

Passed: December 10, 2019  
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**ORDINANCE NO. 2419**

**AN ORDINANCE AMENDING CHAPTER 8.16 OF THE DERBY MUNICIPAL CODE, INCORPORATING BY REFERENCE THE INTERNATIONAL FIRE CODE, 2018 EDITION, WITH CERTAIN AMENDMENTS AND DELETIONS THERETO AND INCLUDING CERTAIN APPENDICES, ALL PERTAINING TO THE PREVENTION AND SUPPRESSION OF FIRE; AMENDING AND REPEALING SECTIONS 8.16.010 AND 8.16.020 OF THE DERBY MUNICIPAL CODE AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR.**

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

**Section 1.** Section 8.16.010 of the Derby Municipal Code is hereby amended to read as follows:

**“8.16.010 Incorporation by Reference of International Fire Code, 2018 Edition**

There is hereby incorporated by reference for the purpose of providing minimum regulations for the prevention and suppression of fire, the International Fire Code, 2018 Edition, including appendices B, C, D, F, G and I thereto, a uniform code prepared by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereinafter omitted, deleted, modified or changed. Any errata officially published by the International Code Council, Inc. shall become part of the International Fire Code when placed on file by the Derby Fire Chief. One official copy of said International Fire Code shall be marked or stamped “Official Copy as Incorporated by Reference by Ordinance No. 2419,” with all sections or portions thereof intended to be deleted, changed, or amended clearly marked to show any such deletion, change, or amendment, and 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. All administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such International Fire Code similarly marked, deleted, and changed as may be expedient.”

**Section 2.** Section 8.16.020 of the Derby Municipal Code is hereby amended to read as follows:

**“8.16.020-Amendments to the 2018 International Fire Code**

The following amendments and deletions to the International Fire Code incorporated by Section 8.16.010 of this article are hereby adopted:

A. Subsection 101.1 of the International Fire Code is hereby amended to read as follows:

**101.1 Title.**

These regulations shall be known as the International Fire Code of the City of Derby hereinafter referred to as “this code.”

B. Subsection 102.7 of the International Fire Code is hereby amended to read as follows:

**102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Section 102.7.1 and 102.7.2.

**102.7.1 Conflicts.** Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

**102.7.2 Provisions of referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

**102.7.3 Referenced NFPA Codes and Standards.** Whenever used in the International Fire Code, the term “NFPA Code” shall be construed to mean the most current edition National Fire Protection Association Codes and Standards.

C. Subsection 103.4 of the International Fire Code is hereby amended to read as follows:

**103.4 Liability.** The fire or code official and any officer, employee or agents enforcing this code on behalf of the fire or code official, while acting within the scope of his or her employment, shall not be personally liable for his or her acts or omissions in accordance with the Kansas Tort Claims Act, as the same may from time to time be amended.

D. Subsection 105.6.27 of the International Fire Code is hereby amended to read as follows:

**105.6.27 LP-gas.**

An operational permit is required for:

1. Storage and use of LP-gas.

Exception:

1. A permit is not required for individual containers with a 125-gallon water capacity or less or multiple container systems having an aggregate quantity not exceeding 125 gallons, serving occupancies in Group R-3.

E. Subsection 110.4 of the International Fire Code is hereby amended to read as follows:

**110.4 Violation penalties.**

(A) Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class "C" violation punishable by a fine of not more than \$500 dollars or by imprisonment not exceeding 30 days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(B) In addition to the violation and penalty provisions found in Section 110.4 above, any person or entity who violates a provision of this code, fails to comply with any of the requirements thereof; or erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or a directive of the fire code official or of a permit or certificate issued under the provisions of this code shall be subject to issuance of a stop work order, suspension or revocation of said license or permit, or such other remedies as may be found within the Derby Municipal Code or otherwise allowed by law.

F. Subsection 112.4 of the International Fire Code is hereby amended to read as follows:

**112.4 Failure to comply.**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a Class "C" violation. Each day that any violation continues shall constitute a separate offense.

G. Subsection 307.1 of the International Fire Code is hereby amended to read as follows:

**307.1 General.**

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning including bonfires, recreational fires or ceremonial fires without receiving a permit from the fire code official.

H. Subsection 307.2 of the International Fire Code is hereby amended to read as follows:

**307.2 Permit required.**

A permit shall be obtained from the fire code official in accordance with section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, bonfire, recreational fire, or a ceremonial fire. Application for such approval shall only be presented by and permits issued to the owner of the land or his or her designee upon which the fire is to be kindled.

I. Subsection 307.4 of the International Fire Code is hereby amended to read as follows:

**307.4 Location.**

The location for open burning shall not be less than 100 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 100 feet of any structure.

**307.4.1 Bonfires.**

A bonfire shall not be conducted within 100 feet of a structure or combustible material. Conditions which could cause a fire to spread within 100 feet of a structure shall be eliminated prior to ignition.

**307.4.2 Recreational Fires.**

Recreational fires shall not be conducted within 100 feet of a structure or combustible material. Conditions which could cause a fire to spread within 100 feet of a structure shall be eliminated prior to ignition.

J. Subsection 319.8.1 of the International Fire Code is hereby amended to read as follows:

**319.8.1 Maximum aggregate volume**

The maximum aggregate capacity of LP-gas containers transported on the vehicle and used to fuel cooking appliances only shall not exceed 100 pounds (45.36 kg) propane capacity.

K. Subsection 503.2.1 of the International Fire Code is hereby amended to read as follows:

**503.2.1 Dimensions.**

Fire apparatus access roads shall have an unobstructed width of not less than 26 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

L. Subsection 507.3 of the International Fire Code is hereby amended to read as follows:

**507.3 Fire flow.**

Fire flow requirements for buildings or portions of buildings and facilities shall be determined by Appendix B as amended.

M. Subsection 507.5.1 of the International Fire Code is hereby amended to read as follows:

**507.5.1 Where required.**

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 250 feet (76.2 m) from a hydrant and 500 feet (152.4 m) from one additional hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

**Exception:**

For Group R-3 and Group U occupancies, the distance requirement shall be 500 feet (152.4 m).

N. Subsection 903.2.4.1 of the International Fire Code is hereby 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 (232 m<sup>2</sup>) in area that generate finely divided combustible waste or use finely divided combustible materials.

**Exceptions:**

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 feet (232 m<sup>2</sup>) 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.

O. Subsection 903.2.8 of the International Fire Code is hereby amended to read as follows:

**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:**

1. One- or two-family dwelling unit.
2. Dwelling units in three – and 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 and 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 4 feet (1,219 mm) 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, and automatic sprinkler system shall be provided throughout all units.

P. Subsection 903.2.9 of International Fire Code, is amended to read as follows:

**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 (1,115 m<sup>2</sup>).

**Exception:**

A Group II or III aircraft hangar, as defined by NFPA 409, used for storage of aircraft only when the fire area exceeds 18,000 square feet (1,672 m<sup>2</sup>). See Section 412.3.6.2 for fire area allowances for ancillary uses.

1. A Group S-1 fire area is located more than three stories above grade plane.
2. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2,230 m<sup>2</sup>).
3. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).
4. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232m<sup>2</sup>).

Q. Subsection 903.2.11.1.1 of the International Fire Code, is amended to read as follows:

**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 (1,219 mm) in height. Access to such opening shall be provided for the

fire department from the exterior and shall not be obstructed in a manner such firefighting or rescue cannot be accomplished from the exterior.

R. Subsection 907.2.3 of the International Fire Code, is amended to read as follows:

**907.2.3 Group E.**

A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. Where automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. 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.

**Exceptions:**

1. A manual fire alarm system is not required in Group E occupancies with an occupant load of 50 or less.
2. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided that activation of the manual fire alarm system initiates an approved occupant notification signal in accordance with Section 907.5.
3. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
  - 3.1. Interior corridors are protected by smoke detectors.
  - 3.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved detection devices.
  - 3.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
  - 3.4. Manual fire alarm boxes shall not be required in Group E occupancies where all of the following apply:
    - 3.4.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.
    - 3.4.2. The emergency voice/alarm communication system will activate on sprinkler waterflow.
    - 3.4.3. Manual activation is provided from a normally occupied location.

S. Subsection 907.2.6.3.4 is created in the International Fire Code to read as follows:

**907.2.6.3.4 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.

T. Subsection 910.2.1 of the International Fire Code, is amended to read as follows:

**910.2.1 Group F-1 or S-1.**

Smoke and heat vents installed in accordance with Section 910.3 or a mechanical smoke removal system installed in accordance with Section 910.4 shall be installed in buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 50,000 square feet (4,645 m<sup>2</sup>) of undivided area. In occupied portions of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed.

**Exceptions:**

1. Group S-1 aircraft repair hangers.
2. Areas completely separated by non-combustible partitions so that no one area exceeds 50,000 square feet (4,645 m<sup>2</sup>). Openings shall be provided with approved automatic or self-closing devices to ensure closure of the opening.

U. Subsection 912.2 of the International Fire Code, is amended to read as follows:

**912.2 Location**

With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that the fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. Fire department connections shall be located within 150 feet (45,900 mm) of a fire hydrant and shall be approved by the fire code official. The required fire hydrant shall be no closer than 40 feet (1,020 mm) to the structure.

V. Subsection 912.2.1 of the International Fire Code, is amended to read as follows:

**912.2.1 Visible location.**

Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise approved by the fire code official. In addition, a horn/strobe device shall be installed directly above the fire department connection and shall activate only upon waterflow.

W. Subsection 1003.5 of the International Fire 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 1012 shall be used. Where the difference in elevation is 6 inches (152 mm) or less, the ramp shall be equipped with either handrails or floor finish materials that contrast with adjacent floor finish materials.

**Exceptions:**

1. A single step with a maximum riser height of 7 inches (178 mm) is permitted for buildings with occupancies in Group F, H, R-2, R-3, S and U at exterior doors not required to be accessible by Chapter 11 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 risers and a tread is permitted at locations not required to be accessible by Chapter 11 the Americans with Disabilities Act (“ADA”) where the risers and treads comply with Section 1011.5, the minimum depth of the tread is 13 inches (330 mm) and not less than one handrail complying with Section 1014 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 Chapter 11 the Americans with Disabilities Act (“ADA”), provided that the risers and treads comply with Section 1029.14 and the aisle is provided with handrail complying with Section 1029.16.

Throughout a story in a Group I-2 occupancy, any changes in elevation in portions of the means of egress that serve nonambulatory persons shall be by means of a ramp or sloped walkway.

X. Subsection 1008.3.5 of the International Fire Code, is amended to read as follows:

**1008.3.5 Illumination level under emergency power.**

Emergency lighting facilities shall be arranged to provide initial illumination that is not less than an average of 1 footcandle (11 lux) and a minimum at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ration of 40 to 1 shall not be exceeded. In Group I-2 occupancies, failure of a single lamp in a luminaire shall not reduce the illumination level to less than 0.2 footcandle (2.2 lux).

**Exception:**

Emergency lighting facilities shall be arranged at intervals not to exceed 50 feet (15,240 mm) on center or 25 feet (7,620) in any one direction along the path of egress. Obstructions or changes in direction of exit travel shall be considered the conclusion of the emergency light facility.

Y. Subsection 1009.1 of the International Fire Code, is amended to read as follows:

**1009.1 Accessible means of egress required.**

Accessible means of egress shall comply with this section. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one means of egress is required by Section 1006.2 or 1006.3 from any accessible space, each accessible portion of the space shall be served by not less than two accessible means of egress. All identified or required means of egress shall comply with the Americans with Disabilities Act and the provisions of this code.

**Exceptions:**

1. One accessible means of egress is required from an accessible mezzanine level in accordance with Section 1009.3, 1009.4, or 1009.5, unless accessible means of egress is not required by Americans with Disabilities Act Accessibility Guidelines Sec. 206.2.3 or 206.2.4.
2. In assembly areas with ramped aisles or stepped aisles, on accessible means of egress is permitted where the common path of egress travel is accessible and meets the requirements in Section 1029.8.
3. At least one accessible means of egress shall connect each story and mezzanine in multi-story buildings and facilities per Americans with Disabilities Act Accessibility Guidelines Sec. 206.2.3 (“ADA”).
4. At least one accessible means of egress shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility which are otherwise connected by a circulation path unless exempted by Americans with Disabilities Act Accessibility Guidelines Sec. 206.2.3 Exception 1 through 7 (“ADA”) per Americans with Disabilities Act Accessibility Guidelines Sec. 206.2.4 including the exceptions.

Z. Subsection 1010.1.1 of the International Fire Code, is amended to read as follows:

**1010.1.1 Size of doors.**

The required capacity of each door opening shall be sufficient for the occupant load thereof and shall provide a minimum clear opening width of 32 inches (813 mm). The clear opening width 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 opening width of 32 inches (813 mm) and a door opening includes two door leaves without a mullion, one leaf shall provide a minimum clear opening width of 32 inches (813 mm). In Group I-2, doors serving as means of egress doors where used for the movement of beds shall provide a minimum clear opening width of 41 ½ inches (1,054 mm). The maximum width of a swinging door leaf shall be 48 inches (1,219 mm) nominal. The minimum clear opening height of doors shall be not less than 80 inches (2,032 mm).

**Exceptions:**

1. In Group R-2 and R-3 dwelling and sleeping units that are not required to be an Accessible unit. Type A unit or Type B unit, the minimum and maximum width shall not apply to door openings that are not part of the required means of egress.
2. In Group I-3, door openings to resident sleeping units that are not required to be an Accessible unit shall have a minimum clear opening width of 32 inches (813 mm).
3. Doors openings to storage closets less than 10 square feet (0.93 m<sup>2</sup>) in area shall not be limited by the minimum clear opening width.
4. The width of door leaves in revolving doors that comply with Section 1010.1.4.1 shall not be limited.
5. The maximum width of door leaves in power-operated doors that comply with Section 1010.1.4.2 shall not be limited.
6. Door openings within a dwelling unit or sleeping unit shall have a minimum clear opening height of 78 inches (1,981 mm).
7. In dwelling and sleeping units that are not required to be Accessible, Type A or Type B units, exterior door openings other than the required exit door shall have a minimum clear opening height of 76 inches (1,930 mm).
8. In Groups I-1, R-2, R-3 and R-4, in dwelling and sleeping units that are not required to be Accessible, Type A or Type B units, the minimum clear opening widths shall not apply to interior egress doors.
9. Door openings required to be accessible within Type B units intended for user passage shall have a minimum clear opening width of 32 inches (813 mm).
10. Doors to walk-in freezers and coolers less than 1,000 square feet (93 m<sup>2</sup>) in area shall have a maximum width of 60 inches (1,524 mm) nominal.

AA. Subsection 1010.1.5 of the International Fire Code, is amended to read as follows:

**1010.1.5 Floor elevation.**

There shall be a 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 0.25 unit vertical in 12 units horizontal (2-percent slope).

**Exceptions:**

1. Doors serving individual dwelling units in Group 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 that 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 an exterior flight of 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 1022.2, 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 exterior doorway shall be not more than 7 <sup>3</sup>/<sub>4</sub> inches (197 mm)

below the top of the threshold, provided the door, other than an exterior storm or screen, does not swing over the landing.

4. Variations in elevation due to differences in finish materials, but not more than ½ 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 finish floor level of the adjacent interior space of the dwelling unit.
6. Doors serving equipment spaces not required to be accessible in accordance with Section 1103.2.9 and serving an occupant load of five or less shall be permitted to have a landing on one side to be not more than 7 inches (178 mm) above or below the landing on the egress side of the door. 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 over 6 feet (1,829 mm) wide that contain overcurrent devices, switching devices or control devices rated 800 amperes or more. See section 1010.1.10.
  - 6.2. Rooms or spaces having a floor area larger than 1,000 square feet (93 m<sup>2</sup>), containing a refrigerant evaporator and maintained at a temperature below 680 F (200 C). See Section 1006.2.2.3.

BB. Subsection 1010.1.10 of the International Fire Code, is amended to read as follows:

**1010.1.10 Panic and fire exit hardware.**

Swinging door serving as Group H occupancy and swinging 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 latch or lock other than panic hardware or fire exit hardware.

**Exceptions:**

1. A main exit of a Group A occupancy shall be permitted to have locking devices in accordance with Section 1010.1.9.4. Item 2.
2. Doors provided with panic hardware or fire exit hardware and serving a Group A or E occupancy shall be permitted to be electrically locked in accordance with Section 1010.1.9.9 or 1010.1.9.10.
3. Electrical rooms with equipment rated 800 amperes or more and over 6 feet (1,829 mm) wide, and that contain overcurrent devices, switching devices or control devices over 6 feet (1,829 mm) wide that contain overcurrent devices, switching devices or control devices rated 800 amperes or more with exit or exit access doors, shall be equipped with panic hardware or fire exit hardware. The doors shall swing in the direction of egress travel.

CC. Subsection 1011.5.2 of the International Fire Code, is amended to read as follows:

**1011.5.2 Riser height and tread depth.**

Stair riser heights shall be 7 inches (178 mm) maximum and 4 inches (102 mm) minimum. The riser height shall be measured vertically between the nosings of adjacent treads. Rectangular tread depths shall be 11 inches (279 mm) minimum measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's nosing. Winder treads shall have a minimum tread depth of 11 inches (279 mm) between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline and a minimum tread depth of 10 inches (254 mm) within the clear width of the stair.

**Exceptions:**

1. Spiral stairways in accordance with Section 1011.10.
2. Stairways connecting stepped aisles to cross aisles or concourses shall be permitted to use the Riser/tread dimension in Section 1029.14.2.
3. In Group R-3 occupancies; within dwelling units in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies; the maximum riser height shall be 8 inches (203 mm); the minimum tread depth shall be 9 inches (229 mm); the minimum winder tread depth at the walkline shall be 9 inches (229 mm); and the minimum winder tread depth shall be 6 inches (152 mm).
4. In Group I-3 facilities, stairways providing access to guard towers, observation stations and Control rooms, not more than 250 square feet (23 m<sup>2</sup>) in area, shall be permitted to have a maximum riser height of 8 inches (203 mm) and a minimum tread depth of 9 inches (229 mm).

DD. Subsection 1011.11 of the International Fire Code, is amended to read as follows:

**1011.11 Handrails.**

Flights of stairways shall have handrails on each side and shall comply with Section 1014. Where glass is used to provide the handrail, the handrail shall comply with Section 2407.

**Exceptions:**

1. Flights of stairways within dwelling units and flights of spiral stairways are permitted to have a handrail on one side only.
2. Decks, patios and walkways that have 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.
3. In Group R-3 occupancies, a change in elevation consisting of a single riser at an entrance or egress door does not require handrails.
4. Changes in room elevations of three or fewer risers within dwelling units and sleeping units in Group R-2 and R-3 do not require handrails.
5. Changes in elevations of only one riser do not require handrails.

EE. Subsection 1012.6.5 of the International Fire Code, is amended to read as follows:

### **1012.6.5 Doorways.**

Where doorways are located adjacent to a ramp landing, maneuvering clearances required by ICC A117.1 the Americans with Disabilities Act (“ADA”) are permitted to overlap the required landing area.

FF. Subsection 1013.1 of the International Fire Code, is amended to read as follows:

### **1013.1 Where required.**

Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. The path of egress travel to exits and within exits shall be marked by readily visible exit signs to clearly indicate the direction of egress travel in cases where the exit or the path of egress travel is not immediately visible to the occupants. Intervening means of egress doors within exits shall be marked by exit signs. Exit sign placement shall be such that any point in an exit access corridor or exit passageway is within 100 feet (30,480 mm) or the listed viewing distance of 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 occupancies in Group U and individual sleeping units or dwelling units in Group R-1, R-1, or R-3.
4. Exit sign are not required in dayrooms, 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.

GG. Subsection 1014.3 of the International Fire Code, is amended to read as follows:

### **1014.3 Handrail graspability.**

The diameter or width of the gripping surfaces of a handrail shall be 1.25 inches (32 mm) to 1.5 inches (38 mm) or the shape shall provide an equivalent gripping surface.

#### **Exceptions:**

1. Handrails within a dwelling unit and stairways serving multifamily occupancies subject to the provisions of the Fair Housing Act, but excluding common areas subject to the provisions of the ADA shall meet one of the below requirements:

- 1.1 Handrails with a circular cross section shall have an outside diameter of at least 1.25 inches (32 mm) and not greater than 2 inches (51 mm) or shall provide equivalent graspability.
- 1.2 If the handrail is not circular, it shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6.25 inches (160 mm) with a maximum cross-section dimension of 2.25 inches (57 mm). Edges shall have a minimum radius of 0.01 inch (0.25mm).
2. In buildings served by an accessible ramp or elevator, the handrails shall meet one of the following requirements:
  - 2.1 Handrails with a circular cross section shall have an outside diameter of at least 1.25 inches (32 mm) and not greater than 2 inches (51 mm) or shall provide equivalent graspability.
  - 2.2 If the handrail is not circular, it shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6.25 inches (160mm) with a maximum cross-section dimension of 2.25 inches (57 mm). Edges shall have a minimum radius of 0.01 inch (0.25 mm).

HH. Subsection 1014.6 of the International Fire Code, is amended to read as follows:

#### **1014.6 Handrail extensions.**

Handrails shall return to a wall, guard or the walking surface or shall be continuous to the handrail of an adjacent stair flight or ramp run. At stairways where handrails are not continuous between flights, the handrails shall extend horizontally at least 12 inches (305 mm) beyond the top riser and continue to slope for the depth of one tread beyond the bottom riser. At ramps where handrails are not continuous between runs, the handrail shall extend horizontally above the landing 12 inches (305 mm) minimum beyond the top and bottom ramps.

#### **Exceptions:**

1. Handrails within a dwelling unit and stairways serving multi-family occupancies that are not subject to the provisions of the ADA need extend only from the top riser to the bottom riser.
2. Aisle handrails in Group A occupancies shall be accordance with section 1029.16. In buildings served by an accessible ramp or elevator, the handrails need to extend only from the top riser to the bottom riser.

II. Subsection 1015.2 of the International Fire Code, is amended to read as follows:

#### **1015.2 Where required.**

Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8.

**Exception: Guards are not required for the following locations:**

1. On the loading side of loading docks or piers.
2. On the audience side of stages and raised platforms including stairs leading up to the stage and raised platforms.
3. On raised stage and platforms floor areas, such as runways, ramps and side stages used for entertainment or presentations.
4. At vertical openings in the performance area of stages and platforms.
5. At elevated walking surfaces appurtenant to stages and platforms for access to and utilization of special lighting or equipment.
6. Along vehicle service pits not accessible to the public.
7. In assembly seating area at cross aisles in accordance with Section 1029.17.2.
8. At window wells a protective cover designed to meet the amended roof live load requirements of Chapter 16 of the International Building Code may be substituted for guards. The window well covers shall be provided with an emergency egress hatch located above the ladder or stairway, with the minimum egress opening maintained. The force required to open the egress hatched shall not exceed 30 pounds (133.45 N). Window well covers and grates shall be constructed of materials approved for exterior use.

JJ. Subsection 1020.1 of the International Fire Code, is amended to read as follows:

**1020.1 Construction.**

Corridors shall be fire-resistance rated in accordance with Table 1020.1. The corridors walls required to be fire-resistance rated shall comply with Section 708 for fire partitions.

**Exceptions:**

1. A fire-resistance rating is not required for corridors in an occupancy in Group E where each room that is used for instruction has not less than one door opening directly to the exterior and rooms for assembly purposes have not less than one-half of the required means of egress doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.
2. A fire-resistance rating is not required for corridors contained within a dwelling unit or sleeping unit in an occupancy in Groups I-1 and R.
3. A fire-resistance rating is not required for corridors in open parking garages.
4. A fire-resistance rating is not required for corridors in an occupancy in Group B that is a space requiring only a single means of egress complying with Section 1006.2.
5. Corridors adjacent to the exterior walls of buildings shall be permitted to have unprotected openings on unrated exterior walls where unrated walls are permitted by Table 602 and unprotected openings are permitted by Table 705.8.
6. A fire-resistance rating is not required for corridors not exceeding 20 feet (6,096 mm) in length, when they provide direct, obvious and unobstructed means of travel to an exit or until egress is provided from the building, provide that all openings, except the entrance to the corridor, are protected with self-closing doors of non-combustible construction or solid wood core, not less than 1 inch (335 mm) in thickness or fixed



glazing. Use of rolling or sliding doors shall not be permitted, unless equipped with a closing device which operates with the actuation of an approved listed smoke detector.

KK. Subsection 5608.2 of the International Fire Code is hereby amended to read as follows:

**5608.2 Permit application.**

No fireworks display permit will be issued by the fire code official prior to submission of a diagram of the display area, a certificate of liability insurance and proof of a pyrotechnics certificate issued by the Kansas State Fire Marshal's Office. Inspections of the display sight and demonstrations of the display operation shall be approved by the fire code official. A plan establishing procedure to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from, a mortar or fails to function over the fallout area or other malfunctions shall be provided to the fire code official.

LL. Subsection 5608.3 of the International Fire Code is hereby amended to read as follows:

**5608.3 Approved fireworks displays.**

Approved fireworks display shall include only the approved fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles 1.4G, which shall be handled by a competent operator. Fireworks 1.3G shall only be handled by an approved competent operator certified by the Kansas State Fire Marshal's Office. The approved fireworks shall be arranged, located, discharged, and fired in a manner that will not pose a hazard to property or endanger any persons.

MM. Subsection 5704.2.9.6.1 of the International Fire Code is hereby amended to read as follows:

**5704.2.9.6.1 Locations where above-ground tanks are prohibited.**

Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except the M-1 district as established by the City's zoning ordinance. Where installed for temporary use for construction sites, earth moving projects or similar operations, they shall be allowed in accordance with section 5706.2.

NN. Subsection 6104.2 the International Fire Code is hereby amended to read as follows:

**6104.2 Maximum capacity within established limits.**

Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one

installation shall not exceed a water capacity of 125 gallons. Containers greater than 125 gallons are prohibited within the city limits where public gas utilities are provided.

**Exceptions:**

1. In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features, such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.
2. Pre-existing installations until said property changes ownership
3. Storage of portable LP-gas containers awaiting use or resale. See Section 6109.

OO. Appendix B of the International Fire Code is hereby amended as follows:

B103.3 is deleted.

Table B105.1(1) is amended to read as follows:

Fire-Flow Calculation Area (square feet)	Automatic Sprinkler System (Design Standard)	Minimum Fire Flow (gallons per minute)	Flow Duration (hours)
0-3,600	No automatic sprinkler system	1,500	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) At the required fire-flow rate
0-3,600	Section 903.3.1.3 of the IFC or Section P2904 of the IRC	750	1/2
3,601 and greater	Section 903.3.1.3 of the IFC or Section P2904 of the IRC	½ Value in Table B105.1(2)	1

Table B105.2 is amended to read as follows:

Automatic Sprinkler System (Design Standard)	Minimum Fire Flow (gallons per minute)	Flow Duration (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the International Fire Code	50% of the value in Table B105.1(2)*	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the International Fire Code	50% of the value in Table B105.1(2)*	Duration in Table B105.1(2) at the reduced flow rate

\* The reduced flow rate shall be not less than 1,500 gallons per minute

PP. Appendix D of the International Fire Code is hereby amended as follows:

1. Figure D103.1 shall read as follows:
  - (a) References to road widths of 20 feet (6,096 mm) shall be replaced with references to all-weather road surface widths of 26 feet (7,925 mm).
  - (b) References to cul-de-sacs with a diameter of 96 feet (29,262 mm) shall be replaced with cul-de-sacs with a diameter of 80 feet (24,385 mm).

2. Table D103.4 is amended to replace:
  - (a) References to cul-de-sac diameters of 96 feet (29,262 mm) with references to cul-de-sac diameters of 80 feet (24,385 mm); and
  - (b) References to road widths of 20 feet (6,096 mm) with references to road widths of 26 feet (7,925 mm).
3. Subsection 1 of section D103.5 shall read as follows:

Where a single gate is provided, the gate width shall be not less than 26 feet (7,925 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall not be less than 12 feet (3658 mm).

**Section 3. Repeal**

Original sections 8.16.010 and 8.16.020 of the Derby Municipal Code are hereby repealed. All other provisions of the Municipal Code of the City of Derby, Kansas shall remain in full force and effect except as specifically amended herein. All other ordinances or parts of other 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 4. Severability**

Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

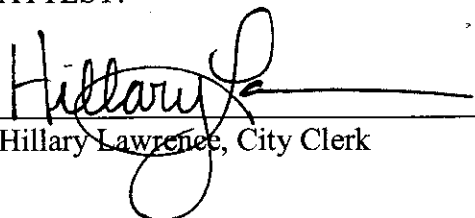
**Section 5. Effective Date**

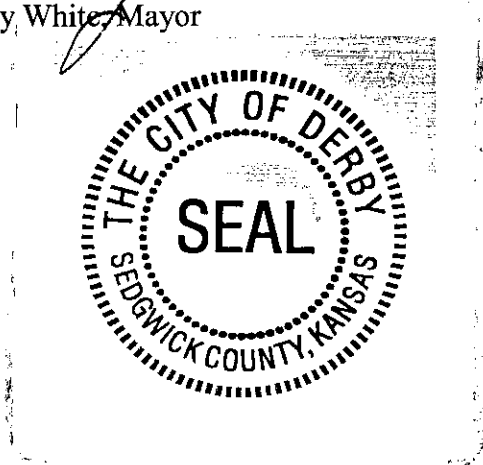
This Ordinance shall take effect and be in force from and after its passage and publication of the ordinance or a summary thereof once in the City's official newspaper as provided by State law.

**PASSED** by the City Council this 10<sup>th</sup> day of December, 2019 and **SIGNED** by the Mayor.

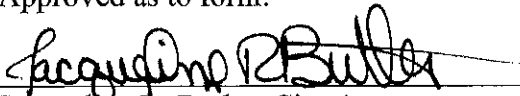
  
\_\_\_\_\_  
Randy White, Mayor

ATTEST:

  
\_\_\_\_\_  
Hillary Lawrence, City Clerk



Approved as to form:

  
Jacqueline R. Butler, City Attorney