by a fine of not less than \$100.00 or greater than \$500.00 per offense; and the City shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this Code and to seek civil penalties in the amount of not less than \$100.00 or greater than \$500.00 per offense and to abate nuisances maintained in violation thereof, and in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, insulation, alteration, addition, repair, relocation, replacement, maintenance, or use of any plumbing system or to correct or abate such violation, or to prevent the occupancy of said building, structure or land. Each day a violation of this Code shall continue shall constitute a separate offense.

- H. Section 108.5 of the International Plumbing Code, 2018 Edition, is hereby amended as follows:

Replace the words "Amount" with the number "One Hundred (100)" and "Five Hundred (500)" respectively.

- I. Section 109.1 of the International Plumbing Code, 2018 Edition, is hereby amended as follows:

Means of Appeal:

The same board as appointed to act as a Board of Appeals for the building code shall act as Board of Appeals for the plumbing code.

- J. Section 305.4.1 of the International Plumbing Code, 2018 Edition, is hereby amended as follows:

Building sewers that connect to private sewage disposal systems shall be a minimum eighteen (18") inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of eighteen (18") inches below grade or at a depth approved by the Building Official.

- K. Section 701.3 of the International Plumbing Code, 2018 Edition, is hereby amended by adding the following paragraph:

All residential duplex units and or condominium units shall have installed separate sanitary sewer service lines to each living unit, from the main line to the living unit.

- L. Section 702, Table 702.3 of the International Plumbing Code, 2018 Edition, is hereby amended by removing the following pipes from the approved material list:

Vitrified clay pipe

- M. Section 903.1 of the International Plumbing Code, 2018 Edition, is hereby amended to read as follows:

Insert the number twelve (12) in the space that says [NUMBER].

15.45.030 APPLICATION OF OTHER LAWS. The provisions of this chapter shall not be deemed to nullify any provisions of the zoning law or any other ordinance of the City of Gardner pertaining to the location, or type of construction of plumbing systems except as may be specifically required by the provisions of this Code.

SECTION EIGHT: Title 15, Buildings and Construction, Chapter 15.50, Residential Code is hereby amended to read as follows:

Chapter 15.50 Residential Code

15.50.010 ADOPTION OF RESIDENTIAL CODE. The International Residential Code for One- and Two-Family Dwellings, 2018 Edition, including Appendix Chapters E, F, I, Q, and the referenced standards in Chapter 44, published by the International Code Council, is hereby adopted by reference as the Residential Code of the City of Gardner, Kansas, and not less than one copy of last edition of said code, marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of amendments, shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Residential Code" shall mean the International Residential Code for One- and Two-Family Dwellings, 2018 Edition, published by the International Code Council.

15.50.020 AMENDMENTS TO THE CODE. The "Residential Code" as adopted by GMC 15.50.010 is hereby amended and changed to read as follows:

- A. Section R101.1 of the International Residential Code, 2018 Edition, Title, is hereby amended to read as follows:

Replace the words "Name of Jurisdiction" with the words "City of Gardner, Kansas."

- B. Section R105.1 of the International Residential Code, 2018 Edition, Required, is hereby amended to read as follows:

"Any owner or owner's 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 or plumbing system, or any concrete, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

C. Section R105.2 of the International Residential Code, 2018 Edition, Work Exempt from Permit: Building, is hereby amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is 120 square feet or less.
2. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Prefabricated swimming pools that are less than 42 inches deep.
6. Swings and other playground equipment.
7. Decks less than 30" above grade at any point or not exceeding 200 square feet in area, or not attached to a structure and not serving the exit door per R311.4 and R311.5.

D. Section R108.2 of the International Residential Code, 2018 Edition, Fees, is hereby amended to read as follows:

The Schedule of Permit Fees shall be established by the Governing Body by resolution.

E. Section R108.5 of the International Residential Code, 2018 Edition, is hereby amended to read as follows:

The Code Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than seventy-five (75) percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Code Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 60 days after the date of fee payment.

F. Section R108.7 of the International Residential Code, 2018 Edition, is hereby added to read as follows:

A re-inspection fee of \$100.00 may be required for contractor interference, failure to correct prior items, not ready, and no address posted.

G. Section R109.1.7 of the International Residential Code, 2018 Edition, is hereby added to read as follows:

If the required erosion control measures are not in place and operational as required by the Public Works Engineering Division, all inspections related to that permitted site from that date forward will not be conducted until the erosion control measures have been reinstalled and inspected.

- H. Section R109.1.8 of the International Residential Code, 2018 Edition, is hereby added to read as follows:

If mud, dirt, rock or any other type of debris from the permitted building site has been found in the public right-of-way, then all inspections for that permitted building will not be conducted until the right-of-way has been cleaned and inspected.

- I. Section R112 of the International Residential Code, 2018 Edition, Board of Appeals, is hereby amended to read as follows:

The same board as appointed to act as a Board of Appeals for the Building Code, Section 15.05.020 J shall act as a Board of Appeals for the Residential Code.

- J. Section 113.4 of the International Residential Code, 2018 Edition, Violation Penalties, is hereby amended to read as follows:

The violation of any provision of this code shall be deemed to be a misdemeanor; and any person, firm, association, partnership or corporation convicted thereof shall be punished by a fine of not less than \$100.00 or greater than \$500.00 per offense; and the City shall further have authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of this code and seek civil penalties in the amount of not less than \$100.00 or greater than \$500.00 per offense; and to abate nuisances maintained in violation thereof, and, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the occupancy of said building, structure or land. Each day a violation of this Code shall continue shall constitute a separate offense.

- K. Table R301.2(1) of the International Residential Code, 2018 Edition, is hereby amended to read as follows: Climatic and Geographic Design Criteria.

GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^a (mph)	Topographic effects ^k	Special wind region ^l	Windborne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c					
20	115	NO	NO	NO	A	Severe	36"	Mod-Hvy	6	Yes	-	824	54.8
MANUAL J DESIGN CRITERIA ⁿ													
Elevation		Latitude	Winter heating	Summer cooling	Altitude correction factor			Indoor design temperature	Design temperature cooling	Heating temperature difference			
-		-	-	-	-			-	-	-			
Cooling temperature difference		Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range			Winter humidity	Summer humidity	-			
-		-	-	-	-			-	-	-			

- L. Section 302.2 of the International Residential Code, 2018 Edition, Townhouses, is hereby amended to read as follows:

Each townhouse shall be considered a separate building and shall be separated by fire-resistance rated wall assemblies of 2-hour and meeting the corresponding UL detail. All utility connections serving two-family dwellings and townhouses shall be separate.

- M. Section R302.3 of the International Residential Code, 2018 Edition, Two-family dwellings, is hereby amended to read as follows:

Each dwelling unit shall be considered a separate building. Dwelling unit separation for two-family dwellings shall be constructed in the same manner as that of townhouses with all fire-resistance rated walls a minimum of 2-hour. 2-hour walls must meet a UL standard for design. All utility connections serving two-family dwellings and townhouses shall be separate.

- N. Section R303.4 of the International Residential Code, 2018 Edition, Mechanical ventilation, is hereby amended to read as follows:

Where the air infiltration rate of a dwelling unit is less than three (3) air changes per hour when tested with a blower door at a pressure of 0.2 inch wick. (50 Pa) in accordance with Section R402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1505.4.

- O. Section R306.5 of the International Residential Code, 2018 Edition, New single family toilet facilities, is hereby added to read as follows:

Toilet facilities shall be provided within 500 feet, measured from the property line adjacent to the street, for all new one and two family dwellings starting from the time of the footing inspection until the issuance of a temporary certificate of occupancy or when toilet facilities in the dwelling unit become available. Temporary toilet facilities shall be removed once the temporary certificate of occupancy is issued. A minimum of one (1) unit is required for every 5 dwelling units under construction.

Exception:

1. On lots of multiple permit issuance by the same builder the temporary toilet facility may remain past the temporary occupancy certificate issuance as long as the toilet facility is not adjacent to an occupied dwelling and there are active building permit(s) for the builder within 500 feet of the jobsite.
2. A temporary toilet facility is to be removed before a certificate of occupancy is issued.
3. The Building official shall have the final approval on the location of all temporary toilet facilities.

- P. Section R309.5 of the International Residential Code, 2018 Edition, Fire sprinklers, is hereby amended to read as follows:

Private garages may be protected by fire sprinklers where the garage wall has been designed based on Table R302.1 (2), Note a. Sprinklers in garages shall be connected to an automatic sprinkler system that complies with Section P2904. Garage sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a density of 0.05 gpm/ft². Garage doors shall not be considered obstructions with respect to sprinkler placement.

- Q. Section R313.1 of the International Residential Code, 2018 Edition, Townhouse automatic fire sprinkler systems, is hereby amended to read as follows:

An automatic residential fire sprinkler system may be installed in townhouses

Exception: An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

- R. Section R313.2 of the International Residential Code, 2018 Edition, One- and two- family dwellings automatic fire sprinkler systems, is hereby amended to read as follows:

An automatic residential fire sprinkler system may be installed in one-and two- family dwellings

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

- S. Section R314.8 of the International Residential Code, 2018 edition, is hereby added to read as follows:

Heat sensors shall be installed in garages and interconnected with the related smoke and carbon monoxide detectors

- T. Section R 323.2.1 of the International Residential Code, 2018 Edition, is hereby added to read as follows:

Required occupant capacity. The required occupant capacity of the storm protection area in all residential occupancies under the IRC shall be calculated as two (2) for the first bedroom plus one (1) for each additional bedroom. Adequate ventilation shall be required.

- U. Section R326.1 of the International Residential Code, 2018 Edition, General, is hereby amended to read as follows:

The design and construction of pools, hot tubs, and spas shall comply with Chapter 42 of the 2012 International Residential Code in its entirety.

- V. Section R401.1 of the International Residential Code, 2018 Edition, Application is hereby amended to add the following paragraph:

The construction of foundations shall be in accordance with the latest edition of the Johnson County Building Officials Residential Foundation Guidelines.

- W. Section R403.1.1.1 of the International Residential Code, 2018 Edition, Minimum size, is hereby added to read as follows:

The minimum size for all residential concrete footings shall be 8 inches in depth and 16 inches in width. Steel shall be minimum 1/2" in size with two (2) bars running parallel in the footing. Single story trench footings are to be a minimum of 12 inches in width. Footings for all three story structures shall be designed by a licensed Kansas engineer.

- X. Section R507.1.1 of the International Residential Code, 2018 Edition, Decks, is hereby added to read as follows:

The construction of decks and balconies shall be done by using the latest edition of the Johnson County Building Officials Deck Design publication.

- Y. Section R507.1.2 of the International Residential Code, 2018 Edition, Decks, is hereby added to read as follows:

Deck permit fees. The Governing Body shall establish the permit fees by resolution

- Z. Section R506.1.1 of the International Residential Code, 2018 Edition, Garage Floors, is hereby added to read as follows:

All garage floors are to be constructed of concrete and shall be installed according to the Johnson County Foundation Guideline.

- AA. Section R602.10.6.3.1 of the International Residential Code, 2018 Edition, Braced wall panel construction methods, is hereby added to read as follows:

The Johnson County Braced Wall Report will be required as the braced wall standard for all garages, including the H frame detail. Other methods of portal frames at garage door openings shall be engineered.

- BB. Section R905.4.2 of the International Residential Code, 2018, Wind resistance of asphalt shingles, is hereby added to read as follows:

Asphalt shingles shall be listed and warranted by the manufacturer to withstand a minimum 115 mile per hour wind load.

- CC. Section R908.3 of the International Residential Code, 2018 Edition, Roof replacement, is hereby amended to read as follows:

New roof covering shall not be installed without first removing all existing layers of roof covering down to the roof decking. All re-roofing shall require two courses of ice and water.

Exception: Where the existing roof assembly includes an ice barrier membrane that is adhered to the roof deck, the existing ice barrier membrane shall be permitted to remain in place and covered with an additional layer of ice barrier membrane in accordance with Section R905.

- DD. Section N1101.1 of the International Residential Code, 2018 Edition, Scope, is hereby amended to add the following paragraphs following the first paragraph:

As an alternative to the provisions of Chapter 11 of this code, structures validated by an accepted certified energy auditor to meet a HERS rating score of 80 or less shall be deemed to meet this Code. The energy auditor shall present their national certification credentials for review and approval by the Building Official prior to issuance of the permit, and no Certificate of Occupancy shall be issued for the structure until all documentation has been received and accepted that compliance has been met.

Table N1102.1.2

Insulation and Fenestration Requirements by Component

Climate Zone	Fenestration U-factor ^b	Skylight U-factor ^b	Glazed Fenestration SHGC ^b	Ceiling R-Value ^f	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value ^c	Slab R-Value & Depth ^d	Crawl Space Wall R-Value ^c
4	0.32	0.55	0.4	49	13	8/13	19	10/13	NR	10/13

a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

c. "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls, when basement walls are more than 50% below grade.

d. R-5 shall be added to the required slab edge R-values for heated slabs.

e. The second R-value applies when more than half the insulation is on the interior of the mass wall.

f. Loose-fill insulation shall be installed at the rate recommended by the manufacturer's statement "so many bags per 1000 sq ft." Where the pitch of the roof restricts the "minimum thickness" at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the "minimum thickness" can be achieved. An alternative is to install high-density batts around the perimeter edge per R1102.2.

EE. Section N1103.3.5 of the International Residential Code, 2018 Edition, Building cavities (Mandatory), is hereby deleted.

FF. Section N1103.5.3 of the International Residential Code, 2018 Edition, Hot water pipe insulation (prescriptive), is hereby amended to read as follows:

Insulation for hot water pipe with a minimum thermal resistance (R-value) of R-3 shall be applied to the following:

1. Piping serving more than one dwelling unit
2. Piping located outside the conditioned space
3. Piping from the water heater to a distribution manifold
4. Piping located under a floor slab

- 5. Buried piping
- 6. Supply and return piping in recirculation systems other than demand recirculation systems

GG. Section N1104 of the International Residential Code, 2018 Edition, Electrical Power and Lighting Systems (Mandatory), is hereby deleted in its entirety.

HH. Table N1106.4 (R406.4) of the International Residential Code, 2018 Edition, is hereby amended to read as follows:

Table N1106.4 (R406.4)

Maximum Energy Rating Index.

Climate Zone	Energy Rating Index ^a
1	57
2	57
3	57
4	80
5	61
6	61
7	58
8	58

a. Where on-site renewable energy is included for compliance using the ERI analysis of Section N1106.4, the building shall meet the mandatory requirements of Section N1106.2, and the building thermal envelope shall be greater than or equal to the levels of efficiency and SHGC in Table N1102.2.1 or Table N1102.1.4

- II. Section G2414.5.3 of the International Residential Code, 2018 Edition, Copper or copper alloy tubing, is hereby deleted in its entirety.
- JJ. Section G2417.4.1 of the International Residential Code, 2018 Edition, Test pressure, is hereby amended to read as follows:

The test pressure to be used shall not be less than 1 1/2 times the proposed maximum working pressure, but not less than 10 psig (69 kPa gauge), irrespective of design pressure. Where the

test pressure exceeds 125psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

KK. Section P2503.4 of the International Residential Code, 2018 Edition, Building Sewer Testing, is hereby amended to read as follows:

The building sewer shall be tested by insertion of a test plug at the point of connection with the public sewer and filling the building sewer with water, testing with not less than a five (5) foot head of water and be able to maintain such pressure for fifteen (15) minutes or by air maintain five (5) PSI for fifteen (15) minutes. This testing will be required when ordered by the Building Official.

LL. Section P2603.5.1 of the International Residential Code, 2018 Edition, Sewer depth, is hereby amended to read as follows:

Building sewers that connect to private sewage disposal systems shall be not less than 18 inches (457.2 mm) below finished grade at the point of septic tank connection. Building sewers shall be not less than 18 inches (457.2 mm) below grade.

MM. Section P2903.4 of the International Residential Code, 2018 Edition, Thermal expansion control, is hereby amended to read:

A means for controlling increased pressure caused by thermal expansion shall be installed in each dwelling unit. A thermal expansion tank shall be the means in which to control thermal expansion. At the time a water heater is new or replaced a thermal expansion tank shall be installed.

Exception: in cases where a thermal expansion tank is not feasible the Code Official shall determine an approved method of thermal expansion control.

NN. Section E3901.7 of the International Residential Code, 2018 Edition, Outdoor outlets, is hereby amended to add the following exception:

Exception: Balconies less than nine square feet.

OO. Section E3902.2 of the International Residential Code, 2018 Edition, Garage and accessory building receptacles, is hereby amended to read as follows:

All 125-volt single phase, 15 or 20 ampere receptacles installed in garages and grade-level portions of accessory buildings used for storage or work areas shall have ground-fault circuit-interrupter protection for personnel.

Exception:

Dedicated receptacles supplying garage door openers.

PP. Section E3902.5 of the International Residential Code, 2018 Edition, Unfinished basement receptacles, is hereby amended to read as follows:

All 125-volt single phase, 15 and 20 ampere receptacles installed in unfinished basements shall have ground-fault circuit interrupter protection for personnel. For purposes of this section,

unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.

Exception:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. Dedicated receptacles supplying sump pumps.

QQ. Section E3902.18 of the International Residential Code, 2018 Edition, Arc-fault circuit interrupter protection for branch circuit extensions or modifications, is hereby added to read as follows:

Arc-fault circuit interrupter protection for branch circuit extensions or modifications. This section shall not apply where existing dwelling unit premises wiring circuits make application of this section impracticable as determined by the building official.

RR. Chapter 42 of the International Residential Code, 2018 Edition, Swimming Pools, is hereby deleted in its entirety

15.50.030 APPLICATION OF OTHER LAWS. The provisions of this Code shall not be deemed to nullify any provisions of the zoning law or any other ordinance of the City of Gardner pertaining to the location or type of construction of buildings except as may be specifically required by the provisions of this Code.

SECTION NINE: This Ordinance shall take effect on the 1st day of November, 2020, and be in force from and after its passage, approval, and publication as provided by law.

PASSED by the City Council this 8th day of September, 2020.

SIGNED by the Mayor this 8th day of September, 2020.

CITY OF GARDNER, KANSAS

(SEAL)

_____/s/_____
Steve Shute, Mayor

Attest:

_____/s/_____
Sharon Rose, City Clerk

Approved as to Form:

_____/s/_____
Ryan Denk, City Attorney