



City of Clearwater Council Meeting Notice

Tuesday, April 26, 2016 at 6:30pm

129 E Ross Clearwater, KS 67026

www.clearwaterks.org

Please call the Clerk's office at 620-584-2311 or the Kansas Relay Service 800-8766-3777 at least 48 hours in advance if you require special accommodations to participate in this meeting. We make every effort to meet reasonable requests.

AGENDA

[Please note that the meeting agenda is subject to change during the meeting.]

1. Call meeting to order and welcome

Burt Ussery, Mayor

2. Invocation and flag salute

3. Roll Call

Courtney Meyer, City Clerk

Burt Ussery, Mayor

Laura Papish, Councilmember President

Austin Wood, Councilmember

Paul Clark, Councilmember

Ron Marsh, Councilmember

Chris Griffin, Councilmember

4. Action: Approve April 26, 2016 meeting agenda

5. Public Forum

Pursuant to Ordinance No. 917 and Section 2.08.010 adopted by the governing body and approved by the Mayor on November 24, 2009, members of the public are allowed to address the Mayor and City Council for a period of time limited to not more than five minutes.

6. Action: Approve Consent Agenda TAB A

a. [Minutes 04/12/16 Council Meeting](#)

7. Presentation: Gayle Martin, WSU Hugo Wall Mini MPA Program

8. Action: Adopt a Resolution 5-2016 Creating a Building Incentives Program for Park Glen Estates in the City of Clearwater TAB B

9. **Action:** Consider an Ordinance 1011 Adopting the 2012 International Building Code as Amended by Sedgwick County. TAB C

Roll Call

10. **Discussion:** 1st Quarter Financials TAB D

11. **Discussion:** Strategic Planning Committee TAB E

12. **Discussion:** Personnel Manual Review

13. **Action:** Claims and Warrants

Courtney Meyer, City Clerk

14. **City Administrator Report**

Justin Givens, City Administrator

15. **Council Reports**

16. **Adjournment**

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:30 and 7:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.

Honorable Mayor and City Council

From: Justin S. Givens,
City Administrator

Re: Agenda Summary 04 26 2016

Item 6: a. Approval of Minutes as submitted

-----end of Consent Items

Item 7: Gayle Martin from the WSU Hugo Wall Mini MPA Program will be on hand to present Courtney Meyer, City Clerk, her certificate for completing the Mini MPA Program.

Item 8: Following discussion at the last Council Meeting, staff has drafted a Resolution incorporating the language suggested for the new home incentive program for Park Glen Estates. The program is based upon incentives to both the home buyer and builder. Over a five year period approximately \$5700 would be paid out to the home buyer and in a nine month period the builder would be eligible for a maximum of \$12,000 in cash incentives and rebates.

Item 9: An ordinance adopting the 2012 International Building Code as amended by Sedgwick County will be presented for adoption. Staff was informed by Sedgwick County that they had adopted the new code this week. The City contracts out our building inspections to Sedgwick County and as such we operate under their building codes. We have previously adopted in 2015 new versions of plumbing, mechanical and electric codes.

Item 10: Staff will present the 1st quarter financials for review. Thru the first quarter most departments are on track for expenditures. A few departments, Administration, Ambulance and Sewer Operating are slightly above the 25% target. Administration is up due to the transfer for park improvements. The Ambulance is up due to one-time capital purchases. Sewer Operating is up based on transfers for bond and interest payments.

Item 11: The first step in starting the Strategic Plan is the appointment of a Strategic Planning Committee. The Mayor and Staff are looking for feedback from the Council as to what the make-up of the committee should be. It is important that the group represent a large portion of Clearwater from various sectors of the community including business, education, industry and involved citizens.

Item 12: Staff will present comments and feedback from Council Members for inclusion into the Personnel Manual. We would like to have all comments and feedback incorporated prior resubmitting to legal for final review.

Item 13: Claims and Warrants. A full list of Claims and Warrants will be presented at the meeting on Tuesday.

Item 14: A full City Administrators Report will be presented to the Governing Body at the meeting.

Items of Note: A work day has been planned for the City Park on Saturday, April 30th at 8:00 am. A new load of mulch is being brought in and old mulch will need to be removed. Bring your shovels and rakes. SKT will be providing lunch.

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
April 12, 2015
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order

Mayor Burt Ussery called the meeting to order at 6:30 p.m.

2. Invocation and Flag Salute

Mayor Ussery gave the invocation which was followed by the pledge of allegiance and flag salute.

3. Roll Call

The City Clerk called the roll to confirm the presence of a quorum. The following members were present:

Mayor Burt Ussery, Councilmembers Ron Marsh, Laura Papish, Austin Wood and Paul Clark were present.

Chris Griffin was absent.

The following staff members were present:

Justin Givens, City Administrator; Courtney Meyer, City Clerk; Austin Parker, City Attorney; Bill Hisle, Police Chief; Ernie Misak, Public Works Director.

Others Present:

Shaun Weaver, Park Glen Estates; Hannah Kaufman, Tyler Lincicome, Austin Marshall, Reed Marner, Alex Vulgamore, Ashlyn Fox, Cole Stieben, Ino Scapa.

4. Approval of the Agenda

Administrator Givens stated he would like to add an agenda item to authorize the City Administrator to hire temporary help.

Mayor Ussery called for a motion to approve the April 12th agenda with the modification.

Motion: *Wood* moved, *Papish* seconded to accept the April 12, 2016 agenda with the modification. Voted and passed unanimously.

5. Public Forum

None

6. Consent Agenda

Mayor Ussery called for a motion to approve the consent agenda.

Motion: *Marsh* moved, *Clark* seconded to approve the consent agenda as presented. Voted and passed unanimously.

7. Authorize the mayor to Enter Into a Contract for the Rental of the Concession Stand at the City Park

Givens stated in April of 2015, the city approved an agreement with Kylie Cain to operate the concession stand at City Park. Ms. Cain has requested that contract be renewed again in 2016.

The contract is set on an annual basis and allows Cain to operate the concession stand at City Park. Under the lease agreement, the city receives \$250.00 per month from May thru September. The City continues to pay for utilities while the stand is open but the lessee is responsible to keep the interior and exterior in a neat and sanitary condition. The lessee is also considered to be an independent contractor and is not in any way considered to be a representative of the city.

Motion: Wood moved, Clark seconded to authorize the Mayor to enter into contract with Kylie Cain for the rental of the concession stand at the city park. Voted and passed unanimously.

8. Consider the Creation of a Building Incentives Program for Park Glen Estates

Givens addressed the council and stated that at the March 22, 2016 City Council Meeting, the Governing Body discussed builder and homebuyer incentives for new homes in Clearwater. At that time staff was directed to prepare an incentive program for homes in the Chisolm Ridge Addition. Further discussion included a program for incentives in the Park Glen Estates Addition. It was determined that, if requested by the developer the city would consider an incentive package for that development separately from incentives in Chisolm Ridge.

Following the March 22 meeting, staff and the Mayor were contacted by the developer, Shaun Weaver, requesting that development incentives be considered for the Park Glen Estates Development.

Mr. Weaver has requested that the Governing Body consider a comprehensive incentive program that would assist both homebuilders and homebuyers. Thru discussions with the developer a program was crafted for consideration. The incentive package proposed includes:

- 1) Reduction of Building Permits by 50%
- 2) Waiver of Water and Sewer Connection Fees
- 3) Construction Loan Defrayments
- 4) Direct Cash Incentive to Homebuyer
- 5) 5 Year Cash Incentives on City portion of Property Taxes

After discussion the council agreed to reduce building permits by 50%, waive the water and sewer connection fees, offer construction loan incentives on the interest at .4167% per month with a maximum of 9 months, direct cash incentives to the new home buyers in the amount of \$1500, and the 5 year cash incentives to home owners for 50% of the city portion of the property taxes.

Council directed staff to come back at next meeting with a resolution.

9. Adopt Resolution 4-2016 Creating a Building Incentives Program for Chisholm Ridge

Givens stated at the March 22, 2016 meeting staff presented the Governing Body with several options that municipalities have used to promote building and home buying. During that meeting, staff was directed to prepare a programs that would establish incentives for builders as well as the purchases or those homes.

Staff has prepared a program based on the direction of the Governing Body. This particular incentive program was designed to help stimulate home sales in the Chisolm Ridge Housing Development. The program consists of:

- 1) The Reduction of Building Permits for New Residential Construction;
- 2) Lot Transfer Fee Schedule for City Owned Lots;
- 3) Utility Connection Fee Abatements;

- 4) Builder Rebates;
- 5) Homebuyer Cash Incentives;

The City can by virtue of its agreement with the Metropolitan Building and Code Enforcement Department waive 50% of the building permit fees. These fees are generally paid when the building permit is pulled and split 50/50 with MABCD. The fees are based on 38 cents per square foot of finished space and 30 cents per square foot for unfinished space. The typical 1100 square foot home building permit would be approximately \$1200.00. The city would abate or waive its portion of the permit fee saving the builder approximately \$600.00. Additional savings for the builder would include the waiving of utility connection fees. Those fees are typically \$1,500 charged to the builder. The total savings for the builder for permit and utility fees would be approximately \$1,800.00.

Staff has also prepared a transfer fee schedule for each lot available in the Chisolm Ridge Addition. Previously, the city has tried to market the sale of these lots for \$10,000.00 but has yet to sell a lot. Based on the discussion at the previous meeting, staff has developed a fee transfer schedule that would pay off the existing specials for the property and rebate a portion of the lot transfer back to the builder. Initially, staff proposed transferring the lots for the costs of the existing specials, but some concerns about maintaining property values in this development as well as other developments were raised. By transferring the lots for the original \$10,000.00 property values should remain stable. Upon transfer, the city would use the proceeds to pay off the existing specials and rebate to the builder the difference in the \$10,000 and Special Assessment payoff. The Schedule is attached as Exhibit A. The average builder rebate would be approximately \$2,500.00.

The total builder incentive would be approximately \$4,300.00. Based on construction estimates of builder costs a builder would normally net approximately \$4,000.00 on a home in this area. With the builder incentives offered the city can help double that margin of profit for the builder.

Additionally, staff has included a Homebuyer Incentive Program. A purchaser of a new home in the development would receive a cash incentive of \$1,500.00. These payments would only be available for the first 10 home buyers in 2016. Additionally, the homebuyer will not be responsible for the payment of the existing special assessments. On average, this would save the homebuyer \$1,500.00 thru the next five years.

Currently, the City is paying the special assessments on lots in the Chisolm Ridge Development which total approximately \$35,000 per year. The reduction of lots that are owned by the city obviously reduces the amount the city would have to allocate to the payment of these specials. All other items are somewhat budget neutral. The only direct cost to the city would be the cost of materials for a new water meter and the \$1,500 homebuyer incentive. For 2016, the City would use reserve funds for the total possible expenditure of \$15,000. The cost for water meter assemblies (\$500.00) would be paid from the Water Department Operating Costs and would be recouped in approximately 2 years of water sales.

Council discussed and asked to change language on Section 3 Part 3 of Resolution 4-2016 to state "The minimum above grade livable square footage of a newly constructed home must be 1,000 square feet as determined and approved on the building permit application. It must include a front façade composed of at least 25% stone, brick or other masonry material.

Motion: March moved, **Wood** seconded to adopt Resolution 4-2016 with proposed changes. Voted and passed unanimously.

10. Partisan – Non Partisan Elections

The city is required, due to State Legislation to transition from April elections to November elections. This

transition has extended the terms of three council members; Clark, Griffin and Marsh from terms expiring in April of 2017 to January of 2018. Those members of the Governing Body that have terms expiring in 2019; Mayor Ussery, Papish and Wood, will serve until January of 2020. Additionally, the legislation that was approved by the state has allowed for cities to determine if they would like to have partisan or nonpartisan elections.

Traditionally, in Kansas, local municipal elections have been non-partisan. That is to say that candidates are not required to declare a specific party and no party affiliation is listed on the ballot. The change in legislation allows cities to determine if they would like to transition to partisan elections as we move from April to November elections in 2017.

Staff is seeking direction from the Governing Body so that an ordinance can be crafted that would reflect the will of the body. The city is required to adopt an ordinance to be compliant with the changes in state election laws.

Council unanimously agreed that Clearwater should stay with a Non-Partisan election.

11. Personnel Policy manual Update Review

Mayor Ussery stated that all council members have the proposed personnel manual in hand for them to review. He suggested taking time of the next two weeks to review it and direct any questions they may have to staff if they would like and come back to the following meeting with comments and suggestions.

12. Authorize the City Administrator to Hire Temporary Labor for the Clearwater Cemetery District

On March 31st, 2016, the Clearwater Cemetery Sexton resigned her position. At that time the Cemetery District approached the city about contracting for services that would provide maintenance and sexton duties for the district. The district also simultaneously ran an advertisement for the sexton position. At a meeting of the Cemetery Board, it was requested that the city provide the maintenance and sexton functions for a period of time to determine if it is in the best interest of each party to assume these duties on a long term basis.

The city currently provides some administrative back up for the cemetery, assisting patrons with general questions and lots sales during those times when the secretary is not available. Due to the vacancy, the Public Works employees are opening the cemetery in the morning while the duty officer is closing the cemetery in the evening.

Since, the beginning of April, Public Works staff has assumed the duties of mowing and other general maintenance at the four cemeteries as well as assisting with grave marking and the placement of headstones. The public works director estimates it would take approximately 65 hours of labor per week to maintain the cemetery during the spring, summer and fall. Staff is requesting authorization to hire two temporary workers to perform these duties in the interim.

Staff anticipates hiring the temporary positions at a rate of \$12.00 per hour with each approximately 32 hours per week. The financial impact to the city would be approximately \$5,000 which would be billed back to the Cemetery District.

Motion: Marsh moved, **Papish** seconded to authorize the City Administrator to hire temporary help for the cemetery district. Voted and passed unanimously.

13. Claims and Warrants

Meyer presented the claims and warrants in the amount of \$93,981.11.

Motion: Papish moved, **Marsh** seconded to pay the claims and warrants in the amount of \$93,981.11. Voted and passed unanimously.

14. City Administrators Report

- Public Works
 - Staff is continuing with mowing and other maintenance at the parks. We are waiting for a spray window to help with weed control but the wind has not been cooperating.
 - Staff repaired a water leak on Streamside last week that temporarily caused a service outage in the area. Some minor touch up work has been done this week.
 - All of the certified employees attended the Kansas Rural Water conference last week. The conference is an opportunity to get most of the required continuing education training that they need for Sewer and Water Operators Licenses
 - Received word on the 135th ST Work and other drainage work on Ross. The cost to the city will be approximately \$76,000. The contract was awarded to APAC of Kansas and no pre-construction date has been set yet.
- Parks and Recreation
 - Joint meeting is tomorrow at 6:30
 - Baseball/Softball is about to be in full swing. There will be 21 teams over several age and gender divisions. That is two more teams than last year.
 - Staff meet today will meet next week to complete the Sunflower Grant Application for sidewalks at the Sports Complex.
- Library
 - Had approximately 200 people thru the doors for the Art Walk.
 - Started an Adult Coloring Program last week
 - Will host Lego Club and Storytime this week
 - Hosted a Genealogy program this evening
- Community Center
 - All personnel is in place for the lunch program and the contract with the vendor is in place. The State has not given the final approval to date. As that is received we can begin service again.
 - Biscuits and Gravy will be this weekend with a time change from 8am to 11am. They will also be looking at changes in the menu to help boost attendance.
 - Will be distributing commodities on the last Tuesday of the month
 - Has scheduled a May 14th Identity Theft Program for the entire community to be hosted at the center.
- Police
 - Waiting on the last parts for the cruiser and it should be in service late next week or the week after.
 - Officer Adams continues his training at the Kansas Law Enforcement Training Center with good reports from the instructors. His graduation ceremony will be Friday, May 20th at 1:00 in Hutchinson.
 - All full time officers qualified last week at the Sedgwick County Gun Range at Lake Afton. The qualification used turning targets which was new for some of the officers.
- Fire
 - Staff did a debriefing with the Fire Chief after the structure fire at 16511 W 87th St. 14 firefighters responded on scene with two remaining at the fire station for support. Clearwater Fire responded with 6 vehicles and thru our mutual aid agreement Sed. Co. Fire responded with 5 vehicles as well as two from Viola. The building was fully engulfed in flames when crews responded. From time of call to arrival on scene was 12

minutes which is within the standards set by the NFPA. The structure was a total loss and the State Fire Marshall is investigating.

- Administration
 - The auditor has finished his work in Clearwater and will be providing a draft next week. Once complete a full report will be given to the Council. Staff has already started some of the minor suggestions such as yearly updates of payroll deductions and W-4's and K-4s.
 - The City Clerk attended a portion of the Rural Water Conference.
- The Planning Commission met last week and approved one variance for a garage that will be closer than the 15' side setback at 410 S First. The Commission tabled another variance request at 123 S Byers for a garage that would be bigger than the requested 900 square feet. That will be considered at the May meeting.
- City Wide Clean Up will be April 15th and 16th. On the 15th the hours are 8:00am to 4:00pm and on the 16th from 8:00am – 11:00am

Mayor Ussery wanted to confirm the joint meeting with the Recreation Department was still scheduled for tomorrow April 13th? Givens stated yes at 6:30 at City Hall.

Also council asked if staff can follow up with Kansas Fence to see if we have to use them for the ball diamond backstop repair after the season is over or can we go a different route since we have had problems with communication.

15. Executive Session

Mayor Ussery called for an executive session for 10 minutes for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship, to include the City Attorney, and the City Administrator. Meeting will reconvene in the City Council Chambers at 8:25PM

Motion: *Wood* moved, *Papish* seconded to recess into executive session for attorney-client privileges. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 8:25PM and stated there was no action taken.

16. Council Reports

Papish had nothing to report.

Clark had nothing to report.

Marsh noted he will not be at the next meeting.

Wood had nothing to report.

Ussery stated he has requested staff to add EMS and Fire calls to their monthly reports.

17. Adjournment

With no further discussion Ussery called for a motion to adjourn.

MOTION: *Marsh* moved, *Clark* seconded to adjourn the meeting. Voted and passed unanimously
The meeting adjourned at 8:40 p.m.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Courtney Meyer, City Clerk of the City of Clearwater, Sedgwick County, Kansas, hereby certify that the foregoing is a true and correct copy of the approved minutes of the April 12, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 26th day of April 2016.

Courtney Meyer, City Clerk

**City of Clearwater
City Council Meeting
April 26, 2016**

TO: Mayor and City Council
SUBJECT: Consider a Resolution for Development Incentives for Park Glen Estates
INITIATED BY: City Administrator
PREPARED BY: City Administrator
AGENDA: New Business

Background: At the April 12, 2016 City Council Meeting, the Governing Body discussed builder and homebuyer incentives for new homes in the Park Glen Estates Addition. That discussion followed a meeting with staff, the Mayor, and Park Glen Estates developer, Shawn Weaver, requesting that development incentives be considered for the Park Glen Estates Development. The discussion at the April 12th meeting centered around four areas for incentives. Two for the home buyer (cash incentive for purchase and an ongoing cash incentive) and two for the builder (waiver and reduction of fees and construction interest loan guarantees).

Analysis: Staff had initially proposed that the city provide coverage of the interest for the loans and be repaid by the builder upon purchase of the home. During the discussion, a second alternative was proposed by staff that the builder would pay the first six months of the construction loan payment and then the city would serve as a backstop for the next six months if the home did not sale and cover the interest portion of the construction loan. Ultimately, staff was directed to craft a package that would allow the city to pay up to nine months of a portion of the construction loan at a rate of .4167%. The resolution reflects those changes and continues the other incentives.

- 1) Reduction of Building Permits by 50% - this program is the same as incentives offered for builders in Chisolm Ridge. Estimates savings of \$750 for the builder
- 2) Waiver of Water and Sewer Connection Fees – this program is similar to that which is offered in Chisolm Ridge. Estimated savings of \$1500 for the builder
- 3) Construction Loan Assistance – the city will pay up to 9 months of construction loan assistance at a rate of .4167%, depending on the sale of the home. This could be as much as \$12,200 per home and assuming 3 homes a year the set aside for the program would be \$36,600
- 4) Direct Cash Incentive to Homebuyer – the program developed for Chisolm Ridge would be extended to Park Glen Estates new homebuyers. The \$1,500 cash incentive could be used to help offset closing costs or other costs associated with buying a new home. Again with 3 new homes in a year the city would be required to set aside \$4,500 per year.
- 5) On Going Cash Incentives – this program would continue cash payments over a selected period of time (5 years proposed) that would be equal to 50% of the city’s portion of property taxes incurred by the home owner. The property owner

would be required to be current on their property taxes prior to any cash incentive being granted. It is estimated that this payment would be approximately \$850.00 per year. The city would need to set aside the amount required to cover the ongoing payments per year. If this program was extended over a period of time to include all 11 lots and based upon 3 new homes per year. In year 4 and 5 of the program the city would be required to set aside \$9,350. In the first year if 3 homes are eligible the cost to the city would be \$2,550.

Financial: The total capital outlay to the city would be approximately \$50,000 that would be need to be encumbered to ensure that adequate cash is on hand to allow the program to work. The bulk of that money would be in the construction loan defrayment program. The total incentives over the five year period would be approximately \$18,000 for one house. The total time for the city to directly recoup those cost would be 8.75 years based upon current tax and water utility rates.

Legal Considerations: Review and Comment as Necessary.

Recommendations/Actions: It is recommended the City Council:

- 1) Adopt the Resolution as presented;
- 2) Adopt the Resolution as modified;
- 3) Not Adopt the Resolution;
- 4) Table the Matter for Further Study;

Attachments: Resolution (3-pages)

CITY OF CLEARWATER, KANSAS

RESOLUTION NO. 5-2016

A RESOLUTION ESTABLISHING THE CITY OF
CLEARWATER, KANSAS RESIDENTIAL NEW HOME
CONSTRUCTION INCENTIVE PROGRAM FOR PARK
GLEN ESTATES

WHEREAS, the City of Clearwater, Kansas desires to establish a Residential New Home Construction Incentive Program within the Park Glen Estates Addition to the City of Clearwater, Kansas.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Clearwater, Kansas that the following Residential New Home Construction Incentive Program for Park Glen Estates (herein referred to as the "Program") is hereby established:

Section 1. PURPOSE

The purpose of the City of Clearwater, Kansas Residential New Home Construction Incentive Program for Park Glen Estates is to provide the community with long-term stabilization and improvement of its property tax base while increasing the community supply of residential housing. The Residential New Home Construction Incentive Program for Park Glen Estates is designed to encourage the construction of new homes within the corporate limits of the City of Clearwater. The Program consists of (1) reduction of building permit fees for new residential construction; (2) utility connection fee abatements; (3) builder construction loan assistance and (5) homebuyer cash incentives.

Section 2. PROGRAM

Under the Residential Construction Incentive Program, fees associated with new home construction will be reduced or abated as follows:

- 50% reduction of building permit fees,
- Abatement of the City sewer connection fee,
- Abatement of the City water connection fee,

In addition to the above-listed reductions and abatements, the City agrees to provide builder assistance for construction loan interest at .4167% for a maximum of nine (9) months, provide a cash incentive to a home owner equal to 50% of the city portion of the property tax bill for a period of five (5) years and make a one-time payment of up to \$1,500.00 at closing to the first ten (10) eligible first-time homebuyers in each calendar year.

Section 3. ELIGIBILITY

Eligibility for this program is as follows:

- 1) The properties listed in EXHIBIT "A" to this document are eligible to participate in this Program so long as a New Home Building Permit is issued prior to December 31, 2016.

- 2) All ad valorem property taxes and special assessments, if any, on the property for which an application is submitted may not be delinquent. If any ad valorem property taxes or special assessments are delinquent, such property will not be eligible for the program until such time as all taxes and special assessments due and owing are paid in full and proof thereof is provided to the City of Clearwater City Clerk.
- 3) The new home must conform to all architectural design criteria as established by Park Glen Estates.
- 4) Only single family residential structures are eligible for this program.
- 5) Only one homebuyer payment to a person or couple will be granted in a single calendar year. Corporations are not eligible for the homebuyer payment.
- 6) Construction must be completed within the standard 180 day construction window. Extensions of this time frame may only be granted in writing at the discretion of the City Administrator. The applying homeowner may be required to pay all or part of a previously discounted or abated fee before resuming construction.

Section 4. AMENDMENT OR REPEAL

This Program may, at any time after adoption, be amended, supplemented, or repealed by a majority vote of the Governing Body of the City of Clearwater, Kansas.

Section 5. IMPLEMENTATION

The City Administrator, or his designee, shall be authorized to implement the foregoing program in compliance with all applicable federal, state and local laws, rules and regulations.

Section 6. EFFECTIVE DATE

This Program shall be in full force and effect upon the adoption of this Resolution by the Governing Body of the City of Clearwater, Kansas.

ADOPTED by the Governing Body and Approved by the Mayor of the City of Clearwater, Kansas on this 26th day of April, 2016.

Burt Ussery, Mayor

SEAL
ATTEST:

Courtney Meyer, City Clerk

EXHIBIT A of Resolution No. 5-2016

RESIDENTIAL CONSTRUCTION INCENTIVE PROGRAM

PARK GLEN ESTATES

ELIGIBLE LOTS

Lot	Block	Addition
1	1	Park Glen Estates Add.
2	1	Park Glen Estates Add.
3	1	Park Glen Estates Add.
4	1	Park Glen Estates Add.
5	1	Park Glen Estates Add.
6	1	Park Glen Estates Add.
7	1	Park Glen Estates Add.
8	1	Park Glen Estates Add.
9	1	Park Glen Estates Add.
10	1	Park Glen Estates Add.
11	1	Park Glen Estates Add.

**City of Clearwater
City Council Meeting
April 26, 2016**

TO: Mayor and City Council
SUBJECT: Consider an Ordinance Adopting the 2012 International Building Code
INITIATED BY: City Administrator
PREPARED BY: City Administrator
AGENDA: New Business

Background: The City contracts its Building Inspection to Sedgwick County and the Metropolitan Area Building and Construction Department. In March of 2016, Sedgwick County adopted the 2012 International Building Code. As such the City is required to adopt the same codes that are enforced by MABCD.

Analysis: MABCD has a full code board made up of trade professionals that review and amend the code to better serve construction needs in the Metropolitan area. The amended codes is presented in the attached resolution from Sedgwick County.

Financial: There is a small fee for publishing the ordinance and the city will need to purchase two copies of the building code to have on file at a cost of approximately \$500.00

Legal Considerations: Review and Comment as Necessary.

Recommendations/Actions: It is recommended the City Council:

- 1) Adopt the Ordinance as presented;
- 2) Adopt the Ordinance as modified;
- 3) Not Adopt the Ordinance;
- 4) Table the Matter for Further Study;

Attachments: Ordinance (2-pages)

(Summary First Published in the Times-Sentinel
on the ____ day of _____, 2016.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1011

AN ORDINANCE INCORPORATING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2012 EDITION, AS AMENDED AND APPLIED BY SEDGWICK COUNTY RESOLUTION NUMBER 049-2016 AND REPEALING ALL CONFLICTING ORDINANCES OR PORTIONS THEREOF.

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

Section 1. Incorporating International Building Code

There is hereby incorporated by reference that certain code known as the International Building Code, 2012 Edition, prepared and published in book form by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, as amended and applied by Sections 1 through 25 of Resolution Number 049-2016 of the Board of County Commissioners of Sedgwick County, Kansas. No fewer than three (3) copies of said International Building Code, 2012 Edition, and Sedgwick County Resolution Number 049-2016 shall be marked "Official Copy as adopted by Ordinance No. ____," to which shall be attached a copy of this Ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Repeal

All ordinances or parts of ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Adopted by the City Council this 26th day of April, 2016.

Approved by the Mayor this 26th day of April, 2016.

MAYOR, BURT USSERY

ATTEST:

CITY CLERK, COURTNEY MEYER

RESOLUTION NO. 049-2016

Date Adopted: --16

Date Published: --16

Date Effective: --16

A RESOLUTION ADOPTING THE INTERNATIONAL BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., 2012 EDITION, AND AMENDING, ADDING, AND DELETING VARIOUS SECTIONS OF ARTICLE 2 OF THE WICHITA/SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE.

WHEREAS, the Board of County Commissioners is authorized by K.S.A. 19-101 *et seq.* and 12-3303 *et seq.*, to officially adopt, incorporate, and promulgate by resolution codes, rules and regulations for air conditioning, refrigeration, warm air heating, and related trades within the confines of the unincorporated areas of Sedgwick County and those second- and third-class cities that have adopted those codes, rules, and regulations by action of their governing bodies and have entered into agreements with Sedgwick County related thereto; and

WHEREAS, effective January 1, 2013, Sedgwick County and the City of Wichita consolidated code enforcement from their respective jurisdictions within the Metropolitan Area Building and Construction Department (“MABCD”) in Sedgwick County Resolution No. 135-2012 and City of Wichita Ordinance No. 49-333; and

WHEREAS, Sedgwick County, Kansas, and the City of Wichita, Kansas, have hereby adopted the Wichita-Sedgwick County Unified Building and Trade Code (“UBTC”) within Resolution No. 175-2012 and Ordinance No. 49-412; and

WHEREAS, within the UBTC, Sedgwick County and the City of Wichita have previously adopted the International Building Code, as published by the International Code Council, Inc., 2006 Edition, with additions, modifications, deletions, and omissions; and

WHEREAS, the MABCD Board of Code Standards and Appeals has reviewed and voted to approve all of the changes proposed in this Resolution; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, finds that it has been advised by the Director of the MABCD, and therefore deems it necessary to amend the Article 2—Building Code portion of the UBTC by adopting the International Building Code, 2012 Edition, in place of the 2006 Edition of the same publication, with additions, modifications, deletions, and omissions as noted within this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AMENDS THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE AS FOLLOWS:

SECTION 1.

Sec. 2.2.010. - Adoption of the International Building Code *is amended to read as follows:*

The International Building Code, as published by the International Codes Council, Inc., 2012 Edition is hereby adopted and incorporated herein by reference, subject to such amendments thereto as are set forth hereinafter.

SECTION 2.

Sec. 2.2.020. - Section 101.4.1 amended *is amended to read as follows:*

Section 101.4.1 of the International Building Code, is amended to read as follow:

101.4.1 Electrical & Gas. The provisions of Article 4 of the Unified Building and Trade Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. The provisions of Article 3 of the Unified Building and Trade Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories. These requirements apply to gas piping systems extending from point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

SECTION 3.

Sec. 2.2.030. – Section 101.4.2 amended (formerly) *is deleted.*

SECTION 4.

Sec. 2.2.040. – Section 101.4.2 amended *is amended to read as follows:*

Section 101.4.2 of the International Building Code, is amended to read as follows:

101.4.2 Mechanical. The provisions of Article 5 of the Unified Building and Trade Code shall apply to the installation, alterations, repairs, and replacement of mechanical systems, equipment, appliances, fixtures, fittings and/or appurtenances, ventilation, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

SECTION 5.

Sec. 2.2.050. - Section 101.4.3 amended *is amended to read as follows:*

Section 101.4.3 of the International Building Code, is amended to read as follows:

101.4.3 Plumbing. The provisions of Article 3 of the Unified Building and Trade Code shall apply to the installation, alterations, repairs and replacement of plumbing systems, equipment, appliances, fixtures and appurtenances, and where connected to water or sewage system and all aspects of a medical gas system.

SECTION 6.

Sec. 2.2.060. - Section 101.4.4 amended *is amended to read as follows:*

Section 101.4.4 of the International Building Code, is amended to read as follows:

This Section applies only within the city limits of the City of Wichita.

101.4.4 Property maintenance. The provisions of Sections 18.40 and 20.04 of the Code of the City of Wichita shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety, hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

In the Unincorporated areas of Sedgwick County, Section 101.4 of the International Building Code is deleted.

SECTION 7.

Sec. 2.2.070. - Section 101.4.5 amended *is amended to read as follows:*

Section 101.4.5 of the International Building Code, is amended to read as follows:

101.4.5 Fire prevention. The provisions of Title 15 of the City Code of the City of Wichita or Section 12 of the Code of Sedgwick County shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from storage, handling or use of structures, materials, or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

SECTION 8.

Sec. 2.2.080. – Section 101.4.7 deleted (formerly) is amended to read as follows:

Sec. 2.2.080. –Section 101.4.6 deleted.

Section 101.4.6 of the International Building Code, is deleted.

SECTION 9.

Sec. 2.2.100. - Section 105.1 amended is amended to read as follows:

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

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or outdoor paved area, which is regulated by this Code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

SECTION 10.

Sec. 2.2.130. - Section 105.2 amended is amended to read as follows:

Section 105.2 of the International Building Code, is amended to read as follows:

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

Building:

1. (a). One-story accessory structures classified as Groups S or U occupancies provided the floor area does not exceed 200 square feet (18m²), and a location permit is obtained from MABCD prior to installation (City of Wichita only). In Sedgwick County jurisdiction no location permit is required and the floor area cannot exceed 400 square feet at which point a building permit would be required as long as site location is not located in designated flood plain area.

All detached accessory structures greater than 25 s.f. (2.3 m²) but equal to or less than 400 s.f. (37.16 m²) square feet shall be tied down to the earth using anchoring methods described in the MABCD's "Non Vehicle Storage Structure Anchoring Standards". This requirement is exempted in Sedgwick County jurisdiction.

- (b). Playhouses or tree houses having single or multi-level floors with or without roofs.
- 2.
 - (a). Concrete or masonry fences not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall and other fences not over 8 feet (2438 mm) high, unless the fence encloses an outdoor seating area.
 - (b). Concrete or masonry monument sign bases not over 4 feet (1219 mm) in height measured from the lowest point of the adjoining grade. The sign size and content requires separate approval and permit.
- 3. Oil derricks
- 4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- 5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- 6. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
- 7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finishes.
- 8. Temporary motion picture, television and theater stage sets and scenery.
- 9. Prefabricated swimming pools accessory to a Group R, Division 3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (19,000 L) and are installed entirely above ground.
- 10. Swings and other playground equipment.
- 11. Windows awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- 12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
- 13. Interior platforms not over 200 square feet (18.58 m²) in area, nor more than 30 inches (762 mm) above the adjacent floor.
- 14. Exterior decks, curb ramps (maximum 6 inch (153 mm) vertical rise), stoops and porches not more than 30 inches (762 mm) above grade without overhead

structures and not over any basement or story below.

15. Emergency board-up or securing of a building and installing temporary bracing after a fire, storm, vehicle damage or other disaster, which caused the building to be open or unsafe. The building owner or his/her agent may cause such work to be done provided the MABCD is notified on the following business day.
16. Repair or Replacement roofing and/or siding materials not exceeding 400 square feet (37.16 m²) within any 12-month period.
17. Repair or replacement of interior gypsum wallboard on non-fire rated walls or ceilings when the total area does not exceed 100 square feet (9.29 m²) within any 12-month period and provided that no framing, electrical, mechanical or plumbing changes are made.
18. Paved areas not used for the purpose of parking or storage of vehicles and/or equipment or storage.
19. Replacement of windows or doors or replacement of roof skylights or equipment with the same size or smaller unit(s) that does not involve the removal, cutting, alteration or replacement of any building structural member; including but not limited to studs, headers, girders, beams, joists, rafters, cripples, jacks or other supportive framing member(s). The framing used to infill existing openings for the purpose of installing smaller unit(s) shall be exempt from permit requirements. Placement of smaller windows or doors shall not reduce the minimum size requirements of escape and rescue openings, or egress door(s), or fire department access required by this Code. The replacement door or window shall not be of a lower fire rating than the original assembly, unless a lower fire rating is allowed by this Code.

Electrical:

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

Radio and television transmitting stations: The provisions of this Code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this Code.
5. Replacement of any minor part that does not alter its approval or make it unsafe.
6. Portable evaporate cooler.
7. Self-contained refrigeration systems containing 10 pounds (5 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this Code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

SECTION 11.

Sec. 2.2.150. - Section 105.2.2 amended is amended to read as follows:

Section 105.2.2 of the International Building Code, is amended to read as follows:

105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a

structure affecting the egress requirements.

SECTION 12.

Sec. 2.2.170. - Section 105.5 amended *is amended to read as follows:*

Section 105.5 of the International Building Code, is amended to read as follows:

105.5 Expiration. Every permit issued shall expire unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work shall be considered to have been suspended or abandoned if it has been more than 180 days since the last requested inspection. Before work can be recommenced, the permit must be reinstated. The fee for the re-instatement 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 that such suspension or abandonment has not exceeded one year. In order to resume work after suspension or abandonment for a period of one year, a new permit shall be required. The building official is authorized to grant one or more extensions of time, for periods not more than 180 days each. The extensions shall be requested in writing and justifiable cause demonstrated.

SECTION 13.

Sec. 2.2.180. - Section 105.7 amended *is amended to read as follows:*

Section 105.7 of the International Building Code, is amended to read as follows:

105.7 Placement of permit. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or has made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained and made available by the permit holder until final approval has been granted by the building official.

SECTION 14.

Sec. 2.2.190. - Section 109.2 amended *is amended to read as follows:*

Section 109.2 of the International Building Code, is amended to read as follows:

109.2 Schedule of permit fees. On buildings, structures or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the fee schedule as established by Article 1.2 of this Code.

SECTION 15.

Sec. 2.2.200. - Plan review fees *is amended to read as follows:*

Sec. 2.2.200. – Plan review fees.

Plan review fees. When submittal documents are required by Section 107 of the International Building Code, a plan review fee shall be paid at the time of submitting the documents for plan review. When submitted for a project within the MABCD jurisdiction, said plan review fee shall be 60 percent of the building permit fee as shown in Tables B and C of this Code. The plan review fees specified in this section are separate fees from those fees set forth in Section 109.2 of the International Building Code and are in addition to building permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1 of the International Building Code, an additional plan review fee shall be charged at the rate shown in Table D of this Code.

SECTION 16.

Sec. 2.2.210. - Section 109.6 amended *is amended to read as follows:*

Section 109.6 of the International Building Code, is amended to read as follows:

109.6 Refunds. The building official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the fee paid when no work has been done under a permit issued in accordance with this Code and the period of 180 days has not expired since the issuance of said permit.

SECTION 17.

Sec. 2.2.220. - Section 109.3.10 amended (formerly) *is amended to read as follows:*

Sec. 2.2.220. - Section 110.3.10 amended.

Section 110.3.10 of the International Building Code, is amended to read as follows:

110.3.10 Final inspection. The final inspection shall be made after all work required by the building permit is completed. If landscaping is required by the building permit, the landscaping shall be installed by the holder of the building permit, property owner, or their duly authorized agent. A letter of credit or bond in the amount of 125% of the cost of the landscaping shall be submitted to the MABCD before the final inspection approval will be issued to the contractor. The building shall not be occupied prior to obtaining final inspection approval.

SECTION 18.

Sec. 2.2.230. - Section 110.2 amended (formerly) is amended to read as follows:

Sec. 2.2.230. – Section 111.2 amended.

Section 111.2 of the International Building Code, is amended to read as follows:

111.2 Certificate issued. After the building official inspects the building or structure and finds no violation of the provisions of this Code or other laws that are enforced by the MABCD, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name of the owner or contractor.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the various sections of the Wichita-Sedgwick County Unified Building and Trade Code regulating building construction or use.

SECTION 19.

Sec. 2.2.240. - Section 111 deleted (formerly) is amended to read as follows:

Sec. 2.2.240. – Section 113 amended.

Section 113 of the International Building Code, is amended to read as follows:

See Article 1, Section 5 – Board of Appeals – General Rules and Regulations

SECTION 20.

Sec. 2.2.250. – Section 305.2 amended is amended to read as follows:

Section 305.2 of the International Building Code, is amended to read as follows:

305.2 Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than 10 children older than 2 1/2 years of age who receive educational, supervision or personal care services for fewer than 24 hours per day. A facility with 10 or fewer persons receiving such care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

SECTION 21.

Sec. 2.2.260. – Section 308.2 amended (formerly) is amended to read as follows:

Sec. 2.2.260. – Various portions of Section 308 amended, with other amendments contained within Secs. 2.2.270, 2.2.280, and 2.2.290.

Various portions of Section 308 of the International Building Code (with other amendments contained within Sections 2.2.270, 2.2.280, and 2.2.290), are amended to read as follows:

308.3.1 A facility such as the above with ten or fewer persons shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.

308.3.2 A facility such as above, housing at least eleven and not more than 16 persons, shall be classified as Group R-4 occupancy.

308.4.1 Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 occupancy or shall comply with the International Residential Code.

308.6.4 Ten or fewer persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having ten or fewer persons receiving custodial care shall be classified as Group R-3 occupancy, or shall comply with the International Residential Code.

SECTION 22.

Sec. 2.2.300. – Section 310.1 amended (formerly) is amended to read as follows:

Sec. 2.2.300. - Section 310.5 amended.

Section 310.5 of the International Building Code, is amended to read as follows:

310.5 Residential Group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units

Boarding houses (nontransient) with 10 or fewer occupants

Care facilities that provide accommodations for ten or fewer persons receiving care

Congregate living facilities (nontransient) with 16 or fewer occupants

Congregate living facilities (transient) with 10 or fewer occupants

310.5.1 Care facilities within a dwelling. Care facilities for ten or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code.

SECTION 23.

Sec. 2.2.318. – Section 310.6 amended is created and reads as follows:

Section 310.6 of the International Building Code, is amended to read as follows:
310.6 Residential Group R-4. This occupancy shall include buildings, structures or portions thereof for more than ten but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. The persons receiving care are capable of self-preservation. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living facilities

Congregate care facilities

Convalescent facilities

Group homes

Halfway homes

Residential board and custodial care facilities

Social rehabilitation facilities

SECTION 24.

Sec. 2.2.320. – Section 406.2.2 amended is amended to read as follows:

Section 406.2.2 of the International Building Code, is amended to read as follows:

406.2.2 Clear height. The clear height of each floor level in vehicle and pedestrian traffic areas shall not be less than 7 feet (2134 mm). Vehicle and pedestrian areas accommodating van-accessible parking required by the guidelines of the Americans with Disabilities Act (ADA) must have a minimum clear height of 98 inches to and on each level accommodating van accessible parking and meet all provisions of Americans with

Disabilities Act Accessibility Guideline (ADAAG) 502.5.

SECTION 25.

Sec. 2.2.330. – Section 408.3.1 amended *is amended to read as follows:*

Section 408.3.1 of the International Building Code, is amended to read as follows:

408.3.1 Door width. Doors to resident sleeping units shall have a clear width of not less than 32 inches (813 mm).

SECTION 26.

Sec. 2.2.340. – Section 412.2.1 amended (formerly) *is amended to read as follows:*

Sec. 2.2.340. – Section 412.4.1 amended.

Section 412.4.1 of the International Building Code, is amended to read as follows:

412.4.1 Exterior walls. Exterior walls located less than 25 feet (7692 mm) from property lines, lot lines or a public way shall have a fire-resistance rating of not less than 2 hours.

SECTION 27.

Sec. 2.2.360. – Section 412.2.6 amended (formerly) *is amended to read as follows:*

Sec. 2.2.360. - Section 412.4.6 amended.

Section 412.4.6 of the International Building Code, is amended to read as follows:

[F] 412.4.6 Fire suppression. Aircraft hangers shall be provided with a fire suppression system designed in accordance with NFPA 409, based upon the classification for the hanger given in Table 412.4.6.

Exception: In the City of Wichita jurisdiction, Group II and III hangers, operated by a fixed base operator used for storage of transient aircraft only, shall have a fire suppression system where the square footage used for aircraft storage exceeds 1.5 times the fire area noted in Table 412.4.6, but the system is exempt from foam requirements. In the Sedgwick County jurisdiction, Aircraft hangers shall have a fire suppression system when the square footage exceeds 26,000 square feet.

SECTION 28.

Sec. 2.2.365. – Sections 421—421.3.4, 421.4-421.6 (formerly) *is amended to read as follows:*

Sec. 2.2.365. – Section 423.1.1 amended.

Sec. 423.1.1 of the International Building Code, is amended to read as follows:

423.1.1 Storm shelters: Scope. When a room or area is represented by a manufacturer or builder as a storm shelter, or is a designated location of refuge by an owner/user of a structure, the shelter shall meet one the following requirements:

1. For a shelter with less than 12 occupants, the shelter may be constructed using the provisions of the current addition of FEMA 320 "Taking Shelter From The Storm".
2. For a shelter with 12 or more occupants, the shelter shall be designed by a licensed design professional in accordance with FEMA 361 "Design And Construction Guidance Of Community Shelters," editions 1 or 2. A licensed engineer shall seal a certificate to be posted on the inside of each shelter stating it was designed in accordance with FEMA 361.
3. Storm shelters constructed in accordance with ICC-500.

SECTION 29.

Sec. 2.2.460. – Section 705.1 amended (formerly) *is amended to read as follows:*

Sec. 2.2.460. - Section 706.1 amended.

Section 706.1 of the International Building Code, is amended to read as follows:

706.1 General. Each portion of a building separated by one or more fire walls that comply with the provisions of this section shall be considered a separate building. The extent and location of such fire walls shall provide a complete separation. Where a fire wall also separates occupancies that are required to be separated by a fire barrier wall, the most restrictive requirements of each separation shall apply.

Exceptions:

1. Area separation walls constructed prior to the adoption of the 2000 Edition of the International Building Code may be increased in length by not more than 25 percent of the length of the existing wall, not to exceed 30 feet. The method of construction and fire rating of the additional wall length shall be in general conformance to that of the existing wall.

2. Where building separation is required by the adopted electrical code to allow for multiple electrical services, the firewall may be constructed in accordance with the provisions of a two-hour fire barrier per Section 707. If the fire wall coincides with that of a required fire barrier, then the most restrictive requirement shall apply. For allowable area purposes, the building is considered as one structure with no benefit from the fire wall.

SECTION 30.

Sec. 2.2.480. – Section 715.5.7.2 amended (formerly) is amended to read as follows:

Sec. 2.2.480. - Section 716.6.7.2 amended.

Section 716.6.7.2 of the International Building Code, is amended to read as follows:

716.6.7.2 Size limitations. The total area of windows shall not exceed 25 percent of the area of a common wall with any room.

Exception: Window openings of unlimited area may be glazed with approved fixed laminated glass, subject to the following conditions:

1. The glass shall be protected by a sprinkler system served by a domestic line and equipped with listed quick-response sprinklers approved by the Fire Department. The sprinkler system shall completely wet the entire surface of the glass wall when activated.
2. The laminated glass shall be in a gasketed non-combustible frame as installed so that the glazing system may deflect without breaking (loading) the glass before the sprinkler system operates.
3. Obstructions such as curtain rods, drapery traverse rods, curtains, drapes or similar materials shall not be installed between the sprinkler and the glass. For the purpose of this section, non-combustible doors with approved fixed laminated glass may be considered as window openings, when subjected to the above conditions. The above doors shall comply with Sections 716.5.9 and 716.5.9.1.

SECTION 31.

Sec. 2.2.500. – Chapter 9, Section 901.6 amended – Inspection, testing and maintenance (formerly) is amended to read as follows:

Sec. 2.2.500. – Section 901.5 amended – Inspection, testing and maintenance.

In the jurisdiction of the City of Wichita:

Section 901.5 of the International Building Code, 2012 Edition, is amended to read as follows:

Section 901.5 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed. Installation and alterations to fire detection, alarm and extinguishing systems shall be done in accordance with applicable standards and shall be performed by a NICET II or IMSA or approved equivalent certified Wichita Licensed Fire Protection Contractor.

Required test and inspection records shall be submitted within 30 days of testing and inspection to the fire code official in such form and by such means as directed by the fire code official and Department Policy. A third party vendor will manage the records. Any data management fees charged by a third party administrator to process, store and report such documentation shall be the responsibility of the party submitting the report. Reports submitted otherwise than in accordance with this section may not be accepted by the fire code official.

In the jurisdiction of Sedgwick County:

Article 12, Section 901.5. of the International Building Code, 2012 Edition, is added to read as follows:

Authorized inspectors, test and maintenance personnel. No person or business entity shall inspect, test or maintain any system regulated by this section unless said person or business entity is a licensed fire protection contractor who has passed an appropriate examination. The International Code Council test for general contractors in the state of Kansas (ICC address of 5360 S. Workman Mill Rd. Whittier, CA 90601) or the "Block Test" administered by Experior (address of 2100 NW 53rd Ave., Gainesville, FL 32653), are designated as the standard examinations for determining the qualifications of person seeking licensure.

Those persons who were licensed as required by the Department of Code Enforcement on December 31, 2003, and whose license has not subsequently lapsed or been suspended or revoked, shall not be required to pass any such examination. Those persons not so licensed on that date shall be at least a NICET Level II Fire Protection Contractor.

SECTION 32.

Sec. 2.2.520. – Section 903.2.1.2 amended *is amended to read as follows:*

Section 903.2.1.2 of the International Building Code, is amended to read as follows:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464.5 m²);
2. The fire area has an occupant load of 300 or more in Sedgwick County jurisdiction, or 100 in the City of Wichita jurisdiction.
Exception available in City of Wichita Jurisdiction - the occupant load may go to 300 people if a 3rd exit or fire alarm is added that is approved by the Wichita Fire Marshal or MABCD Director.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

SECTION 33.

Sec. 2.2.555. – Section 903.2.3.1 created (formerly) is amended to read as follows:

Sec. 2.2.555. – Section 903.2.4.1 amended.

Section 903.2.4.1 of the International Building Code, is amended to read as follows:

903.2.4.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area (232 m²) which generate finely divided combustible waste or use finely divided combustible materials.

Exception: A room or the aggregate area of rooms containing woodworking operations within a fire area, as defined by the International Building and Fire Codes, where the area is 2,500 square foot (232 m²) or less. Walls which define rooms containing a wood working operation shall be of non-combustible construction. All doors shall have self-closing devices and any windows shall be fixed closed. All openings shall be maintained closed.

SECTION 34.

Sec. 2.2.560. – Section 903.2.7 amended (formerly) is amended to read as follows:

Sec. 2.2.560. – Section 903.2.8 amended.

Section 903.2.8 of the International Building code, is amended to read as follows:

Section 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exceptions:

One- or two-family dwelling unit.

Dwelling units in three- & four- family dwellings separated from each other by wall and/or floor assemblies having not less than a 2-hour fire-resistance rating. Fire-resistance-rated floor/ceiling & wall assemblies shall extend to and be tight against an exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

The roof shall be a minimum of class C roof covering, and the roof decking or sheathing is of non-combustible materials or approved fire-retardant-treated wood for a distance of four feet on each side of the wall or walls. There shall be no penetrations through this area of the roof deck or sheathing.

Where buildings, or portions thereof, are arranged above or below adjacent units, an automatic sprinkler system shall be provided throughout all units.

SECTION 35.

Sec. 2.2.570. – Section 903.2.8 deleted (formerly) is amended to read as follows:

Sec. 2.2.570. – Section 903.2.9 amended.

Section 903.2.9 of the International Building Code, is amended to read as follows:

[F] 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 12,000 square feet (1115 m²).

Exception: In the City of Wichita jurisdiction, a Group II or III aircraft hangar, as defined by NFPA 409, operated by a fixed base operator used for storage of transient aircraft only where the fire area exceeds 18,000 square feet (1672 m²). See International Building Code Section 412.4.6.2 for fire area allowances for ancillary uses. In the Sedgwick County jurisdiction, Aircraft hangers shall have a fire suppression system when the square footage exceeds 26,000 square feet.

2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m²).

5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

SECTION 36.

Sec. 2.2.600. – Section 903.2.10.1.1 amended (formerly) *is amended to read as follows:*

Sec. 2.2.600. - Section 903.2.11.1.1 amended.

Section 903.2.11.1.1 of the International Building Code, is amended to read as follows:

[F] 903.2.11.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm) in width and 48 inches (1219 mm) in height. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

SECTION 37.

Sec. 2.2.665. – Section 903.3.1.2.1 created (formerly) *is amended to read as follows:*

Sec. 2.2.665. - Section 903.2.11.3 amended.

In the jurisdiction of the City of Wichita

Section 903.2.11.3 of the 2012 International Building Code shall be adopted as written.

In the jurisdiction of Sedgwick County

Section 903.2.11.3 of the International Building Code is amended to read as follows:

903.2.11.3 Buildings of 30 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 30 feet or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking structure.
3. Occupancies in F-2 structures.

SECTION 38.

Sec. 2.2.680. – Chapter 9, Section 903.3.7 amended – Fire department connections (formerly) is amended to read as follows:

Sec. 2.2.680. – Section 903.3.7 created – fire department connections.

Section 903.3.7 is amended and reads as follows:

In the jurisdiction of the City of Wichita

The location of fire department hose connections shall be approved by the fire code official. The maximum distance shall be 150 feet from a fire hydrant. The required hydrant shall be no closer than 40 feet to the structure.

SECTION 39.

Sec. 2.2.720. – Section 907.2.3 amended is amended to read as follows:

Section 907.2.3 of the International Building Code, is amended to read as follows:

907.2.3 Group E. An automatic fire alarm system with smoke detection in accordance with provisions set forth in current Kansas Administrative Regulations and the NFPA 101 Life Safety Code Section shall be installed in Group E occupancies.

SECTION 40.

Sec. 2.2.730. – Group I-4 created (formerly) is amended to read as follows:

Sec. 2.2.730. – Section 907.2.6.4 created.

Group I-4. Group I-4 occupancies shall be equipped with an automatic fire alarm system with smoke detection in accordance with provisions set forth in current Kansas Administrative Regulations and the NFPA 101 Life Safety Code Section 16.3.4, as amended.

SECTION 41.

Sec. 2.2.740. – Section 910.2.1 amended is amended to read as follows:

Section 910.2.1 of the International Building Code, is amended to read as follows:

910.2.1 Group F-1 or S-1. Buildings and portions thereof used as Group F-1 or S-1 occupancy having more than 50,000 square feet (4645 m²) in undivided area.

Exceptions:

1. Group S-1 aircraft repair hangars.
2. Areas completely separated by non-combustible partitions so that no one area exceeds 50,000 square feet (4645 m²). Openings shall be provided with approved automatic or self-closing devices to ensure closure of the opening.

SECTION 42.

Sec. 2.2.750. – Section 910.3.5 amended (formerly) is amended to read as follows:

Sec. 2.2.750. – Section 912.2.1 amended.

Section 912.2.1 of the International Building Code, is hereby amended to read as follows:

912.2.1 Visible location. Fire Department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of Fire Department vehicle access or as otherwise approved by the fire chief. In addition, a horn/strobe device shall be installed directly above the Fire Department connection and shall activate in conjunction with the fire alarm system.

SECTION 43.

Sec. 2.2.760. – Section 1003.5 amended is amended to read as follows:

Section 1003.5 of the International Building Code, is amended to read as follows:

1003.5 Elevation change. Where changes in elevation of less than 12 inches (305 mm) exist in the means of egress, sloped surfaces shall be used. Where the slope is greater than one unit vertical in 20 units horizontal (5-percent slope), ramps complying with Section 1010 shall be used. Where the difference in elevation is 6 inches (152 mm) or less, the ramp shall meet the requirements of the Americans with Disability Act ("ADA").

Exceptions:

1. A single step with a maximum riser height of 7 inches (178 mm) is permitted for buildings with occupancies in Groups F, H, R-2, R-3, S, and U at exterior doors not required to be accessible by the Americans with Disabilities Act ("ADA") or locations served by a ramp meeting the requirements of the Americans with Disabilities Act ("ADA").
2. A stair with a single riser or with two risers and a tread is permitted at locations not required to be accessible by the Americans with Disabilities Act ("ADA"), provided that the risers and treads comply with Section 1009.7, the minimum depth of the tread is 13 inches (330 mm) and at least one handrail complying with

Section 1012 is provided within 30 inches (762 mm) of the centerline of the normal path of egress travel on the stair.

3. A step is permitted in aisles serving seating that has a difference in elevation less than 12 inches (305 mm) at locations not required to be accessible by the Americans with Disabilities Act ("ADA"), provided that the risers and treads comply with Section 1028.11 and aisle is provided with a handrail complying with Section 1028.13.

Any change in elevation in a corridor serving non-ambulatory persons in Group I-2 occupancy shall be by means of a ramp or sloped walkway.

SECTION 44.

Sec. 2.2.770. – Chapter 10, Section 1004.1 amended – Design occupant load (formerly) is amended to read as follows:

Sec. 2.2.770. – Section 1004.1 amended.

Section 1004.1 of the International Building Code, is amended to read as follows:

Section 1004.1 Design occupant load. In determining means of egress requirements, the number of occupants for whom means of egress facilities shall be provided shall be determined in accordance with this section. Where occupants from accessory areas egress through a primary space, the calculated occupant load for the primary space shall include the total occupant load of the primary space plus the number of occupants egressing through it from the accessory area. Within the city limits of Wichita, see the 2012 International Fire Code, Chapter 1, Section 107.6 as amended by the City of Wichita.

SECTION 45.

Sec. 2.2.790. – Section 1006.4 amended (formerly) is amended to read as follows:

Sec. 2.2.790. - Section 1006.3.1 amended.

Section 1006.3.1 of the International Building Code, is amended to read as follows:

1006.3.1 Performance of system. Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 foot-candle (11 lux) and a minimum at any point of 0.1 foot-candle (1 lux) measured along the path of egress at floor level. A licensed electrical engineer shall certify such system.

Exception: Emergency lighting facilities shall be placed at intervals not to exceed 50 feet (15240 mm) on center or 25 feet (7620 mm) in any one direction along the path of egress. Obstructions or changes in direction or exit travel shall be considered the conclusion of the emergency light facility.

SECTION 46.

Sec. 2.2.830. – Section 1008.1.1 amended is amended to read as follows:

Section 1008.1.1 of the International Building Code, is amended to read as follows:

1008.1.1 Size of doors. The minimum width of each door opening shall be sufficient for the occupant load thereof and shall provide a clear width of not less than 32 inches (813 mm). Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). Where this section requires a minimum clear width of 32 inches (813 mm) and a door opening includes two door leaves without a mullion, one leaf shall provide a clear opening width of 32 inches (813 mm). The maximum width of a swinging door leaf shall be 48 inches (1219 mm) nominal. Means of egress doors in a Group I-2 occupancy used for the movement of beds shall provide a clear width not less than 41.5 inches (1054 mm). The height of doors shall not be less than 80 inches (2032 mm).

Exceptions:

1. The minimum and maximum width shall not apply to door openings that are not part of the required means of egress in Group R-2 and R-3 occupancies.
2. Door openings to resident sleeping unit in Group I-3 occupancies shall have a clear width of not less 32 inches (813 mm).
3. Door openings to storage closets less than 10 square feet (0.93 m²) in area shall not be limited by the minimum width.
4. Width of door leafs in revolving doors that comply with Section 1008.1.4.1 shall not be limited.
5. Door openings within a dwelling unit or sleeping unit shall not be less than 78 inches (1981 mm) in height.
6. Exterior door openings in dwelling units and sleeping units, other than the required exit door, shall not be less than 76 inches (1930 mm) in height.
7. In other than Group R-1 occupancies, the minimum widths shall not apply to interior egress doors within a dwelling unit or sleeping unit that is not required to be an Accessible unit, Type A unit or Type B unit.
8. Door openings required to be accessible within Type B units shall have minimum clear width of 32 inches (813 mm).

SECTION 47.

Sec. 2.2.850. – Section 1008.1.4 amended (formerly) is amended to read as follows:

Sec. 2.2.850. - Section 1008.1.5 amended.

Section 1008.1.5 of the International Building Code, is amended to read as follows:

1008.1.5 Floor Elevation. There shall be floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 1 vertical to 48 horizontal (2-percent slope).

Exceptions:

1. Doors serving individual dwelling units Groups R-2 and R-3 where the following apply:
 - 1.1 A door is permitted to open at the top step of an interior flight of stairs, provided the door does not swing over the top step.
 - 1.2 Screen doors and storm doors are permitted to swing over stairs or landings.
 - 1.3 A door is permitted to open at the top step of a flight of interior stairs in an attached garage, provided the door does not swing over the top step.
 - 1.4 A door is permitted to open at the top step of a flight of exterior stairs from a patio, provided there are no more than four risers.
2. Exterior doors as provided for in Section 1003.5, Exception 1, and Section 1020.2, which are not on an accessible route.
3. In Group R-3 occupancies not required to be Accessible units, Type A units or Type B units, the landing at an exterior doorway shall not be more than 8 inches (203.2 mm) below the top of the threshold, provided the door, other than an exterior storm or screen door, does not swing over the landing.
4. Variations in elevation due to differences in finish materials, but not more than 0.5 inch (12.7 mm).
5. Exterior decks, patios or balconies that are part of Type B dwelling units, have impervious surfaces and that are not more than 4 inches (102 mm) below the finished floor level of the adjacent interior space of the dwelling unit.

6. Doors, gates and panels that serve as access points to building equipment rooms that are not normally occupied, except where serving the following:
 - 6.1. Electrical rooms with equipment rated 1,200 amperes or more and over 6 feet (1829 mm) wide that contain overcurrent devices, switching devices or control devices (See International Building Code Section 1008.1.10).
 - 6.2. Rooms or spaces having a floor area larger than 1,000 square feet (93 m²), containing a refrigerant evaporator and maintained at a temperature below 68°F (20°C) (see International Building Code Section 1015.5).

SECTION 48.

Sec. 2.2.860. – Section 1008.1.5 amended (formerly) is amended to read as follows:

Sec. 2.2.860. - Section 1008.1.6 amended.

Section 1008.1.6 of the International Building Code, is amended to read as follows:

Landings at doors. Landings shall have a width not less than the width of the stairway or the door, whichever is greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). When a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing to less than one-half its required width. Landings shall have a length measured in the direction of travel of not less than 48 inches (1219 mm) and shall comply with the Americans with Disabilities Act.

Exception: Landing lengths in the direction of travel in Groups R-3 and U and within individual units of Group R-2 are not required to exceed 36 inches (914 mm).

SECTION 49.

Sec. 2.2.890. – Section 1008.1.8.9 amended (formerly) is amended to read as follows:

Sec. 2.2.890. - Section 1008.1.10 amended.

Section 1008.1.10 of the International Building Code, is amended to read as follows:

1008.1.10 Panic and fire exit hardware. Doors serving a Group H occupancy and doors serving rooms or spaces with an occupant load of 50 or more in a Group A or E occupancy shall not be provided with a lock or latch unless it is panic hardware.

Exception: A main exit of a Group A occupancy in compliance with Section 1008.1.9.3, Item 2.

Rooms with equipment rated 800 amperes or more that contain overcurrent devices, switching devices or control devices with a personnel door(s) intended for entrance to and egress from the working space less than 25 feet from the nearest edge of the working space, the doors shall be equipped with listed panic hardware. The doors shall open in the direction of egress travel.

Unapproved hardware. Any hardware added to a door, gate or turnstile that prevents or alters the intended operation of the door, gate or turnstile shall not be permitted.

SECTION 50.

Sec. 2.2.920. – Section 1009.10 amended (formerly) is amended to read as follows:

Sec. 2.2.920. - Section 1009.15 amended.

Section 1009.15 of the International Building Code, is amended to read as follows:

1009.15 Handrails. Stairways shall have handrails on each side and shall comply with Section 1015. Where glass is used to provide the handrail, the handrail shall also comply with Section 2407.

Exceptions:

1. Aisle stairs complying with Section 1028 provided with a center handrail need not have additional handrails.
2. Stairways within dwelling units, spiral stairways and aisle stairs serving seating only on one side are permitted to have a handrail on one side only.
3. Decks, patios and walkways that have a single change in elevation where the landing depth on each side of the change of elevation is greater than what is required for a landing do not require handrails.
4. In Group R-3 occupancies, a change in elevation consisting of a single riser at an entrance or egress door does not require handrails.
5. Changes in room elevations of only one riser do not require handrails.

SECTION 51.

Sec. 2.2.930. – Section 1009.12 created (formerly) is amended to read as follows:

Sec. 2.2.930. - Section 1009.18 created.

Sec. 1009.18 of the International Building Code, is created to read as follows:

1009.18 Access to elevator equipment rooms and areas. Room and areas containing equipment that must be accessed for maintenance must meet the requirements set forth in ANSI-A17.1 as adopted by the MABCD Elevator Code.

Access to equipment rooms and areas other than elevator equipment rooms and areas. Rooms and areas containing equipment that must be accessed for maintenance are not required to be accessed by a stairway. Access compliance to equipment rooms and areas is subject to provisions of other adopted standards of the MABCD and that of OSHA.

Exception: a landing or floor is not required if stair access is provided.

SECTION 52.

Sec. 2.2.950. – Section 1011.1 is amended to read as follows:

Section 1011.1 of the International Building Code, is amended to read as follows:

1011.1 Where required. Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Intervening means of egress doors within exits shall be marked by exit signs. Access to exits shall be marked by readily visible exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Exit sign placement shall be such that no point in a corridor is more than 100 feet (30480 mm) or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign. Exit signs required at doors shall not be located more than 12 feet (3,658 mm) above the finish floor, nor more than 2 feet (610 mm) from either edge of door.

Exceptions:

1. Exit signs are not required in rooms or areas that require only one exit or exit access.
2. Main exterior exit doors or gates that are obviously and clearly identifiable as exits need not have exit signs where approved by the building official.
3. Exit signs are not required in sleeping areas in occupancies in Group U and individual sleeping units or dwelling units in Group R-1, R-2 or R-3.

4. Exit signs are not required in day rooms, sleeping rooms or dormitories in occupancies in Group I-3.
5. In occupancies in Groups A-4 and A-5, exit signs are not required on the seating side of vomitories or openings into seating areas where exit signs are provided in the concourse that are readily apparent from the vomitories. Egress lighting is provided to identify each vomitory or opening within the seating area in an emergency.

SECTION 53.

Sec. 2.2.1070. – **Section 1101.2 amended** *is amended to read as follows:*

City of Wichita Jurisdiction Only

Section 1101.2 of the International Building Code, is amended to read as follows:

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with the current guidelines of the Americans with Disabilities Act ("ADA"), except as modified via this amendment pertaining to the City of Wichita jurisdiction only. The exclusion of private clubs and religious entities from accessibility requirements referenced in ADA does not apply within the City of Wichita. Accessible routes shall coincide with or be located in the same area as a general circulation path. Where the circulation path is interior, the accessible route shall also be interior. The provisions of this section are not intended to substitute or alleviate greater levels of accessibility that may be required on projects involving governmental funding or which require approval by other governmental agencies. Nor are the provisions of this section intended to reduce or eliminate any of the provisions of the Americans with Disabilities Act as established by federal law.

Multi-unit dwellings. In Group R, Division 2 apartment buildings and townhomes where there are four or more dwelling units in a single structure, all dwelling units shall comply with the current Accessibility Guidelines of the Fair Housing Act.

Exceptions:

1. Subject to the approval of the building official, areas where work cannot reasonably be performed by persons having severe impairment (mobility, sight or hearing) need not provide accessibility to such persons. Approval is contingent upon receipt of a letter from the employer's Personnel Department, along with a job description and qualifications statement from the employer, adequate to show that the employer has specified that the work cannot be reasonably performed by a person having a severe impairment (mobility, sight or hearing).
2. Temporary structures, sites and equipment directly associated with the

construction process such as construction site trailers, scaffolding, bridging or material hoists are not required to be accessible. This exception does not include walkways or pedestrian protection required by Chapter 33 of the International Building Code.

3. Subject to the approval of the building official, private clubs and religious entities may appeal accessibility provisions under International Building Code Section 104.10 and 104.11.

In Group A occupancies, an accessible unisex toilet room shall be provided where an aggregate of six or more male and female water closets are required. This accessible unisex toilet room is in addition to all other accessible restrooms required by the Americans with Disabilities Act ("ADA"). In buildings of mixed occupancy, only those water closets required for the Group A occupancy shall be used to determine the accessible unisex toilet room requirement.

- (a) Location. The accessible unisex toilet room shall be located on an accessible route and not located more than one story above or below separate sex toilet facilities. The accessible route from any separate sex toilet facilities to an accessible unisex toilet room shall not exceed 500 feet. Additionally, in passenger transportation facilities and airports, the accessible route from separate sex toilet facilities to an accessible unisex toilet room shall not pass through security checkpoints. If the location of the unisex restroom is not within sight of or adjacent to the separate facilities, then provide signage indicating the location of the unisex facility.
- (b) Clear floor space. When doors swing into an accessible unisex toilet room, a clear floor space not less than 30 inches by 48 inches shall be provided, within the room, beyond the area of the door swing. The wheelchair turning space as required by Section 304.3 of the Americans with Disabilities Act ("ADA") shall be maintained without reduction.

SECTION 54.

Sec. 2.2.1140. – Parking space design *is amended to read as follows:*

City of Wichita Jurisdiction Only

Parking Space Design. Effective on or after January 1, 2006 for building permits reviewed and issued for new construction projects/development that require or provide new parking; new, expanded or re-constructed parking lots; or parking lots that are being restriped as part of a building permit, all accessible parking spaces shall be designed and installed in accordance with the "Universal Parking Design" standards, which requires all accessible parking stalls to be eleven feet wide with a five feet wide access aisle. All other ADA parking standards apply accordingly.

SECTION 55.

Sec. 2.2.1180. – Section 1503.4 amended *is amended to read as follows:*

Section 1503.4 of the International Building Code, is amended to read as follows:

1503.4 Roof drainage, condensate drainage and waste water. Design and installation of roof drainage systems shall comply with Article 3 of this Code and the provisions of this Section. Roofs shall be sloped a minimum of 1 unit vertical in 48 units horizontal (2-percent slope) for drainage unless designed by a licensed engineer for water accumulation. Unless roofs are sloped to drain over roof edges, primary piped roof drains or wall scuppers shall be installed at each low point of the roof. Roof drains (including primary and secondary piped drains and primary and secondary wall scuppers) shall be sized and discharged in accordance with Article 3 of this Code. The storm drainage 60-minute duration rate, based on a 100-year return (maximum rate of rainfall), for Sedgwick County has been determined by the building official to be 3.9 inches (99 mm). Roof drainage water from a building shall not be allowed to flow over public or private property, unless permitted by an approved drainage agreement or easement. Discharge from mechanical equipment condensate drains and any other waste water and roof down spouts shall not discharge onto a pedestrian walking surface. A Storm Water Quality Compliance Statement is required to be filed with the MABCD for discharges, other than storm water, that flow to storm water drainage systems.

SECTION 56.

Sec. 2.2.1190. – Section 1503.4.1 created (formerly) *is amended to read as follows:*

Sec. 2.2.1190. - Section 1503.4.2 created.

Section 1503.4.2 of the International Building Code, is created to read as follows:

1503.4.2 Secondary scuppers. Secondary scuppers shall be installed with a flow line 2 inches (51 mm) maximum above the low point of the roof and shall not have an opening dimension of less than 4 inches (102mm). Secondary scuppers shall be located a minimum 4 feet (1219 mm) horizontally from primary scuppers and primary piped roof drains. Conductor heads installed at the secondary wall scuppers shall include an unobstructed opening in the face of the conductor head at least equal in area to the secondary wall scupper opening and shall not have an opening dimension of less than 4 inches (102 mm), or the top of the conductor head shall be installed 2 inches (51 mm) above the low point of the roof. The flow through the primary system shall not be considered when locating and sizing scuppers.

Exception: For canopies draining through a perimeter gutter, into sloped gutters, and into drains at the column, the low point of the roof shall be considered the bottom of gutter beneath the canopy. Secondary drains shall not be required to meet the 4" opening dimension and a 1" or greater height opening will be allowed provided that a Kansas

licensed engineer provide calculations per the Plumbing Code within the Unified Building and Trade Code to show that the primary and secondary drainage requirements are met.

SECTION 57.

Sec. 2.2.1220. – Section 1607.11.2.1 amended (formerly) is amended to read as follows:

Sec. 2.2.1220. - Section 1607.12.2.1 amended.

Section 1607.12.2.1 of the International Building Code, is amended to read as follows:

1607.12.2.1 Flat, pitched and curved roofs. Ordinary flat, pitched and curved roofs shall be designed for the minimum live loads of 20 pounds per square foot (psf) or other controlling combinations of loads in Section 1605, which ever produces the greater load. In structures, where special scaffolding is used as a work surface for workers and materials during maintenance and repair operations, a lower roof load than specified above shall not be used unless approved by the building official. Greenhouses shall be designed for a minimum roof live load of 12 psf (0.58 kN/m²).

SECTION 58.

Sec. 2.2.1230. – Section 1608.2 amended is amended to read as follows:

Section 1608.2 of the International Building Code, is amended to read as follows:

1608.2 Ground snow loads. The ground snow load for MABCD jurisdiction has been determined by the building official to be 15 psf (0.72 kN/m²).

SECTION 59.

Sec. 2.2.1280. - Section 1612.1 amended is amended to read as follows:

Section 1612.1 of the International Building Code, is amended to read as follows:

City of Wichita Jurisdiction

1612.1 General. Within any areas as established in Chapter 27.04 of the Code of the City of Wichita (Known as the "Wichita Flood Damage Prevention Code"), all new construction of buildings, structures and portions of buildings and structures, including substantial improvements and restoration of substantial damage to buildings and structures, shall comply with the Wichita Flood Damage Prevention Code.

Sedgwick County Jurisdiction

The provisions of this chapter shall apply to all areas of special flood hazard within the unincorporated areas of Sedgwick County, Kansas as directed in Sedgwick County Resolution No. 14-2007, as amended, and found at Sec. 13-1, *et seq.* within the Sedgwick County Code.

SECTION 60.

Sec. 2.2.1330. – Section 1613.5.3 amended (formerly) is amended to read as follows:

Sec. 2.2.1330. – Section 1613.3.3 amended.

Section 1613.3.3 of the International Building Code is amended to read as follows:

1613.3.3 Site coefficients and adjusted maximum considered earthquake spectral response acceleration parameters. The maximum considered earthquake spectral response acceleration for short periods, S_{ms} , and at 1-second period, S_{m1} , for the MABCD jurisdiction has been determined by the building official to be 0.14 and 0.056 respectively.

SECTION 61.

Sec. 2.2.1350. – Section 1702.1 amended is amended to read as follows:

Section 1702.1 of the International Building Code, is amended to read as follows:

1702.1 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this Code, have the meanings shown herein.

APPROVED AGENCY. An established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved.

APPROVED FABRICATOR. An established and qualified person, firm or corporation approved by the building official pursuant to MABCD Unified Building & Trade Code.

CERTIFICATE OF COMPLIANCE. A certificate stating that materials and products meet specified standards or that work was done in compliance with approved construction documents.

DESIGNATED SEISMIC SYSTEM. Those architectural, electrical and mechanical systems and their components that require design in accordance with Chapter 13 of ASCE 7 and for which component importance factor, I_p , is greater than 1 in accordance with Section 13.1.3 of ASCE 7.

FABRICATED ITEM. Structural, load-bearing or lateral load-resisting assemblies

consisting of materials assembled prior to installation in building or structure or subjected to operations such as heat treatment, thermal cutting, cold working or reforming after manufacture and prior to installation in a building or structure. Materials produced in accordance with standard specifications referenced by this Code, such as rolled structural steel shapes, steel-reinforcing bars, masonry units and wood structural panels shall not be considered "fabricated items."

INTUMESCENT FIRE-RESISTANT COATINGS. Thin film liquid mixture applied to substrates by brush, roller, spray or trowel which expands into a protective foamed layer to provide fire-resistant protection of the substrates when exposed to flame or intense heat.

INSPECTION CERTIFICATE. An identification applied on a product by an approved agency containing the name of the manufacturer, the function and performance characteristics, and the name and identification of an approved agency that indicates that the product or material has been inspected and evaluated by an approved agency (see Section 1703.5 and "Label," "Manufacturer's designation" and "Mark").

LABEL. An identification applied on a product by the manufacturer that contains the name of the manufacturer, the function and performance characteristics of the product or material, and the name and identification of an approved agency and that indicates that the representative sample of the product or material has been tested and evaluated by an approved agency (see Section 1703.5 and "Inspection certificate," "Manufacturer's designation" and "Mark").

MAIN WIND-FORCE-RESISTING SYSTEM. An assemblage of structural elements assigned to provide support and stability for the overall structure. The system generally receives wind loading from more than one surface.

MANUFACTURER'S DESIGNATION. An identification applied on a product by the manufacturer indicating that a product by the manufacturer indicating that a product or material complies with a specified standard or set of rules (see also "Inspection certificate," "Label" and "Mark").

MARK. An identification applied on a product by the manufacturer indicating the name of the manufacturer and the function of a product or material (See also "Inspection certificate," "Label" and "Manufacturer's designation").

MASTIC FIRE-RESISTANT COATINGS. Liquid mixture applied to a substrate by brush, roller, spray or trowel that provides fire-resistant protection of a substrate when exposed to flame or intense heat.

SPECIAL INSPECTION. Inspection as herein required of the materials, installation, fabrication, erection or placement of components and connections requiring special expertise to ensure compliance with approved construction documents and referenced standards (see Section 1704 of the International Building Code).

SPECIAL INSPECTION, CONTINUOUS. The full-time observation of work requiring special inspection by an approved special inspector who is present in the area where the work is being performed.

SPECIAL INSPECTION, PERIODIC. The part-time or intermittent observation of work requiring special inspection by an approved special inspector who is present in the area where the work has been or is being performed and at the completion of the work.

SPECIAL INSPECTOR. The owner, building official, and the licensed design engineer shall approve the special inspector. The inspector shall also show competent knowledge to the building official, licensed design engineer, licensed design architect, and owner for those items to receive special inspection. The special inspector shall prevent a conflict of interest by not performing testing of construction materials for which the special inspector is engaged to observe compliance.

SPRAYED FIRE-RESISTANT MATERIALS. Cementations or fibrous materials that are spray applied to provide fire-resistant protection of the substrates.

STRUCTURAL OBSERVATION. The visual observation of the structural system by a registered design professional for general conformance to the approved construction documents at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspection required by Section 1704 or other sections of the International Building Code.

SECTION 62.

Sec. 2.2.1360. – Section 1704.1 amended (formerly) is amended to read as follows:

Sec. 2.2.1360. - Section 1704 amended.

Section 1704 of the International Building Code, is amended to read as follows:

1704 Special Inspections. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner's agent shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 1704. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. These inspections are in addition to the inspections specified in Section 110 of the International Building Code.

The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. The registered design professional in responsible charge and engineers of record involved in the design of the project are

permitted to act as the approved agency, and their personnel are permitted to act as the special inspector for the work designed by them, provided those personnel meet the qualification requirements of this section to the satisfaction of the building official. The special inspector shall provide written documentation to the building official demonstrating his or her competence and relevant experience or training. Experience or training shall be considered relevant when the documented experience or training is related in complexity to the same type of special inspection activities for projects of similar complexity and material qualities. These qualifications are in addition to the qualifications specified in other sections of this Code.

Exceptions:

1. Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official or as described in items 1.1 thru 1.4 listed below.
 - 1.1 Buildings and other structures, or additions to existing buildings or structures, where there is a design occupant load of less 500 persons in any one area or room of the new construction or where the total design occupant load of the new construction is less 1,000 persons, as calculated under Section 1004.1.
 - 1.2 New hospitals and other health care facilities or additions thereto, having surgery or emergency treatment facilities or capacity for less than 100 residential patients for the new construction area.
 - 1.3 Buildings or structures, or additions to existing buildings or structures, where the floor area of the new construction is less than 50,000 square feet, or where the height of the exterior building walls are less than 22 feet as measured from the grade plane.
 - 1.4 Conventional construction for the MABCD jurisdictional area, such as foundations supported on reinforced concrete, piers into weathered shale, etc., are not required to obtain some desired or specified ksf allowable bearing.
2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or building components are fabricated at an AAISC Certified Fabricator.
3. Unless otherwise required by the building official, special inspections are not required for occupancies in Group R-3 as applicable in Section 101.2 and occupancies in Group U are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.

SECTION 63.

Section 2.2.1400. – Section 1805.2.1 amended (formerly) is amended to read as follows:

Sec. 2.2.1400. - Section 1809.5 amended.

Section 1809.5 of the International Building Code, is amended to read as follows:

1809.5 Frost protection. Except where otherwise protected from frost, foundations walls, piers and other permanent supports of buildings and structures shall be protected by one or more of the following methods:

- (1) Extending below the frost line of the locality. The frost line for the jurisdiction of the MABCD shall be 24 inches (610 mm) below the finish grade;
- (2) Construction in accordance with ASCE 32; and
- (3) Erecting on solid rock.

Exceptions:

Free-standing buildings meeting all of the following conditions shall not be required to be protected:

- (a) Classified in Occupancy Category I, in accordance with Section 1604.5;
- (b) Area of 600 square feet (56 m²) or less for light-frame construction or 400 square feet (37 m²) or less for other than light-frame construction; and
- (c) Have height of 10 feet (3048 mm) or less.

For other than Group R-2 and R-3 occupancies, a one-story prefabricated building not over 150 square feet (13.94 m²) in floor area and supported in an approved manner may be attached to a building having a permanent foundation extending below the frost line. The roof and exterior walls of the prefabricated building shall be flashed in an approved manner to form a weather-tight seal between structures.

Footings shall not bear on frozen soil unless such frozen condition is of a permanent character.

SECTION 64.

Section 2.2.1405. – Table 2902.1 amended is created to read as follows:

Chapter 29 of the International Building Code, is amended to include the following fixture count tables and section modifications:

Table 2902.1 of the International Building Code, is amended to read as follows:

No.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS		LAVATORIES		BATHTUBS / SHOWERS	DRINKING FOUNTAINS ^{f, g}	OTHER
				MALE ^c	FEMALE	MALE	FEMALE			
1	Assembly	A-1 ^d	Theaters and other buildings for the performing arts and motion pictures	1 per 125	1 per 65	1 per 200		—	1 per 500	
		A-2 ^d	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	1 per 40	1 per 40	1 per 75		—	1 per 500	1 service sink
			Restaurants, banquet halls and food courts	1 per 75	1 per 75	1 per 200		—	1 per 200	1 service sink
1	Assembly	A-3 ^{d, h}	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums	1 per 125	1 per 65	1 per 200		—	1 per 500	
			Passenger terminals and transportation facilities	1 per 500	1 per 500	1 per 750		—	1 per 1,000	
			Places of worship and other religious services	1 per 150	1 per 75	1 per 200		—	1 per 1,000	
		A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,520 and 1 per 60 for the remainder exceeding 1,520	1 per 200	1 per 150	—	1 per 1,000	
		A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,520 and 1 per 60 for the remainder exceeding 1,520	1 per 200	1 per 150	—	1 per 1,000	

2	Business	B ^h	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50	1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80	—	1 per 100	
3	Educational	E ^h	Educational facilities	1 per 50	1 per 50	—	1 per 100	
No.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS MALE ^c FEMALE	LAVATORIES MALE FEMALE	BATHTUBS /SHOWERS	DRINKING FOUNTAINS ^{c, g}	OTHER
4	Factory and industrial	F-1 ^h and F-2 ^h	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	1 per 100	1 per 100		1 per 400	
5	Institutional	I-1	Residential care	1 per 10	1 per 10	1 per 8	1 per 100	
		I-2	Hospitals, ambulatory nursing home patients ^b	1 per room ^c	1 per room ^c	1 per 15	1 per 100	
			Employees, other than residential care ^b	1 per 25	1 per 35	—	1 per 100	—
			Visitors, other than residential care	1 per 75	1 per 100	—	1 per 500	—
		I-3	Prisons ^b	1 per cell	1 per cell	1 per 15	1 per 100	
		I-3	Reformatories, detention centers and correctional centers ^b	1 per 15	1 per 15	1 per 15	1 per 100	
			Employees ^b	1 per 25	1 per 35	-----	1 per 100	-----
		I-4	Adult day care and child care	1 per 15	1 per 15	—	1 per 100	
6	Mercantile (see Section 2902.2, 2902.4, 2902.4.1 and 2902.4.2)	M	Retail stores, service stations, shops, salesrooms, markets and shopping centers	1 per 500	1 per 750	—	1 per 1,000	
7	Residential	R-1	Hotels, motels, boarding houses (transient)	1 per sleeping unit	1 per sleeping unit	1 per sleeping unit	—	

		R-2	Dormitories, fraternities, sororities and boarding house (not transient)	1 per 10	1 per 10	1 per 8	1 per 100	
		R-2	Apartment house	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	—	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units
No.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS MALE ^c FEMALE	LAVATORIES MALE FEMALE	BATHTUBS /SHOWERS	DRINKING FOUNTAINS ^{f, g}	OTHER
7	Residential	R-3	One- and two-family dwellings	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	—	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units
		R-3	Congregate living facilities with 16 or fewer persons	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink
		R-4	Residential care/assisted living facilities	1 per 10	1 per 10	1 per 8	1 per 100	
8	Storage	S-1 ^h S-2 ^h	Structures for the storage of goods, warehouses, storehouses and freight depots, low and moderate hazard	1 per 100	1 per 100		1 per 1,000	

- a. The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by this code amendment.

- b. Toilet facilities for employees shall be separate from facilities for inmates or care recipients.
- c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient rooms shall be permitted where such room is provided with direct access from each patient room and with provisions for privacy.
- d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- e. Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one half of the minimum specified.
- f. Drinking fountains are only required for a business having more than 15 employees. Where drinking water is available at a breakroom or where a bottled water cooler is provided, then either may be substituted for a drinking fountain.
- g. Fixtures located in adjacent buildings under the ownership or control of the church, business, educational, factory/industrial, mercantile, or storage occupancy shall be made available during period the church, business, educational, factory/industrial, mercantile, or storage occupancy is occupied. The fixtures shall be located within 500 ft. of the building.

SECTION 65.

Sec. 2.2.1407. – Section 2902.2 amended *is created to read as follows:*

Section 2902.2 of the International Building Code, is amended to read as follows:

2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. Separate employee facilities shall not be required in occupancies in which 15 or less are employed.
3. Separate men's and women's restroom facilities shall not be required in dining and/or drinking establishments when the seating capacity is 19 or less.

SECTION 66.

Sec. 2.2.1408. – Section 2902.3 amended is created to read as follows:

Section 2902.3 of the International Building Code, is amended to read as follows:

2902.3 Required public toilet facilities. Customers, patrons and visitors shall be provided with public toilet facilities for outdoor activities classified as a Group “A” occupancy or structures and tenant spaces intended for public assembly, educational and institutional uses. The accessible route to public facilities shall not pass through kitchens, storage rooms, closets or similar spaces. The number of plumbing fixtures located within the required toilet facilities shall be provided in accordance with Section 2902.1 for all users. Employee toilet facilities shall either be separate or combined employee and public toilet facilities.

Exception:

Public toilet facilities shall not be required in open or enclosed parking garages. Toilet facilities shall not be required in parking garages where there are no parking attendants.

SECTION 67.

Sec. 2.2.1420. – Section 3002.3 amended is amended to read as follows:

Section 3002.3 of the International Building Code, is amended to read as follows:

3002.3 Emergency signs. An approved pictorial sign of a standardized design shall be posted adjacent to each elevator call station on all floors instructing occupants to use the exit stairways and not to use the elevators in case of fire. The sign shall read: IN FIRE EMERGENCY, DO NOT USE ELEVATOR. USE EXIT STAIRS. The emergency sign shall not be required for elevators that are part of an accessible means of egress complying with Section 1007.4 of the International Building Code. Any signs required by the Americans with Disabilities Act Accessibility Guidelines (ADAAG) shall comply with elevator code related to raised and Braille characters and pictorial symbol signs.

SECTION 68.

Sec. 2.2.1430. – Section 3002.6 amended is amended to read as follows:

Section 3002.6 of the International Building Code, is amended to read as follows:

3002.6 Prohibited doors. Doors, other than hoistway doors and the elevator car door, shall be prohibited at the point of access to an elevator car. Exception: Doors may be

located at the point of access to an elevator car in lieu of an elevator lobby based on the below conditions:

1. Doors shall be readily openable from the car side without a key, tool, or special knowledge or effort.
2. Doors into the corridor shall be protected with not less than an automatic-closing, 20- minute door assembly in accordance with Section 715.5.3 except that:
 - 2.1. The automatic-closing device shall be limited to an approved magnetic hold-open device released by actuation of a smoke detector or when the elevator's Firefighters Service is activated.
 - 2.2. The automatic-closing device is provided with a closing or reclosing electrical time delay of not less than 20 seconds nor more than 30 seconds.

SECTION 69.

Sec. 2.2.1435. – Chapter 34 deleted *is created to read as follows:*

Chapter 34 of the International Building Code is deleted and replaced by the 2012 International Existing Building Code to provide the framework for rehabilitation of existing and historical buildings.

SECTION 70.

Sec. 2.2.1440. – Section J103.2 amended *is amended to read as follows:*

City of Wichita Jurisdiction

Appendix J shall be amended to read as follows:

Section J103.2 of the International Building Code, is amended to read as follows:

J103.2 Exemptions. A grading permit shall not be required for the following:

1. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20 per cent slope), or less than 3 feet (914 mm) in depth that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage course.
2. Excavation for construction of a structure permitted under this Code.
3. Cemetery graves.
4. Refuse disposal site controlled by other regulations.

5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under direction of a registered design professional. Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

Sedgwick County Jurisdiction.

Appendix J is deleted.

SECTION 71. Publication.

Upon the adoption of this Resolution, the Clerk of Sedgwick County shall publish this Resolution once in the official county newspaper. This Resolution shall take effect on the 1st day of May, 2016.

Commissioners present and voting were:

DAVID M. UNRUH	<u>Aye</u>
TIM R. NORTON	<u>Aye</u>
KARL PETERJOHN	<u>Aye</u>
RICHARD RANZAU	<u>Aye</u>
JAMES M. HOWELL	<u>Aye</u>

Dated this 23rd day of March, 2016.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

for Karen's Bailey
KELLY B. ARNOLD, County Clerk



[Signature]
JAMES M. HOWELL, Chairman
Commissioner, Fifth District

[Signature]
RICHARD RANZAU, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

[Signature]
JON VON ACHEN
Assistant County Counselor

[Signature]
DAVID M. UNRUH
Commissioner, First District

[Signature]
TIM R. NORTON
Commissioner, Second District

[Signature]
KARL PETERJOHN
Commissioner, Third District

Clearwater Financials YTD MARCH 2016

We are 25% of the way through our budget year

	CY Budget	CY YTD Actual	PRIOR YTD Actual	CY ATD % Budget	NOTES
Fund: 100 - GENERAL					
STARTING CASH	\$ 356,569.00	\$ 488,370.06		\$ 131,801.06	
Revenues					
Dept: 000.000	1,744,936.51	754,143.61	458,065.03	43.22	4 dispersements left
Revenues	1,744,936.51	754,143.61	458,065.03	43.22	
Expenditures					
Dept: 000.000					
ADMINISTRATION	357,334.59	112,702.71	82,383.94	31.54	
SENIOR & COMMUNITY CENTER	33,120.54	9,288.66	6,835.28	28.05	
POLICE	613,273.49	118,011.42	82,249.00	19.24	
COURT	82,602.40	14,786.61	11,030.89	17.90	
SHOP	19,130.00	1,919.81	1,895.48	10.04	
SANITATION	143,949.60	40,010.30	26,369.04	27.79	
AMBULANCE	94,542.20	38,521.89	8,870.55	40.75	
FIRE	93,108.75	12,752.42	11,969.53	13.70	
PARK	181,348.58	28,148.22	33,095.34	15.52	
POOL	80,925.80	250.00	1,202.41	0.31	
HISTORICAL SOCIETY	6,425.00	1,400.27	899.89	21.79	
STREET LIGHTS	25,750.00	6,197.56	3,860.66	24.07	
PERSONNEL DEVELOPMENT	342,729.00	1,029.95	-105.00	0.30	
LIBRARY	8,330.00	1,375.61	1,120.14	16.51	
Expenditures	2,082,569.95	386,395.43	271,677.15	18.55	
Fund: 205 - SPECIAL LIABILITY					
STARTING CASH	\$ 4,125.00	\$ 4,154.05		\$ 29.05	
Revenues					
Dept: 000.000	2,919.00	1,136.76	5,531.62	38.94	4 dispersements left
Revenues	2,919.00	1,136.76	5,531.62	38.94	
Expenditures					

Dept: 000.000	7,000.00	0.00	0.00	0.00	
Expenditures	7,000.00	0.00	0.00	0.00	
Fund: 206 - SPECIAL HIGHWAY					
STARTING CASH	\$ 468.00	\$ 26,608.37		\$ 26,140.37	
Revenues					
Dept: 000.000	92,300.00	24,048.59	16,443.86	26.05	4 dispersements left
Revenues	92,300.00	24,048.59	16,443.86	26.05	
Expenditures					
Dept: 000.000	92,418.62	11,459.49	18,467.73	12.40	
Expenditures	92,418.62	11,459.49	18,467.73	12.40	
Fund: 212 - CITY CAPITAL IMPROVEMENT					
STARTING CASH	\$ 75,692.00	\$ 201,908.49		\$ 126,216.49	
Revenues					
Dept: 000.000	41,239.00	20,578.04	35,149.12	49.90	4 dispersements left
Revenues	41,239.00	20,578.04	35,149.12	49.90	
Expenditures					
Dept: 000.000	116,000.00	0.00	0.00	0.00	
Expenditures	116,000.00	0.00	0.00	0.00	
Fund: 501 - WATER OPERATING					
STARTING CASH	\$ 206,747.00	\$ 221,758.37		\$ 15,011.37	
Revenues					
Dept: 000.000	354,450.00	95,370.89	81,595.20	26.91	
Revenues	354,450.00	95,370.89	81,595.20	26.91	
Expenditures					
WATER - GEN. & ADM.	551,407.00	102,241.89	60,796.92	18.54	
Expenditures	551,407.00	102,241.89	60,796.92	18.54	
Fund: 550 - SEWER OPERATING					
STARTING CASH	\$ 130,392.00	\$ 240,611.22		\$ 110,219.22	
Revenues					
Dept: 000.000	517,614.60	133,352.69	90,381.15	25.76	
Revenues	517,614.60	133,352.69	90,381.15	25.76	
Expenditures					
SEWER - COMMERCIAL & ADM.	517,614.60	154,120.86	128,232.60	29.78	
Expenditures	517,614.60	154,120.86	128,232.60	29.78	

City of Clearwater Strategic Plan

Steering Committee Roles and Responsibilities

Background

The City of Clearwater is initiating a community engagement and planning process which will result in a strategic plan document. Strategic planning is an inclusive planning process, allowing for the creation of a community plan that establishes a vision for the community, and goals and strategies to establish that vision. The City of Clearwater has contracted with the Public Policy and Management Center at the Hugo Wall School of Public Affairs at Wichita State University to assist with the planning effort.

Role of the Steering Committee

A citizen steering committee will guide the development of the strategic planning effort. The committee will be responsible for reviewing information relevant to the future plans of the City of Clearwater, ensuring the representation of diverse public participation, and developing the content of the planning documents. Finally, the steering committee will submit a recommended plan to the Clearwater City Council for final review and adoption. The steering committee will work closely with the PPMC and the leadership team of the City of Clearwater.

Responsibilities

Steering committee members will have the following responsibilities:

- Attend 6-8 committee meeting. Most meetings will be less than two hours, but the last meeting for final plan recommendations will likely be 3-4 hours.
- Serve as an ambassador to the Clearwater community to encourage participation and seek community input into the plan.
- Review research and community information to be prepared to participate in steering committee meetings.
- Support the development and adoption of the final strategic and comprehensive plans.

The planning effort will take place between May and November 2016.

Letter or Email to stakeholder groups:

Dear _____:

The City of Clearwater is initiating a community engagement and planning process which will result in a strategic plan document. Strategic planning is an inclusive planning process, allowing for the creation of a community plan that establishes a vision for the community, and goals and strategies to support that vision. The City of Clearwater has contracted with the Public Policy and Management Center (PPMC) at the Hugo Wall School of Public Affairs at Wichita State University to assist with the planning effort.

Your organization is a critical part of our community and we would like your input on the future of Clearwater. A representative from Wichita State University will be contacting you about meeting with your organization. We would greatly appreciate members from your organization taking time to meet with Wichita State representatives to discuss important issues for Clearwater. The meeting will take approximately an hour and will be scheduled at your convenience.

If you have any questions, please let me know. Thank you in advance for your assistance.