

Passed: Dec. 8, 2015

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ORDINANCE NO. 2260

AN ORDINANCE AMENDING CHAPTER 8.16 OF THE DERBY MUNICIPAL CODE, PROVIDING FOR ADOPTION BY REFERENCE OF THE INTERNATIONAL FIRE CODE, 2012 EDITION, WITH CERTAIN AMENDMENTS THERETO, ALL PERTAINING TO THE PREVENTION AND SUPPRESSION OF FIRE; REPEALING ORIGINAL CHAPTER 8.16 OF THE DERBY MUNICIPAL CODE AND FURTHER REPEALING ALL CONFLICTING ORDINANCES OR PARTS THEREOF.

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

Section 1. Chapter 8.16 – Fire Prevention of the Derby Municipal Code is hereby amended to read as follows:

“Chapter 8.16 – FIRE PREVENTION

Sections:

8.16.010 - Adoption of International Fire Code, 2012 Edition.

8.16.020 - Amendments to the International Fire Code, 2012 Edition.

8.16.010 Adoption of International Fire Code, 2012 Edition.

The International Fire Code, 2012 Edition, including appendices B, C, D, F, G and I thereto (the “Fire Code”), a uniform code prepared by the International Code Council, Inc., is hereby adopted by reference and incorporated as an ordinance of the City of Derby, Kansas, except as specific provisions thereof are hereby amended or repealed. One copy of the Fire Code shall be marked or stamped “Official Copy,” with all deleted or amended sections or portions thereof clearly marked to show such modification, and to which shall be attached a copy of this ordinance. Such copy shall be filed with the City Clerk and shall be open and available for public inspection at all reasonable hours.

8.16.020 Amendments to the International Fire Code, 2012 Edition.

The following sections of the 2012 International Fire Code are hereby amended or repealed as hereinafter set forth:

- a. Subsection 101.1 of the Fire Code is hereby amended to read as follows:

101.1 Title.

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

- b. Subsection 102.4 of the Fire Code is hereby amended to read as follows:

102.4 Application of building code.

The design and construction of new structures shall comply with the current International Building Code, 2006 Edition (IBC) as adopted and amended by the City of Derby, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the International Building Code as adopted and amended shall be made in accordance therewith.

- c. Subsection 102.7 of the 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 Fire Code, the term “NFPA Code” shall be construed to mean the most current edition National Fire Protection Association Codes and Standards.

- d. Subsection 109.4 of the Fire Code is hereby amended to read as follows:

109.4 Violation penalties.

Any person or entity 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.

e. Subsection 111.4 of the Fire Code is hereby amended to read as follows:

111.4 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.

f. Subsection 307.1 of the 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 and ceremonial fires without receiving a permit from the fire code official.

g. Subsection 307.2 of the 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 or a recreational 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.

h. Subsection 307.4 of the 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.

Exception:

1. Fires in approved containers that are not less than 10 feet from a 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.

- i. Subsection 507.3 of the 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.

- j. Subsection 507.5.1 of the 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).

- k. Subsection 609.2 of the Fire Code is hereby amended to read as follows:

609.2 Where required.

A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors.

Exception:

A Type II hood may be installed at or above all cooking appliances used for non-commercial purposes. A fire suppression system installed in accordance with section 904 shall be provided.

- l. Subsection 901.1 of the Fire Code is hereby amended to read as follows:

901.1 Scope.

The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance of all fire protection systems. Where buildings, or portions thereof, are divided into fire areas so as not to exceed the limits established for requiring a fire protection system in

accordance with this chapter, such fire areas shall be separated by fire barriers having a fire-resistance rating of not less than that determined in accordance with Table 508.3.3 and section 706 of the 2006 International Building Code as adopted by the City of Derby.

Exception:

Buildings constructed prior to the adoption of the 2006 edition of the International Building Code may have a non-conforming fire area increased by not more than 10 percent of the fire area limitation, for the occupancy classification, as specified under section 903.2. All additions to the fire area shall be considered as accumulative and subject to the limitations of the construction type.

m. Subsection 903.2.8 of the 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. Four or less individual living units in same building. Dwelling units in 3 and 4 family dwellings shall be separated from each other by a wall having not less than a two-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 minimum distance of two feet from the center of the wall. There shall be no penetrations through this area of the roof deck or sheathing.

2. Dwelling units in 3 and 4 family dwellings where buildings or portions thereof are arranged above or below adjacent units, an automatic sprinkler system shall be provided throughout all units.

n. Subsection 903.2.11.1.1 of the Fire Code is hereby 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 (1219) in height. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

o. Subsection 903.3.7 of the Fire Code is hereby amended to read as follows:

903.3.7 Fire department connections.

The location, type and size of fire department 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. Any variances to this requirement shall be approved by the fire code official.

p. Subsection 907.2.6.4 of the IFC is hereby amended to read as follows:

907.2.6.4 Group I-4 occupancies.

Group I-4 occupancies shall be equipped with an automatic fire alarm system with smoke detection in accordance with provisions set forth in (Current edition) NFPA 101 Life Safety Code.

q. Subsection 910.2.1 of the Fire Code is hereby amended to read as follows:

910.2.1 Group F-1 or S-1.

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

r. Subsection 910.3.5 of the Fire Code is hereby amended to read as follows:

910.3.5 Draft curtains.

Where required by Table 910.3, draft curtains shall be provided in accordance with this section. The requirement for curtain boards in buildings designed to accommodate high-piled stock, as defined by the International Fire Code, shall be in accordance with IFC Table 3206.2.

Exception:

Where areas of buildings are equipped with ESFR sprinklers, draft curtains shall not be provided within these areas. Draft curtains shall only be provided at the separation between the ESFR sprinklers and the conventional sprinklers.

s. Subsection 9.12.2.1.1 of the Fire Code is hereby amended to read as follows:

9.12.2.1.1 Horn/strobe device.

A horn/strobe device shall be installed directly above the Fire Department Connection and shall activate upon water flow of the sprinkler system.

t. Section 1003.5 of the Fire Code is hereby 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 Disabilities 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 and R-3 and Groups S and U at exterior doors not required to be accessible by the ADA or locations served by a ramp meeting the requirements of 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 ADA, provided, that the risers and treads comply with section 1009.3, 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 ADA, provided that the risers and treads comply with section 1025.11 and the aisle is provided with a handrail complying with section 1025.13.

u. Section 1006.3.1 of the Fire Code is hereby amended to read as follows:

1006.3.1 Illumination level under emergency power. 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 the system.

v. Section 1007.1 of the Fire Code is hereby amended to read as follows:

1007.1 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 1015.1 or 1019.1 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.

w. Section 1008.1.1 of the Fire Code is hereby 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 units in Group I-3 occupancies shall have a clear width of not less than 32 inches (711 mm).
3. Door openings to storage closets less than 10 square feet (0.93m²) 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 a minimum clear width of 32 inches (806 mm).

x. Subsection 1008.1.5 of the Fire Code is hereby amended to read as follows:

1008.1.5 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 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 7.75 inches (197 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 serving building equipment rooms that are not normally occupied.
- y. Subsection 1008.1.6 of the Fire Code is hereby amended to read as follows:

1008.1.6 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 length in the direction of travel in Groups R-3 and U and within individual units of Group R-2 need not exceed 36 inches (914 mm).

- z. Subsection 1009.5 of the Fire Code is hereby amended to read as follows:

1009.5 Headroom.

Stairways shall have a minimum headroom clearance of 80 inches (2032 mm) measured vertically from a line connecting the edge of the nosings. Such headroom shall be continuous above the stairway to the point where the line intersects the landing below, one tread depth beyond the bottom riser. The minimum clearance shall be maintained the full width of the stairway and landing.

Exceptions:

1. Spiral stairways complying with section 1009.8 are permitted a 78-inch (1981 mm) headroom clearance.
2. Stairways within an individual dwelling unit of Group R-2 and R-3 are permitted a 78-inch (1981 mm) headroom clearance.

aa. Subsection 1009.7 of the Fire Code is hereby amended to read as follows:

1009.7 Stair Treads and riser.

Stair riser heights shall be 7 inches (178 mm) maximum and 4 inches (102 mm) minimum. Stair tread depths shall be 11 inches (279 mm) minimum. The riser height shall be measured vertically between the leading edges of adjacent treads. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. Winder treads shall have a minimum tread depth of 11 inches (279 mm) measured at a right angle to the tread's leading edge at a point 12 inches (305 mm) from the side where the treads are narrower and a minimum tread depth of 10 inches (254 mm).

Exceptions:

1. Alternating tread devices in accordance with Section 1009.13.
2. Spiral stairways in accordance with Section 1009.12.
3. Aisle stairs in assembly seating areas where the stair pitch or slope is set, for sightline reasons, by the slope of the adjacent seating area in accordance with Section 1025.8.2.
4. 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 (197 mm); the minimum tread depth shall be 9 inches (228.6 mm); the minimum winder tread depth at the walk line shall be 9 inches (228.6 mm); and the minimum winder tread depth shall be 6 inches (152 mm). A nosing not less than 0.75 inch (19.1 mm) but not more than 1.25 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).
5. See Subsection 3403.4 of the IBC for the replacement of existing stairways.

ab. Subsection 1009.9.1 of the Fire Code is hereby amended to read as follows:

1009.9.1 Stairway walking surface.

The walking surface of treads and landings of a stairway shall not be sloped steeper than one unit vertical in 50 units horizontal (2-percent slope) in any direction. Stairway treads and landings shall have a solid surface. Finish floor surfaces shall be securely attached.

Exceptions:

1. Perforated openings for drainage on exterior stairs shall not be prohibited provided a sphere with diameter of 0.1875 inches (3/16 inch; 5 mm) cannot pass through the opening
2. In Group F, H and S occupancies, other than areas of parking structures accessible to the public, openings in treads and landings shall not be prohibited provided a sphere with a diameter of 1.125 inches (29 mm) cannot pass through the opening.

ac. Subsection 1009.10 of the Fire Code is hereby amended to read as follows:

1009.15 Handrails.

Stairways shall have handrails on each side and shall comply with section 1012. Where glass is used to provide the handrail, the handrail shall also comply with section 2407 of the International Building Code.

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 less than four risers at an entrance or egress door does not require handrails.
5. Changes in room elevations of only one riser do not require handrails.

ad. Subsection 1010.4 of the Fire Code is hereby amended to read as follows:

1010.4 Cross slope.

The slope measured perpendicular to the direction of travel of a ramp shall not be steeper than one unit vertical in 50 units horizontal (2-percent slope) per ADA.

ae. Subsection 1010.7.5 of the Fire Code is hereby amended to read as follows:

1010.7.5 Doorways.

Where doorways are located adjacent to a ramp landing, maneuvering clearances required by ADA are permitted to overlap the required landing area.

af. Subsection 1011.1 of the Fire Code is hereby 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. 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 (30 480 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 fire code official.
3. Exit signs are not required 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 sleeping areas 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.

ag. Subsection 1012.3 of the Fire Code is hereby amended to read as follows:

1012.3 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).

ah. Subsection 1012.6 of the Fire Code is hereby amended to read as follows:

1012.6 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 1028.13.
3. In buildings served by an accessible ramp or elevator, the handrails need to extend only from the top riser to the bottom riser.

ai. Subsection 1013.2 of the Fire Code is hereby amended to read as follows:

1013.2 Where required.

Guards shall be located along open-sided walking surfaces, mezzanines, industrial equipment platforms, stairways, ramps and landings that are located more than 30 inches (762 mm) above the floor or grade below. Guards shall be adequate in strength and attachment in accordance with section 1607.7 of the International Building Code. Where glass is used to provide a guard or as a portion of the guard system, the guard shall also comply with section 2407 of the International Building Code. Guards shall also be located along glazed sides of stairways, ramps and landings that are located more than 30 inches (762 mm) above the floor or grade below where the glazing provided does not meet the strength and attachment requirements in section 1607.7 of the IBC.

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 steps leading up to the stage and raised platforms.
3. On raised stage and platform 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 where guards in accordance with section 1028.14 are permitted and provided.
 8. At window wells a protective cover designed to a minimum of 20 pounds per square foot (0.96 KN m²) uniformly distributed live load 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 hatch shall not exceed 30 pounds (133.45 N). Window well covers and grates shall be constructed of materials approved for exterior use.
- aj. Subsection 1018.1 of the Fire Code is hereby amended to read as follows:

1018.1 Construction.

Corridors shall be fire-resistance rated in accordance with Table 1018.1. The corridor walls required to be fire-resistance rated shall comply with Section 708 of the IBC.

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 at least one door directly to the exterior and rooms for assembly purposes have at least 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 or sleeping unit in an occupancy in Group 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 which is a space requiring only a single means of egress complying with section 1018.1.
5. A fire-resistance rating is not required for corridors not exceeding 20 feet (6096 mm) in length, when they provide direct, obvious and unobstructed means of travel to an exit or until egress is provided from the building, provided 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 3/8 inches (35 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.

- ak. Subsection 1028.9.1 of the Fire Code is hereby amended to read as follows:

1028.9.1 Minimum aisle width.

The minimum clear width for aisles shall be as follows, unless greater widths are required by the provisions of the ADA.

1. Forty-eight inches (1219 mm) for aisle stairs having seating on each side.

Exception: Thirty-six inches (914 mm) where the aisle serves less than 50 seats.

2. Thirty-six inches (914 mm) for aisle stairs having seating on only one side.
3. Twenty-three inches (584 mm) between an aisle stair handrail or guard and seating where the aisle is subdivided by a handrail.
4. Forty-two inches (1067 mm) for level or ramped aisles having seating on both sides.

Exceptions:

1. Thirty-six inches (914 mm) where the aisle serves less than 50 seats.
 2. Thirty inches (762 mm) where the aisle does not serve more than 14 seats.
5. Thirty-six inches (914 mm) for level or ramped aisles having seating on only one side.

Exceptions:

1. Thirty inches (762 mm) where the aisle does not serve more than 14 seats.
2. Twenty-three inches (584 mm) between an aisle stair handrail and seating where an aisle does not serve more than five rows on one side.

- a. Subsection 1028.13 of the Fire Code is hereby amended to read as follows:

1028.13 Handrails.

Ramped aisles having a slope exceeding one unit vertical in 20 units horizontal (5 percent slope) and aisle stairs shall be provided with handrails located either at the side or within the aisle width.

Exceptions:

1. Handrails are not required for ramped aisles having a gradient no greater than one unit vertical in eight units horizontal (12.5-percent slope) and seating on both sides where accessible seating is not required along either side of the aisle by the ADA.
2. Handrails are not required if, at the side of the aisle, there is a guard that complies with the graspability requirements of handrails.

- am. Chapter 11 Construction Requirements for Existing Buildings. Deleted in entirety.

- an. Subsection 5504.3.1.1.3 of the Fire Code is hereby amended to read as follows:

5504.3.1.1.3 Location.

Stationary containers shall be located in accordance with section 5504.3.1. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials. Storage of flammable cryogenic fluids in stationary containers outside of

buildings is prohibited in all zoning districts except those districts zoned M-1 as defined in zoning regulations. Installations require permitting by the fire code official.

Exception:

Storage in zones B-4 and B-5 shall be determined by the fire code official after consideration of nature of occupancy, proximity to buildings, capacity of proposed containers and degree of fire protection provided. Installation requires permitting by the fire code official.

ao. Subsection 5608.2 of the 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.

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

5608.3 Approved fireworks displays.

Approved displays shall include only the approved Division 1.3G, Division 1.4G, and Division 1.4S fireworks and pyrotechnic articles 1.4G which shall 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.

aq. Subsection 5704.2.9.6.1 of the 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.

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

6104.2 Maximum capacity within established limits.

The storage of liquefied petroleum gas is prohibited in all zoning districts except pursuant to a permit issued by the fire code official. The installation of LP-gas requires permitting by the local fire code official. The fire code official's decision shall be based on the uses permitted within the zoning district, the nature of other occupancies,

proximity to buildings, capacity of proposed containers and the degree of fire protection provided. The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

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

B103.3 is deleted.

B105.1 is amended to read as follows:

B105.1 One- and two-family dwellings.

The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m squared) shall be 1,500 gallons per minute (3,785.4 L/min). Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m squared) shall not be less than that specified in Table B105.1.

1. The “Exception” to subsection 105.1 is deleted.
2. Table B105.1 is amended to specify 4 hour flow duration for buildings Having a minimum required fire flow of 3,750 gallons per minute (14,195 L/min), and Footnote “a” to Table B105.1 is deleted.
3. The “Exception” to subsection B105.2 is amended to read as follows:

Exception: a reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5,678 L/min) for the prescribed duration as specified in Table B105.1

at. Appendix D of the 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. Section D103.4 shall read as follows:

D103.4 Dead-ends. Dead-end fire apparatus access roads in excess of 150 feet (45,720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4. When a subdivision is platted with one or more through streets so as to have at least two entrances and such through street are not constructed prior to occupancy of structures, a temporary turnaround meeting the minimum requirements as set forth herein shall be constructed and shall remain open and available for use by fire apparatus until such through street is constructed and open to traffic. All such temporary turnarounds shall be designed to support the imposed load of a fire apparatus weighing at least 75,000 pounds (34,050 kg) and shall be subject to the approval of the Fire Code Official. All temporary roads providing access to any such temporary turnaround shall be a minimum of 26 feet (7,925 mm) in width and shall be subject to the approval of the Fire Code Official.

3. 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).
4. Subsection 1 of section D103.5 shall read as follows:

The minimum gate width shall be 26 feet (7,925 mm).
5. Section D103.6.1 shall read as follows:

Fire Apparatus Access Roads. Fire apparatus access roads shall be posted on both sides as a fire lane.
6. Section D103.6.2 is deleted.

Section 2. Invalidity of a Part

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 3. Repeal

The original of Chapter 8.16 of the Derby Municipal Code is 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. 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 on the 8th day of December, 2015, and **SIGNED** by the Mayor.

Randy White, Mayor

ATTEST:

Karen Friend, City Clerk

Approved as to form:

Jacqueline R. Butler, City Attorney