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*Marilyn Calhoun*  
Marilyn Calhoun, Register of Deeds

## ORDINANCE NO. 4400

### AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE WITH AMENDMENTS AND DELETIONS

*Be it ordained by the Governing Body of the City of Independence, Kansas:*

#### Section 1.

##### Sec. 18-31. – Code Adopted

The 2018 Edition of the International Building Code is adopted and is incorporated by reference as if fully set forth herein subject to the following amendments and deletions. Any prior version of this code previously adopted is hereby repealed.

#### Section 2. References deleted.

##### Sec. 18-32. – Amendments

- a) All references to the International Plumbing Code and the International Energy Conservation Code are deleted.
- b) All references to the International Code Council Electrical Code are deleted and replaced with references to the current adopted National Electric Code (NEC).
- c) All references to Automatic Sprinkler Systems for Group R-3 Occupancies for one and two family dwellings are hereby deleted, in accordance with K.S.A. 12-16,219.
- d) All references to International Mechanical Code shall be changed to the current adopted Uniform Mechanical Code.

#### Section 3. Modifications, supplements and amendments.

- a) Section 101.4 of the 2018 Edition of the International Building Code is hereby amended as follows:

*Section 101.4 Referenced Codes.* The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

*Section 101.4.1 Gas.* Each reference to the International Fuel Gas Code shall mean the current adopted Uniform Plumbing Code.

*Section 101.4.2 Mechanical.* Each reference to the International Mechanical Code shall mean the current adopted Uniform Mechanical Code.

*Section 101.4.3 Plumbing.* Each reference to the International Plumbing Code shall mean the current adopted Uniform Plumbing Code. Each reference to the International Private Sewage Disposal Code shall mean the current adopted Uniform Plumbing Code.

- b) Section 103 of the 2018 Edition of the International Building Code is hereby amended as follows:

Section 103. Appointments and Liability.

103.1 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Building Official shall have the authority to appoint deputies. Such employees shall have powers as delegated by the Building Official.

103.2 Liability. The Building Official or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the jurisdiction until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for costs in any action, suit or proceeding instituted for the good faith discharge of duties under the provisions of this code.

- c) Section 107.2 of the 2018 Edition of the International Building Code is hereby amended as follows:

Section 107.2 Construction Documents (commercial and multifamily residential).

Commercial Construction:

Two (2) sets of documents shall be submitted in the form of at least 1 (one) electronic media (in .PDF format) and one (1) paper copy. Commercial and multifamily plans must be sealed according to Kansas State board of Technical Professional Standards and Statutes. Construction drawings must be submitted with the following information:

1. Code footprint sheet per Kansas Fire Marshall Regulation K.A.R. 22-17 or with this design criteria:
  - I. Occupancy group
  - II. Type of construction classification
  - III. Design loads

- IV. Square footage/Allowable floor area
  - V. Note if building will be sprinkled
  
  - VI. Height and number of stories
  - VII. Occupant load
  - VIII. Means of egress to include path of exit discharge to public way
2. Site Plan. Show proposed new building or structure and any existing buildings or structures, all property lines with dimensions, all streets, easements and setbacks. Show all water, sewer, communication services, natural gas, telephone, and cable TV, electrical points of connection, proposed utility service routes and existing utilities on the site. Show all required parking, drainage and grading information. When appropriate, include a topographic survey. Show north arrow. Show dimensions for the location and size of components delineated on the site plan. Provide erosion control measures and documented Storm Water Pollution Prevention Plan (SWPPP).
  3. Foundation Plan. Show all foundations and footings. Indicate size, locations, thickness, materials and strengths, and reinforcing. Show all imbedded anchoring such as anchor bolts, hold-downs, post bases, etc. Provide a geotechnical report for the proposed structure at that site. Show dimensions for the location and size of all components delineated on the foundation plan.
  4. Floor Plans. Show all floors, including basements. Show all rooms, with their use, overall dimensions and locations of all structural elects and openings. Show all doors and windows. Provide door and window schedules. All fire resistance rated assemblies, areas of refuge, occupancy separations, fire blocking and draft stopping shall be shown. Show dimensions for the size of all rooms and the locations of other components delineated on the floor plans.
  5. Schedules. Room finishes doors, hardware, windows, plumbing, and mechanical, electrical and structural.
  6. Framing Plans and Roof Framing Plans. Show all structural members, their size and methods of attachment, connections, location and materials for floors and roofs. Show roof plan. Show dimensions for the location size of all components delineated on the roof plan.
  7. Exterior Elevations. Show each view. Show vertical dimensions and heights. Show openings and identify materials and show lateral bracing system, where applicable. Show dimensions and schedules.
  8. Building Sections Wall Sections. Show materials of construction, non-rated and fire resistance rated assemblies and fire resistance rated penetrations. Show dimensions.
  9. Mechanical System. Show the mechanical system. Include all units, their sizes, mounting details, and all duct work and duct sizes. Indicate all fire dampers where required. Provide equipment schedules. Submit energy conservation calculations. Show dimension.
  10. Plumbing System. Show all fixtures, piping, slopes, materials and sizes. Show point of connections to utilities, septic tanks, pre-treatment sewer systems and water wells. Show dimensions.
  11. Electrical System. Show all electrical fixtures (interior, exterior and site), wiring sizes and circuiting, grounding, panel schedules, single line diagrams, load calculations and fixture schedules. Show point of connections to utility. Show dimensions.

12. Fire Sprinkler System. Show all sprinkler heads, piping valves, alarms, tamper switches, materials, and sizes. Show point of connections to the water system and fire alarm system. Show dimensions for the size and location of components delineated on the fire sprinkler system drawings.
13. Structural Systems. Show foundation, structural members and where required, provide structural calculations for the structural systems of the project. Include calculations indicating compliance with seismic, wind, snow and other design loads.
14. Specifications. Prepare specifications to further define the construction components, the quality of the materials, and delineation of the materials and methods of construction, wall floor and ceiling finishes, exterior finishes, and descriptions of all pertinent equipment. Schedules may be incorporated into the project manual in lieu of being delineated on the construction drawings.
15. Addenda and Changes. It shall be the responsibility of the design professional of record to notify the Building Official of any and all changes throughout the project and provide revised construction documents, calculations or other appropriate documentation prior to commencement of that portion of the construction.
16. Revisions. For clarity, all revisions should be identified and clouded on the construction drawings and appropriately marked in the project manual or resubmitted as a new set of construction documents.

Exception: The Building Official is authorized to waive any of the above requirements to be prepared by a registered design professional if it is found that the nature of the work applied for is such that the inclusion of the above requirements is not necessary to obtain code compliance.

d) Section 109.2 of the 2018 Edition of the International Building code is hereby amended as follows:

1. PERMIT FEE SCHEDULE

TOTAL VALUATION	FEE
\$1.00 to 500.00	\$22.00
\$501.00 to \$2,000.00	\$25.00 for the first \$500.00 plus \$3.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 TO \$25,000.00	\$70.00 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 TO \$50,000.00	\$395.00 for the first \$25,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 TO \$100,000.00	\$650.00 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 TO \$500,000.00	\$950.00 for the first \$100,000.00 plus \$5.50 for each additional \$1,000 or fraction thereof, to and including \$500,000.00

\$500,001.00 TO \$1,000,000.00	\$3,200.00 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 TO \$5,000,000.00	\$5,500.00 for the first \$1,000,000.00 plus \$3.25 for each additional \$1,000.00 or fraction thereof, to and including \$5,000,000.00
\$5,000,001.00 TO \$15,000,000.00	\$17,750.00 for the first \$5,000,000.00 plus \$1.50 for each additional \$1,000.00 or fraction thereof, to and including \$15,000,000.00
\$15,000,001.00 and above	\$33,500.00 for the first \$15,000,000.00 plus \$1.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000.00

- e) Section 109.3 of the 2018 Edition of the International Building Code is hereby amended as follows:

*Section 109.3 Building permit valuations.*

The determination of the value of valuation under any of the provisions of these codes shall be made by the Building Official. The value to be used in computing the building permit fees shall be the total of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment. No fee, other than that set forth above, shall be charged for new construction; although this does not preclude the Building Official from charging separate fees for sewer and water connections.

- f) Section 109.4 of the 2018 Edition of the International Building Code is hereby amended as follows:

*Section 109.4 Work commencing before permit issuance.*

Whenever, any work for which a permit is required by this code has commenced without obtaining said permit, a fee shall be collected in the amount double the fee as set forth in the table above.

- g) Section 114 of the 2018 Edition of the International Building Code is hereby amended as follows:

**Section 1501 Roof Assemblies and Rooftop Structures**

Roofing installation and replacement will require a building permit for commercial and residential roofing and comply with Section 1507 of the IBC.

Residential re-roofing over existing wood shingle or shake requires an inspection by building inspector and no more than two-layers allowed. Commercial re-roofing layers allowed will be determined by core sample and determination of layers and weight of current roofing material.

*Section 114. Violations.*

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this code. Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor, punishable as prescribed by the Sec. 1-14 of the City Code, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continue or permitted and, upon conviction of any such violation, such person shall be guilty of an offense.


**Section 4. Definitions.**

- a) "Abandoned building" means a building which has stood unoccupied for longer than 24 months AND is either unsecured, secured by means of boarding as ordered by the Building Official, or is in a state of decay or partial ruin to such an extent that the structure is in need of substantial repair before it can be occupied.
- b) "Boarding/Securing" or "boarded"/"secured" means the closing, boarding, or locking of any or all exterior openings so as to prevent unauthorized entry into the structure.
- c) "Secured building" means any building on which the roof, walls, foundation, basement, doors, windows, or other openings into the building are closed by any conventional methods used in the design of buildings or are boarded up with weather resistant/weather proofed plywood (minimum acceptable grade: 3/8" CD exterior) cut to fit the opening it is securing and screwed at intervals not to exceed 12 inches, so as to prevent the access to the structure of inclement weather, animals, trespassers, children, or other persons not authorized to be on the premises.
- d) "Unsecured building" means any structure which is not occupied by a legal or equitable owner thereof, or by a lessee of a legal or equitable owner, and into which there are one or more unsecured openings such as broken windows, unlocked windows, broken doors, unlocked doors, holes in exterior walls, holes in foundation stem walls, holes in the roof, broken basement or cellar hatchways, unlocked basement or cellar hatchways, or other similar unsecured openings which would allow an unauthorized entry into the structure.

**Section 5.**


This Ordinance shall take effect upon its publication in the official city newspaper.

*Adopted by the Governing Body of the City of Independence, Kansas, on the 11<sup>th</sup> day of August, 2022.*



Dean A. Hayse, Mayor

ATTEST:



David Schwenker, City Clerk

