

CHAPTER IV. BUILDINGS AND CONSTRUCTION

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ARTICLE 1. MOVING BUILDINGS

- 4-101 BUILDING OFFICIAL; AUTHORITY. The enforcement officer his or her authorized designee shall be responsible for the administration and enforcement of this article and appointment of an inspector in accordance with sections 4-204 through 4-209 of this chapter, which apply in a like manner to this article. (Code 2004)
- 4-102 PERMIT REQUIRED. No person, firm or corporation shall move, haul, or transport any house, building, derrick, or other structure of the height when loaded for movement of 16 feet or more from the surface of the highway, road, street or alley, or a width of eight (8) feet or more or which cannot be moved at a speed of four (4) miles per hour or faster, upon, across or over any street, alley or sidewalk in this city without first obtaining a permit therefor. (K.S.A. 17-1914; Code 2004)
- 4-103 SAME: APPLICATION FOR PERMIT. All applications for permits required under the provisions of this article shall be made in writing to the city clerk specifying the day and hour said moving is to commence and the route through the city's streets over which the house, building, derrick or other structure shall be moved and stating whether it will be necessary to cut and move, raise, or in any way interfere with any wires, cables or other aerial equipment of any public or municipally-owned utility, and if so, the application shall also state the name of the public or municipally-owned utility, and the time and location that the applicant's moving operations shall necessitate the cutting, moving, raising or otherwise interfering with such aerial facilities. (K.S.A. 17-1915; Code 2004)
- 4-104 SAME; BOND INSURANCE REQUIRED. (a) It shall be the duty of any person at the time of making application for a permit as provided in this article to give a good and sufficient surety bond to the city, to be approved by the governing body, indemnifying the city against any loss or damage resulting from the failure of any such person to comply with the provisions of this article or for any damage or injury caused in moving any such house or structure. The bond herein shall be in the sum of \$5,000, or cash may be deposited in lieu of such surety bond.

(b) A public liability insurance policy issued by an insurance company authorized to do business in the State of Kansas, in the amount of \$100,000 per person, \$300,000 per accident as to personal injury, and \$50,000 property damage may be permitted in lieu of bond. (Code 2004)

4-105 SAME; FEE. Before any permit to move any house or structure is given under the provisions of this article, the applicant shall pay a fee of not less than \$50 to the city clerk; plus monies shall be deposited with the City in an amount equal to the anticipated cost to the City of facilitating such move, including, but not limited to, the cost the time for any city personnel and equipment involved in such moving. (Code 2004)

4-106 CONTRACTOR; LICENSE REQUIRED; FEE. The provisions of sections 4-219 through 4-225 of this chapter shall apply in a like manner to this article. (Code 2004)

4-107 ROUTE; DUTIES OF BUILDING OFFICIAL. The city clerk shall, upon filing of the above application, refer the same to the enforcement officer, or his or her authorized designee to check the proposed route and determine if it is practical to move such house or other structure over the route proposed. If it shall appear that such route is not practical and another route may be used equally well with less danger to street and travel, then he or she may designate such other route as the one (1) to be used and shall notify the applicant of the same. The enforcement officer may also require the planking of any street, bridge or culvert or any part thereof to prevent damage thereto. It shall also be the duty of the enforcement officer or his or her authorized designee to inspect the progress of moving any house or other structure to see that the same is being moved in accordance with the provisions of this article. (Code 2004)

4-108 NOTICE TO OWNERS. (a) Upon issuance of a moving permit the holder of such permit shall give not less than 15 days written notice to any person owning or operating any wires, cables or other aerial equipment (Owner) along the proposed route of the intent to move the structure, giving the time and location that the applicant's moving operation shall necessitate the cutting, moving, raising or interfering of any wires, cables or other aerial equipment.

(b) The notice provision of subsection (a) shall not apply where the Owner has waived their right to advance notice.

(c) Should the moving operation be delayed, the applicant shall give the Owner or his or her agent not less than 24 hours advance notice of the actual operation. (K.S.A. 17-1916; Code 2004)

4-109 DUTY OF OWNERS. (a) It shall be the duty of the person or the city owning or operating such poles or wires after service of notice as provided in 4-108, to furnish competent lineman or workmen to remove such poles, or raise or cut such wires as will be necessary to facilitate the moving of such house or structure. The necessary expense which is incurred thereby shall be paid by the holder of the moving permit in accordance with the policies of

such Owner. The public or municipally owned utility may require the applicant to furnish the public or municipally owned utility with appropriate bond or other surety agreement insuring the payment of all expenses incurred as a result of applicant's moving operations. Failure of such Owner to provide such service may result in action in accordance with K.S.A. 17-1917. (K.S.A. 17-1917; Code 2004)

4-110 INTERFERING WITH POLES; WIRES. It shall be unlawful for any person engaged in moving any house or other structure to raise, cut or in any way interfere with any wires or poles bearing wires or any other aerial equipment. (K.S.A. 17-1918; Code 2004)

4-111 DISPLAY OF LANTERNS. It shall be the duty of any person moving any part of the structures mentioned in this article upon or across any street, alley or sidewalk or other public place, in this city, to display lighting equipment in conformance with the Standard Traffic Ordinance as mandated for vehicles over 80 inches in overall width. (Code 2004)

ARTICLE 2. DANGEROUS AND UNFIT STRUCTURES

4-201 PURPOSE. The governing body has found that there exist within the corporate limits of the city structures which are unfit for human use or habitation because of dilapidation, defects increasing the hazards of fire or accidents, structural defects or other conditions which render such structures unsafe, unsanitary or otherwise inimical to the general welfare of the city, or conditions which provide a general blight upon the neighborhood or surrounding properties. It is hereby deemed necessary by the governing body to require or cause the repair, closing or demolition or removal of such structures as provided in this article. (K.S.A. 12-1751; Code 2004)

4-201a DUTY OF OWNER. Whenever any structure within the city shall be found to be dangerous, unsafe or unfit for human use or habitation, it shall be the duty and obligation of the owner of the property to render the same secure and safe or to remove the same. (Code 2004)

4-202 DEFINITIONS. For the purpose of this article, the following words and terms shall have the following meanings:
(a) Enforcement Officer means the enforcement officer or his or her authorized representative.
(b) Structure shall include any building, wall, superstructure or other structure which requires location on the ground, or is attached to something having a location on the ground. (K.S.A. 12-1750; Code 2004)

4-203 ENFORCEMENT OFFICER; DUTIES. The enforcement officer is hereby authorized to exercise such powers as may be necessary to carry out the purposes of this article, including the following:
(a) Inspect any structure which appears to be unsafe, dangerous or unfit for human habitation;

(b) Have authority to enter upon premises at reasonable hours for the purpose of making such inspections. Entry shall be made so as to cause the least possible inconvenience to any person in possession of the structure. If entry is denied, the enforcement officer may seek an order for this purpose from a court of competent jurisdiction;

(c) Report all structures which he or she believes to be dangerous, unsafe or unfit for human habitation to the governing body;

(d) Receive petitions as provided in this article. (Code 2004)

4-204

PROCEDURE; PETITION. Whenever a petition is filed with the enforcement officer by at least five (5) residents charging that any structure is dangerous, unsafe or unfit for human habitation, or whenever it appears to the Public Works Director on his or her own motion that any structure is dangerous, unsafe or unfit for human habitation, he or she shall, if his or her preliminary investigation discloses a basis for such charges:

(a) report such findings to the governing body, and

(b) cause notice to be served by certified mail, return receipt requested, or by personal service or, in the event the property or premises is unoccupied and the owner thereof does not reside within the corporate limits of the city by mailing such notice by certified mail, return receipt requested, to the owner's last known address and publication within the official newspaper of the City. (Code 2004)

4-204a.

SAME; CONTENTS OF NOTICE. The notice shall describe in writing the conditions constituting a violation of this article. The notice shall also inform the person or entity receiving such notice that: (a) Such person or entity shall have such time, to be specified in the notice and not to exceed ten (10) days from the date specified in the notice, to remove and abate the violation from the property or premises;

(b) Such person or entity may, within the time specified in the notice and not to exceed the date specified therein within which said removal and abatement is required, request a hearing before the governing body as provided by section 4-204b of this article.

(c) Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the enforcing officer before the governing body; and

(d) Failure to remove and abate the violation or to request a hearing as provided herein, within the time allowed may result in prosecution as provided by this Article and/or removal and/or abatement of the violation by the city as provided by this article.

4-204b.

HEARING. If a hearing is requested in a writing received by the governing body within the time period prescribed by section 4-204a of this article, the governing body shall conduct a hearing as soon as may be practicable and the person or entity receiving notice shall be advised by the city clerk of the time and place of the hearing at least five (5) days in advance thereof. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the enforcing officer before the governing body.

(a) On the date fixed for hearing or any adjournment or continuation thereof, the governing body shall hear all evidence submitted by the person to whom notice of the violation was issued, and all evidence submitted by the city. Upon hearing such evidence, the governing body shall make findings by resolution. The hearing provided for in this section need not be conducted according to formal rules of evidence.

(b) If, after notice and hearing as provided for in this article, and upon hearing the evidence provided for in subsection a of this section, the governing body determines that a violation exists, it shall set forth in writing in the form of a resolution its findings of facts supporting such determination. The resolution shall also fix a reasonable period of time, to be determined by the governing body, within which the abatement of the violation shall be concluded, and a statement that if the person upon whom notice of the violation was served fails to conclude said removal and abatement within the time period established by the resolution, or fails to diligently prosecute and pursue the same until the work is completed, the governing body shall cause the violation to be abated. The resolution provided for in this section shall be published once in the official city newspaper and the city clerk shall mail a copy of the resolution to the person or entity, and owner, in the same manner as provided for in 4-204.

4-205 SAME; NOTICE. When the Notice provided for in 4-204(b) is returned unclaimed and the parties notified have taken no action to comply with the requirements of the Notice, the governing body upon receiving a report as provided in section 4-204 may by resolution fix a time and place at which the owner, the owner's agent, any lienholder of records and any occupant of the structure may appear and show cause why the structure should not be condemned and ordered repaired or demolished. (K.S.A. 12-1752; Code 2004)

4-206 SAME; PUBLICATION. (a) The resolution shall be published once each week for two (2) consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing.

(b) A copy of the resolution shall be mailed by certified mail within three (3) days after its first publication to each owner, agent, lienholder and occupant at the last known place of residence and shall be marked "deliver to addressee only." (K.S.A. 12-1752; Code 2004)

4-207 SAME; HEARING, ORDER. If, after notice and hearing, the governing body determines that the structure under consideration is dangerous, unsafe or unfit for human use or habitation, it shall state in writing its findings of fact in support of such determination and shall cause the resolution to be published once in the official city newspaper and a copy mailed to the owners, agents, lienholders of record and occupants in the same manner provided for the notice of hearing. The resolution shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed. (Code 2004)

4-208 RESERVED.

- 4-209 SAME; FAILURE TO COMPLY. (a) If, within the time specified in the order, the owner fails to comply with the order to repair, alter, improve or vacate the structure, the enforcement officer may cause the structure to be repaired, altered, improved, or to be vacated and closed.
- (b) If, within the time specified in the order, the owner fails to comply with the order to remove or demolish the structure, the Public Works Director may cause the structure to be removed and demolished. (Code 2004)
- 4-210 SAME; MAKE SITE SAFE. Upon removal of any structure, the owner shall fill any basement or other excavation located upon the premises and take any other action necessary to leave the premises in a safe condition. If the owner fails to take such action, the Public Works Director may proceed to make the site safe. (Code 2004)
- 4-211 ASSESSMENT OF COSTS. (a) The cost to the city of any repairs, alterations, improvements, vacating, removal or demolition by the Public Works Director including all legal costs associated with enforcing the provisions of this Article and the costs of making the site safe, shall be reported to the city clerk.
- (b) The city shall give notice to the owner of the structure by certified mail of the cost of removing the structure, legal costs to the City, and making the premises safe and secure, and the duty of the owner to pay all such costs. The notice shall also state that payment of the costs is due and payable within 30 days following receipt of the notice.
- (c) If the costs remain unpaid after 30 days following receipt of notice, the city clerk may sell any salvage from the structure and apply the proceeds or any necessary portion thereof to pay the cost of removing the structure and making the site safe. Any proceeds in excess of that required to recover the costs shall be paid to the owner of the premises upon which the structure was located.
- (d) If the proceeds of the sale of salvage is insufficient to recover the costs, or if there is no salvage, the balance shall be collected in the manner provided by K.S.A. 12-1, 115, and amendments thereto, or shall be assessed as special assessments against the lot or parcel of land on which the structure was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1, 115, and amendments thereto, but only until the full cost and applicable interest has been paid in full. (K.S.A. 12-1755; Code 2004)
- 4-212 IMMEDIATE HAZARD. When in the opinion of the Mayor any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, the Mayor may direct the Public Works Director to erect barricades or cause the property to be vacated, taken down, repaired, shored or otherwise made safe without delay. Such action may be taken without prior notice to or hearing of the owners, agents, lienholders and occupants. The cost of any action under this section shall be assessed against the property as provided in section 4-211. (K.S.A. 12-1756; Code 2004)

4-213 APPEALS FROM ORDER. Any person affected by an order issued by the governing body under this article may, within 30 days following service of the order petition the district court of the county in which the structure is located for an injunction restraining the Public Works Director from carrying out the provisions of the order pending final disposition of the case. (Code 2004)

4-214 SCOPE OF ARTICLE. Nothing in this article shall be construed to abrogate or impair the powers of the courts or of any department of the city to enforce any provisions of its charter or its ordinances or regulations, nor to prevent or punish violations thereof; and the powers conferred by this article shall be in addition to and supplemental to the powers conferred by the constitution, any other law or ordinance. Nothing in this article shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise, or to exercise those powers granted specifically by K.S.A. 12-1750 through 12-1756. (Code 2004)

ARTICLE 3. THE COMMERCIAL BUILDING CODE

4-301 COMMERCIAL BUILDING STANDARDS. No person, firm or corporation shall hereafter design, construct, erect, remodel, alter, demolish, locate, relocate or remove any building or structure, or place or install service equipment therein in the city except in accordance with this Article relating to such buildings or structures and without a permit authorizing the same.

4-302 INSPECTION AND ENFORCEMENT. Sedgwick County, through the Metropolitan Area Building and Construction Department (MABCD) shall provide code inspection and enforcement services to the City, based upon the current Wichita-Sedgwick County unified building, electrical, plumbing, and mechanical codes, as adopted by the City and agreed to by separate interlocal agreement,

4-303 ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2012 EDITION, AS THE COMMERCIAL BUILDING CODE, WITH CERTAIN ADDITIONS AND DELETIONS. There is hereby adopted by reference by the City of Colwich, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the International Building Code, 2012 Edition, as the Commercial Building Code, as published by the International Code Council, 5203 Leesburg Pike, Suite 708 Falls Church, Virginia, 22041, and such amendments as set forth in Resolution 175-2012 and Ordinance NO. 49-412.

4-304 AMENDMENTS. The International Building Code is hereby amended by adopting those changes, deletions, and additions contained in Resolution No. 49-2016 of the Board of County Commissioners of Sedgwick County, Kansas, adopted March 23, 2016, including all fee schedules, and incorporated by reference herein.

4-305 AVAILABILITY OF COPIES. One (1) copy of said Code along with the amendments set forth in Sedgwick County Resolution 263-07, have been and are now filed in the office of the City Clerk and the said code is hereby adopted and

incorporated fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq. This Code and all amendments shall hereafter be known as Chapter 4, Article 3 of the Colwich Municipal Code.

- 4-306 VIOLATIONS AND PENALTIES. Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 113.4 et seq. of the International Building Code as amended. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.
- 4-307 PENALTY CLAUSE NOT EXCLUSIVE. The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this ordinance, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, the Code of this City, or this Article.
- 4-308 ENFORCEMENT. Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the City, which may be through Sedgwick County Court through separate interlocal agreement, and such citations shall rely on the citation numbers set forth within the Wichita-Sedgwick County Code. If Sedgwick County and the City of Colwich choose not to be bound by such interlocal agreement, prosecution of any violations of this code shall be in the Colwich Municipal Court.
- 4-309 LIABILITY. Requirements of this code and ordinance shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.
- 4-310 SEVERABILITY. If any part or parts of this ordinance shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this ordinance.

ARTICLE 4. THE INTERNATIONAL MECHANICAL CODE

- 4-401 MECHANICAL STANDARDS. No person, firm or corporation shall hereafter design, construct, erect, remodel, alter, demolish, locate, relocate or remove any building or structure, or place or install service equipment therein if the same is not done in accordance with the mechanical regulations of this Article as hereafter set forth, and shall not perform work relating to mechanical installation and/or repair without a permit authorizing the same.
- 4-402 INSPECTION AND ENFORCEMENT. Sedgwick County, through the MABCD shall provide code inspection and enforcement services to the City, based upon the current Wichita-Sedgwick County unified building, electrical, plumbing, and

mechanical codes, as adopted by the City and agreed to by separate interlocal agreement,

4-403 ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION. There is hereby adopted by reference by the City of Colwich, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the International Mechanical Code, as published by the International Code Council adopted and amended by Resolution No. 059-2017 of the Sedgwick County Board of Commissioners on April 12, 2017 taking effect April 19, 2017. This standard code shall include all amendments and codified supplements to the International Mechanical Code, 2015 Edition; The International Residential Code, 2015 Edition.

4-404 AVAILABILITY OF COPIES. One (1) copy of said code along with the amendments set forth in Sedgwick County Resolution 059-1027, have been and are now filed in the office of the City Clerk and the said codes are hereby adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq. While the Standard Codes are standalone books they shall be known as part of Chapter 4, Article 4 of the Colwich Municipal Code. All Amendments as set forth within Resolution 059-2017 of the Sedgwick County Board of Commissioners shall henceforth be.

4-405 AMENDMENTS. The International Mechanical Code, 2015 Edition; The International Residential Code, 2015 Edition, and the International Fuel Gas Code, 2015 Edition, are hereby amended by adopting those changes, deletions, and additions contained in Resolution No. 059-2017 of the Board of County Commissioners of Sedgwick County, Kansas, adopted April 12, 2017 including all fee schedules, and such document is incorporated by reference herein, as was previously published in the official newspaper of the City of Colwich.

SECTION 1. Article 5 of the Wichita-Sedgwick County Unified Building and Trade Code is repealed in its entirety and replaced with the following:

ARTICLE 5 – INTERNATIONAL MECHANICAL CODE

Sec. 5.A.010. – Board of Appeals-Created; composition.

There shall be and is authorized a board of appeals for air conditioning, refrigeration and warm air heating, which shall consist of the Director of the Metropolitan Area Building and Construction Department (“MABCD”) or his duly authorized representative, who shall serve as the secretary of the board, and seven other members as follows:

- (1) A refrigeration contractor (appointed by the City);
- (2) A journeyman heating and air conditioning mechanic (appointed by the County);
- (3) A boiler contractor (appointed by the City);
- (4) A master air conditioning and warm air heating contractor (appointed by the County);
- (5) A journeyman boiler (appointed by the City);
- (6) A public at large (appointed jointly);

(7) A mechanical engineer (appointed by the County).

Sec. 5.A.020. – Board of appeals-Qualifications and appointment of members.

The contractor and Journeyman members of the Board shall, in the first instance, are those who have been established in their respective business so as to be qualified to obtain their certificates and licenses as provided in Section 5.1.270 and 5.1.330 of this Code. The mechanical engineer and architect members shall be licensed by the state to engage in business in their respective fields.

Sec. 5.A.030. – Board of appeals-Acting as arbitration board.

The Board shall act as an arbitration board in deciding any question which may arise between an air conditioning, refrigeration, warm air heating and boiler contractors or Journeyman and the inspector.

When conditions exist which are not covered by this Code, or where it would be impracticable to follow this Code, the Board may grant a variance from the strict application of this Code. Those individuals asking for any such concession must make their request in writing, and give a complete description of all items involved. If the request is granted, a copy of the whole transaction must be placed on file in the Office of the MABCD.

The Board shall pass upon materials or methods of installation not sufficiently provided for in this Code, and accept or reject the same as complying with the intent of the Code.

The Board is expressly given the responsibility of studying and making such rules as are required for new products being offered for use in air conditioning, refrigeration, warm air heating and boiler systems. All such rules shall be in writing and filed in the Office of the MABCD.

Article 5, Section 1 – INTERNATIONAL MECHANICAL CODE.

Sec. 5.1.010 – Adoption of the International Mechanical Code.

The International Mechanical Code, as published by the International Code Council, Inc. 2015 Edition, excluding sections 301.2, 301.3, 507.1.1.1, 802.8, 1101.10, and 1102.3 is hereby adopted and incorporated herein by reference, subject to such amendments thereto as are set forth hereinafter. Section 101.1 of the International Mechanical Code as adopted by reference herein, shall be amended to read as follows: Title. These regulations shall be known as the Wichita-Sedgwick County Unified Building and Trade Code (“UBTC”), Article 5 International Mechanical Code, hereinafter referred to as “this Code”.

Sec. 5.1.20. – Scope. Section 101.2. of the International Mechanical Code shall be amended to read as follows:

This Code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This Code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This Code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas equipment, fuel gas fired appliances and gas-fired appliance venting systems shall be regulated by the 2015 International Fuel Gas Code to the extent it is incorporated by the 2015 International Mechanical Code. Exception: Detached one- and two-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with Article 5, Section 4 of the Unified Building and Trade Code.

Sec. 5.1.030. – Building Code provisions. Section 101.2.2 of the International Mechanical Code shall be created to read as follows:

The provisions of Article 2 of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Sec. 5.1.040. – Electrical. Section 101.2.3 of the International Mechanical Code shall be created to read as follows:

The provisions of Article 4 of this Code shall apply to the installation of electrical systems, including alterations, repairs, replacement equipment, appliances, fixtures, fittings and appurtenances thereto.

Sec. 5.1.050. – Gas. Section 101.2.4 of the International Mechanical Code shall be created to read as follows:

The provisions of Article 3 of this Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems extending from point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

Sec. 5.1.060. – Plumbing. Section 101.2.5 of the International Mechanical Code shall be created to read as follows:

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

Sec. 5.1.070. – Fire Prevention. Section 101.2.6 of the International Mechanical Code shall be created to read as follows:

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

Sec. 5.1.075. – Referenced Codes and Standards. Section 102.8 of the International Mechanical Code shall be created to read as follows:

The codes and standards referenced herein shall be those that are listed in Chapter 15, excluding all references to the 2015 International Energy Conservation Code, and such referenced codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in sections 102.8.1 and 102.8.2.

Sec. 5.1.-080. – Investigation fee. See Sec. 2.4.020 of this Code.

Sec. 5.1.090. – Permit fee. See Article 1.2 of this Code.

Sec. 5.1.100. – Corrections and re-inspections. Section 107.3.3 of the International Mechanical Code is amended to read as follows:

Corrections shall be completed and work re-scheduled for inspection within thirty (30) days from the date of the correction notice. Corrections not completed within the thirty (30) days shall be liable for the violation penalties set forth in Article 1.2 of this Code. Access shall be provided for re-inspection by the property owner.

Sec. 5.1.110. – Stop work orders. Section 108.5 of the International Mechanical Code shall be amended to read as follows:

Upon notice from the code official that mechanical work is being done contrary to the provisions of this Code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or shall be posted in writing at the site of the work. The notice shall state the conditions under which work is authorized to resume. When an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system 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 liable for the violation penalties set forth in Article 1.2 of this Code.

Sec. 5.1.120. – Electrical controls. Section 3.01.10 of the International Mechanical Code shall be amended to read as follows:

Electrical wiring controls, and connection to equipment and appliances regulated by this Code shall be in accordance with Article 4 of this Code.

Sec. 5.1.130. – Plumbing connections. Section 301.11 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

Potable water supply, building drainage system connections to equipment, and appliances regulated by this Code shall be in accordance with Article 3 of this Code.

Sec. 5.1.140. – Prohibited locations. Section 303.3 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

Fuel fired appliances shall not be located in, or obtain combustion air from, any of the following room or spaces. 1. Sleeping rooms, 2. Bathrooms, Storage closets, Surgical rooms.

Exception:

This section shall not apply to the following appliances:

1. Direct-vent appliances that obtain all combustion air directly from the outdoors.
2. Solid fuel appliances, provided that the room is not a confined space and the building is not of unusually tight construction.
3. Appliances installed in a dedicated enclosure in which all combustion is taken directly from the outdoors or other approved areas.

Access to such enclosure shall be through a solid door, equipped with an approved self-closing device, and weather-stripped in accordance with the exterior door and leakage requirements of the International Energy Conservation Code.

Sec. 5.1.150. – Clearances from grade. Section 304.10 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending above adjoining grade or shall be suspended a minimum of 6 inches (152 mm) above adjoining grade. Supports for heat pumps shall be at least 3" and conform to the manufactures specifications.

Sec. 5.1.160. – Equipment and appliances on roof or elevated structures. Section 306.5 of the International Mechanical Code is amended to read as follows:

Where equipment and appliances requiring access are installed on roofs or elevated structures, at a height exceeding 16 feet (4877 mm), such access shall be provided by a permanent approved means of access, the extent of which shall be a minimum eight (8) feet above grade to the equipment and appliances' level service space.

Such access shall not require climbing over obstructions greater than 30 inches (762 mm) high or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).

Permanent ladders installed to provide the required access shall comply with the following minimum design criteria:

1. The side railing shall extend above the parapet or roof edge not less than 30 inches (762 mm).
2. Ladders shall have a rung spacing not to exceed 14 inches (356 mm) on center.
3. Ladders shall have a toe spacing not less than 6 inches (152 mm) deep.
4. There shall be a minimum of 18 inches (457 mm) between rails.
5. Rungs shall have a minimum of 0.75-inch (19 mm) diameter and be capable of withstanding 300-pound (136.1 kg) load.
6. Ladders over 30 feet (9144 mm) in height shall be provided with offset sections and landings capable of withstanding 100 pounds (488.2 kg/m²) per square foot.
7. Ladders shall be protected against corrosion by approved means. Catwalks installed to provide the required access shall be not less than 24 inches (610 mm) wide and shall have railings as required for service platforms.

Exception: This section does not apply to Group R-3 occupancies.

Sec. 5.1.170. – Auxiliary and secondary drain system. Section 307.2.3 of the International Mechanical Code is amended to read as follows:

In addition to the requirements of Section 307.2.1, where damage to any building components could occur as a result of overflow from the equipment primary condensate removal system, one of the following methods shall be provided for each cooling coil or fuel fired appliance that produces condensate and is located above a finished ceiling or furred space.

1. An auxiliary drain pan with a separate drain shall be provided under the coils on which condensation will occur. The auxiliary drain pan shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of 1-1/2 inches (38 mm), shall not be less than the unit or coil dimensions in width and length and shall be constructed of corrosion resistant material. Galvanized sheet steel pans shall have a minimum thickness of not less than 0.0236 inch (0.6010 mm) (No. 24 gauge). Non-metallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm).
2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert the occupants in the event of a stoppage in the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.

3. An auxiliary drain pan without a separate drain line shall be provided under coils on which condensate will occur. Such pan shall be equipped with a water-level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section.
4. A water-level detection device conforming to UL 508 shall be provided that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain, the overflow drain line, or in the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.

Exception: Fuel fired appliances that automatically shut down operation in the event of a stoppage in the condensate drainage system.

Sec. 5.1.175. – Ventilation Required. Section 401.2. of the International Mechanical Code is amended to read as follows:

Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403.

Exception: ASHRAE Standard 62.1-1997 may be substituted for the ventilation requirements of chapter 4 of the 2015 International Mechanical Code.

Sec. 5.1.178. – Duct Information. Sec. 5.1.178 – Duct Installation is created to read as follows:

Exhaust ducts shall be supported at intervals not to exceed 12 feet (3658 mm) vertically or 6 feet (1828.8 mm) horizontally and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust duct joints shall be sealed in accordance with Article 5.4.180 of the UBTC. Exhaust ducts shall not be connected with sheet-metal screws or fastening means which extend into the duct.

Sec. 5.1.179. – Specified Length. Sec. 5.1.179 – Specified Length is created to read as follows:

The maximum length of the exhaust duct shall be 45 feet (13716 mm) from the connection to the transition duct from the dryer to the outlet terminal. Where fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table M1502.4.5.1 of the 2015 International Mechanical Code. The maximum length of the exhaust duct does not include the transition duct.

Sec. 5.1.180. – Grease duct test. Section 506.3.2.5 of the International Mechanical Code is amended to read as follows:

Prior to the use or concealment of any portion of a grease duct system, a leakage test shall be performed in the presence of the official. Ducts shall be considered to be concealed where installed in shafts or covered by coatings or wraps that prevent

the ductwork from being visually inspected on all sides. The permit holder shall be responsible to provide the necessary equipment and perform the grease duct leakage test. A light test or an approved equivalent test method shall be performed to determine that all welded and brazed joints are liquid tight. A light test shall be performed by passing a halogen lamp having a power of not less than 100 watts through the entire section of the ductwork to be tested. The lamp shall be open so as to emit light equally in all directions perpendicular to the duct walls. A test shall be performed for the entire duct system, including the hood-to-duct connection. The ductwork shall be permitted to be tested in sections provided that every joint is tested. For listed factory-built grease ducts, this test shall be limited to duct joints assembled in the field and shall exclude factory welds.

Sec. 5.1.190. – Grease Duct enclosure. Section 506.3.11 of the International Mechanical Code is amended to read as follows:

Commercial kitchen grease ducts constructed in accordance with Section 506.3.1 shall be permitted to be enclosed in accordance with the International Building Code requirements for shaft construction. Such grease duct systems and type one hoods shall have a clearance to combustible construction of not less than 18 inches (457 mm), and shall have a clearance to noncombustible construction and gypsum wallboard attached to noncombustible structures of not less than 3 inches (76 mm). Duct enclosures shall be sealed around the duct at the point of penetration and vented to the outside of the building through the use of weather-protected openings.

Exceptions:

1. The shaft enclosure provisions of this section shall not be required where a duct penetration is protected with a through-penetration fire stop system classified in accordance with ASTM E 814 and having an “F” and “T” rating equal to the fire-resistance rating of the assembly being penetrated and where the surface of the duct is continuously covered on all sides from the point at which the duct penetrates a ceiling, wall, or floor to the outlet terminal with a classified and labeled material, system, method of construction or product specifically evaluated for such purpose, in accordance with ASTM E 2336. Exposed duct wrap systems shall be protected where subject to physical damage.
2. The shaft enclosure provisions of this section shall not be required where a duct penetration is protected with a through-penetration fire stop system classified in accordance with ASTM E 814 and having an “F” and “T” rating equal to the fire resistance rating of the assembly being penetrated and where a prefabricated grease duct enclosure assembly is protected on all sides from the point at which the duct penetrates a ceiling, wall, or floor to the outlet terminal with a classified and labeled prefabricated system specifically evaluated for such purposes in accordance with UL 2221.
3. A duct enclosure shall not be required for a grease duct that penetrates only a nonfire-resistance-rated roof/ceiling assembly.

Sec. 5.1.200. – Operation. Section 507.1.1.1 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

Type 1 hood systems shall be designed and installed to automatically activate the exhaust fan whenever cooking operations occur. The activation of the exhaust fan shall occur through an interlock with the cooking appliances, by means of heat sensors or by means of other approved methods. The system shall be designed by a registered design professional and submitted for plan review with the complete construction document package.

Sec. 5.1.210. – Corridors. Section [BF] 601.2.1 of the International Mechanical Code, as adopted by reference herein, shall be created to read as follows:

A corridor shall not be used as a plenum or integral part of a duct system to convey air to and from one part of a building to another if the corridor is required to be of fire-resistive construction by the Code. However, air may be supplied to such a corridor for the purpose of comfort conditioning, ventilation, exhausting or other reasons and may be returned or exhausted provided all such supply, return or exhaust openings be protected as required by other parts of this Code and not be in violation of this provision.

Exception: Make up air for exhaust from rest rooms and janitors closets opening on to and adjacent to a corridor of fire resistant construction, may be transferred from the corridor provided such transfer means are protected in the manner prescribed by other parts of this Code and such corridor is supplied directly, or through the system supplying the corridor, with outdoor air at a rate greater than the rate of makeup air taken from the corridor.

Sec. 5.1.215. – Metallic Ducts. Section 603.4 of the International Mechanical Code is amended to read as follows:

All metallic ducts shall be constructed as specified in the SMACNA HVAC Duct Construction Standards – Metal and Flexible.

Sec. 5.1.220. – Return air system. Section 606.2.1 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

Smoke detectors shall be installed in the return or the supply of air systems with a design capacity greater than 2,000 cfm (0.9 m³/s). On the return side it shall be located in the return air duct or plenum upstream of any filters, exhaust air connections, outdoor air connections, or decontamination equipment and appliances. On the supply side the smoke detector shall be located before the first branch or take off.

Exception: Smoke detectors are not required in the return or supply systems where all portions of the building served by the air distribution system are protected by area

smoke detectors connected to a fire alarm system, approved by fire department, and the area smoke detection system shall comply with Section 606.4.

Sec. 5.1.230. – Hydronic piping-Scope. Section 1201.1 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

The provisions of this chapter shall govern the construction, installation, alteration and repair of hydronic piping systems. This chapter shall apply to hydronic piping systems that are part of heating, ventilation and air-conditioning systems. Such piping systems shall include steam, hot water, chilled water, steam condensate and ground source heat pump loop systems. Potable cold and hot water distribution systems shall be installed in accordance with Article 3 of this Code.

Sec. 5.1.240. – Classifications.

Class “A-C” (air conditioning and warm air heating) This class includes air handling equipment and air distributions, chilled water systems, warm air heating systems whereby heating is accomplished by distributing heated air by forced or gravity circulation or by radiation, including controls and other items pertaining thereto.

Class “RF” (refrigeration) – This class includes refrigeration systems and refrigeration equipment of all types.

Class “Journeyman sheet metal installer” is a classification for any individual working for a licensed contractor as defined in Sec. 1.250 and who is duly certified as herein set forth to engage in such occupation.

Journeyman sheet metal installer is limited to perform the following types of installations:

- (1) The placement and installation of the furnace, air conditioning, or other air handling equipment, this does not include any connections of line voltage electricity, fuel gas piping or refrigeration piping;
- (2) The installation of the complete air distribution system as defined in this code;
- (3) The installation of the products of combustion venting systems as defined in this Code.

Exception 1: “Journeyman residential mechanic” is a limited classification for an individual working for a contractor of a class as set forth in Sec. 1.250 and who is duly certified as herein set forth to engage in such occupation.

Journeyman residential mechanic is limited to perform the following types of installations:

1. One and two family residential new construction only;

2. The placement and installation of the furnace, air conditioning or other air handling equipment that pertains to residential use. This does not include gas piping or line voltage electricity.

Sec. 5.1.250 – Definitions.

Unless otherwise specified, the following terms, as used in this chapter, mean as follows:

‘Apprentice’ means an individual who works as an employee in training under the direct supervision of a Journeyman or Master. An Apprentice is not a certified individual.

‘Board’ means the board of appeals appointed for air conditioning, refrigeration, warm air heating, and boilers. Their purpose is reviewing code interpretations taken by the building code enforcement division, granting or denying variances requested from the code, other matters pertaining to mechanical, reviewing license applications and license suspensions and revocation.

‘Code’ means the International Mechanical Code as adopted by the MABCD, as the context of this Article may require.

‘Direct supervision’ means that the apprentice is limited to the same structure and/or building site as the Journeyman or Master, except in the case of one-and two-family residential development, where the apprentice may be on the job site within 100 feet of where the Journeyman or Master is working.

‘Field Experience’ means working under the direct supervision of a person having a valid Journeyman or Master certificate or attending trade related schooling. No more than one year of the requirement may be satisfied by trade related schooling. Schooling shall consist of a minimum of 240 hours classroom training.

‘Journeyman’ means an individual working for a licensed contractor as defined in Sec. 1.250 and engaged principally in the occupation of erecting, installing, altering, repairing, servicing or maintaining in any or all of the following classifications and who is duly certified as herein set forth to engage in such occupation: A Journeyman is responsible for the supervision of any apprentice assigned to work with him.

‘Licensed contractor’ means a person, firm, partnership, corporation, limited liability company, association or combination thereof, who undertakes or offers to undertake for another, for hire, the planning, laying out, supervising and installing or making additions, alterations, and repairs in the installation of mechanical heating, ventilation, refrigeration and air conditioning systems.

‘Licensed trade’ or ‘trade’ means the mechanical, electrical, plumbing or gas fitting trade, as the context of this article may require.

‘Master’ means an individual that holds a Master certificate issued pursuant to this article evidencing such person to be qualified to lay out, install, maintain and repair work in his area of expertise. A Master is responsible for the supervision of any apprentice assigned to work with him.

‘Qualified Master’ means an individual who holds a Master certificate issued pursuant to this article evidencing such person to be qualified to control and have authority of all technical work performed under the authority of the licensed contractor’s enterprise, and assures quality control and is responsible for complying with all applicable laws, codes and regulations. An individual shall not be the Qualified Master for more than one licensed contractor’s enterprise unless such individual receives approval from the Director of the MABCD or an authorized representative thereof.

Sec. 5.1.260 – Apprentice limitations.

- (a) Apprentices shall be permitted to work when accompanied by and under the direct supervision of a Master or Journeyman, who shall be responsible for the mechanical work performed by the Apprentice. At any given time, there shall be a maximum of two Apprentices per one Master or one Journeyman for all one or two-family dwelling residential job sites. There shall be a maximum of three Apprentices per one Master or one Journeyman for all triplex or greater density residential job sites or commercial job sites. The on-site Master or Journeyman shall be responsible for maintaining the ratio of Master/Journeyman to Apprentices as required by this section. If an Apprentice works without the required supervision, both the Qualified Master, and the Apprentice may be held responsible for violation of this section.
- (b) It shall be unlawful for any Qualified Master, to allow or permit an uncertified individual to engage in the business of erecting, installing, altering, repairing, servicing or maintaining air conditioning, warm air heating or refrigeration.

Sec. 5.1.270. – Applicant requirements, examinations; issuance of certificates.

Any person desiring to engage in or work at the business of air conditioning, refrigeration or warm air heating either as a Master or as a Journeyman, as defined in Sec. 5.1.250 of this Code, or to do such work shall submit the prescribed application form to the Office of the MABCD for a certificate, and if the applicant meets the following requirements or is approved by the Board, shall at such time and place as directed be subjected to an examination as to their qualifications.

The qualifications are as follows:

- a. A minimum score of seventy-five percent on the “Block Examination” Master/Journeyman Mechanical Certificate, which is administered by Prometric, or

- b. A minimum score of seventy-five percent on the International Code Council Examination for a Master/Journeyman Mechanical Certificate, which is administered by International Code Council, or
- c. A satisfactory score on any other standard examination to determine the qualification of a Master/Journeyman Mechanical that is approved and adopted by the state of Kansas, pursuant to state law, following the effective date of this Code.

Applicant requirements:

Journeyman Mechanical: One-year Field Experience and completion of a technical heating and air conditioning school, or two years Field Experience. Schooling shall consist of a minimum of 240 hours.

Master Mechanical: Two years as Journeyman or a minimum of four years Field Experience.”

Sec. 5.1.280. – Fees for examination, certificates, etc.; renewing and expiration of certificates.

- (a) The fee for the original certificate of a master mechanical, journeyman mechanical, or sheet metal installer shall be established by the Director of the MABCD to cover the administrative costs of issuing such certificates. This fee shall be paid to the Office of the MABCD when the application for a certificate is made. Individuals not holding a certificate at the beginning of the certificate cycle, who obtain a certificate during such certificate cycle by the standardized test as required by K.S.A. 12-1542 and any amendments thereto, will be issued the initial certificate without documentation of continuing education. Such certificate will be issued noting the test provider, specific test type and grade. Such test shall be completed during the certificate cycle. All such certificates shall expire on the thirty-first day of December of each off numbered year. The biennial fee for all certificates shall be established by the Director of the MABCD to cover the administrative cost of issuing such certificates. All such certificates shall be renewed bi-annually upon payment established by the Director of the MABCD to cover the administrative costs of issuing such certificates. All certificates shall expire on the thirty-first day of December of each odd-numbered year and no reduction shall be made for part of the year being elapsed. Any holder of a certificate who fails to renew the same by March 1st after their expiration shall be required to submit one of the following: (1) Proof of passing a new examination in accordance with K.S.A. 12-1541 or; (2) Proof of completing an additional 1-1/2 hours of continuing education for each 3 month period the renewal is late and only when the original certificate was issued pursuant to K.S.A. 12-1542. It is the total

responsibility of the certificate holder to assure that his/her certificate has been renewed and is valid.

- (b) Individuals passing the examination in the first year of a renewal cycle will need to provide documentation of 12 hours of approved continuing education when renewing their certificate. Not less than 6 hours shall consist of mechanical code education. The continuing education shall be attended during the certificate cycle. Individuals passing the examination in the second year of a renewal cycle will need to provide documentation of 6 hours approved continuing education when renewing their certificate. Not less than 3 hours shall consist of mechanical code education. The continuing education shall be attended during the second year of the certificate cycle. Individuals with an active certificate that passed the examination prior to the first year of the renewal cycle must provide written proof of having completed biennially not less than 12 hours of continuing education approved by the Office of the MABCD. Not less than 6 hours shall consist of mechanical code education. Continuing education shall be provided by the office of the MABCD or a nationally recognized trade association, community college, technical school, technical college or other provider approved by the Office of the MABCD. All 12 hours of education shall comply with the Office of the MABCD's continuing education guidelines for mechanical.

Sec. 5.1.290. – Owner occupants – Minor repairs.

Regardless of the requirements of other sections of this title, the owner-occupant of a single-family dwelling may obtain permits to repair, replace, or maintain the existing air conditioning, refrigeration, or warm air heating system in such single-family dwelling and the usual accessory buildings in connection with such dwelling; provided, however, that the owner-occupant shall perform all such work and that the work so performed is in accordance with the Code as verified by an inspection requested by such owner-occupant and performed by the Officer of the MABCD. No permit shall be required for minor repairs or alterations which do not exceed two-hundred dollars as the price charged for such work, but such work shall comply with all requirements of this Code.

Sec. 5.1.300. – Owner-occupants permit, fee, examination, and requirements.

The owner-occupant of a detached single-family dwelling occupied or to be occupied by the owner-occupant applying for the permit may be permitted to install air-conditioning, refrigeration, and warm air heating systems in the main structure and accessory structures thereto provided all materials are purchased and all labor is performed by the applicant.

Owner-occupants applying for permits or installation as outlined above shall first qualify themselves by successfully passing a simplified open book examination dealing with relevant provisions of this Code. Successful passage of the

examination shall qualify the applicant for future permits until the time of adoption of another edition of this Code.

Prior to permit approval, the applicant shall also submit a plan of the installation drawn in a format acceptable to and drawn in sufficient details as to satisfy the Director of the MBACD of the overall code compliance of the anticipated installation.

Permit fees shall be set forth elsewhere in this Code and in Article 2 of this Code, provided, however, that each additional inspection owing to detected code deficiencies requiring correction shall be billed at the rate of forty dollars each.

Permits for installations in completely new residences and/or total remodel permits shall be limited to one in three years to each applicant unless a waiver is obtained, upon written application, from the Board.

Sec. 5.1.310 – Revocation of certification and licenses.

The Board is authorized to cancel and recall the certificate of any air-conditioning, refrigeration, warm air heating or boiler contractor or Journeyman for any or all of the following reasons:

1. Committing of an act in violation of any provision of this Code or any other ordinance of the city or the refusal or failure to comply with any lawful and reasonable order of the Director of the MABCD or inspector.
2. Misrepresentation of a material fact by the applicant in obtaining a certificate.
3. Carelessness or negligence in providing reasonable safety measures for the protection of the public.

The Board is hereby authorized to cancel and recall the license of any air conditioning, refrigeration, warm air heating or boiler contractor for any or all of the following reasons:

1. Abandonment of any contract without legal cause.
2. Diversion of funds or property received for performance or completion of a specific contract or a specific purpose in the performance or completion of any contract, obligation or purpose, or the failure, neglect, or refusal to use such funds or property for the performance or completion of the contract.
3. Committing any act in violation of any provision of this Code or any other ordinance city or resolution of the county, or the refusal or failure to comply with any lawful and reasonable order of the Director of the MABCD or inspector.

4. Misrepresentation of a material fact by the applicant in obtaining a license.
5. Failure of any contractor to fully certify all claims for labor and materials used in the performance of any work for which he has been engaged or for which he has been paid.
6. Fraudulent use of the license to obtain a permit for another.
7. Carelessness or negligence in providing reasonable safety measures for the protection of workmen and the public.
8. Failure to obtain permits as required by Sec. 5.1.300 of this Code.
9. Unreasonable delay in the performance and carrying out of any contract.
10. Failure by the licensee to have at least one active member or officer deemed as the Qualified Master, as defined in Sec. 5.1.250 of this Code.

Upon presentation by the Director of the MABCD to the Board charges against any holder of any certificate as set forth in this section, the Board shall fix a time and a place for a meeting to consider such charges and shall notify the holder of such license to be present at such meeting. Such notification shall be in writing and shall be presented to the holder at least five days in advance of the meeting. If upon full hearing of all evidence by the Board, it shall be decided that such holder of a certificate has been guilty of the actions as herein before set forth in this section, then the board shall revoke or suspend the license or certificate holder thereof.

When a certificate of a person has been revoked, a new certificate shall not be granted until he or she has corrected the violation in accordance with this Code and shall have made application and shall have passed an examination as required for the original certificate.

Sec.5.1.320. – Certain persons exempt from license and bond requirements.

Any person, corporation, limited liability company, partnership or similar entity not engaged in the business of heating and/or air conditioning within the scope of this Code who has in his/her regular or permanent employment a person or persons who possess current and valid Journeyman or Master certificates shall be permitted to have such person or persons perform maintenance and repair work on buildings and premises that are owned, leased, operated or managed by him shall be exempt from this Code, as pertains to license or bond, but shall be subject to all other requirements pertaining thereto.

Sec. 5.1.330. – Licenses.

Any authorized individual or entity seeking to engage in the business of mechanical heating, air conditioning or refrigeration shall first designate an individual to be the Qualified Master for their license and then acquire a license from the Office of the MABCD. Each such license shall expire on the thirty-first (31st) day of December of each odd-numbered year, such that the maximum term of any such license may be two (2) years.

Sec. 5.1.340. – Insurance required. See Article 1.4(c) of this Code.

Sec. 5.1.350. – Contractors-Established place of business required. See Article 1.4(a) of this Code.

Sec. 5.1.360. – Contractors – Marking of vehicles. See Article 1.4(b) of this Code.

Sec. 5.1.370. – Truth in advertising requirements. See Article 1.4(d) of this Code.

Sec. 5-1.380. – Compliance with titles, ordinances, laws.

All air conditioning, refrigeration or warm air heating installations shall comply with existing laws and ordinances covering the construction and installation of cooling towers, the use of city water, sanitary and storm sewers, the requirements for recirculation of condenser water, as contained in the following parts of this Code, and any other that may apply:

Water conservation – Title 17 of the Code of the City of Wichita;

Connection to sanitary sewer – Title 16 of the Code of the City of Wichita;

Towers, spires and tanks – Article 2 of this Code;

Gas burning, warm air furnaces – Article 2 of this Code;

Ducts and appurtenances – Article 2 of this Code;

Cooling units over public property – Article 2 of this Code;

Gas fittings – Article 3 of this Code.

Sec. 5.1.390. – Electrical and plumbing work.

All electrical work, plumbing and gas fitting done in connection with any work covered by this Code shall be in conformance with Article 3 and Article 4 of this Code, respectively. It is also unlawful for a person holding a license, as set forth in this Code, to operate as a contractor or as a journeyman mechanic to do or otherwise perform any electrical, plumbing or gas fitting work except as provided in this section. Such contractor or mechanic shall be permitted to do all water piping

within the system, and make indirect connections to the city sewer, but shall not make direct connections to either the city water system or to city sewers.

It shall be permissible for a holder of a Class A-C or RF certificate to make original installations of package units of a capacity of seven and one-half horsepower or less on the load side of the disconnect means when such is not over five feet from the unit and is within sight thereof. It shall be permissible for such a person to do all electrical work in connection with maintenance, repairs or replacement on any system from the load side of the disconnect means of the unit. All such electrical work shall conform in all respects to the requirements of Article 4.

Article 5, Section 2 – SOLID FUEL-BURNING EQUIPMENT

Sec.5.2.010. – Definitions.

The following words, terms, and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) Solid fuel-burning equipment for the purpose of this chapter, means any factory-built fireplace, including chimney liners, vents and connectors, fireplace inserts (non-gas) and free-standing fireplace stoves which use wood, pellets or coal for fuel.
- (2) Gas fireplace equipment shall mean gas fireplaces, including chimney liners, vents and connectors, fireplaces with gas starters, and direct or natural vent fireplaces.
- (3) Gas fireplace contractor shall mean any individual who has been duly qualified by the Office of the MABCD to engage in or work in the trade of installing, repairing or replacing gas fireplace equipment.
- (4) Solid fuel contractor for the purpose of this chapter, means any individual who has been duly qualified by the Office of the MABCD to engage in or work at any trade of installing, repairing or replacing solid fuel-burning equipment.

Sec. 5.2.020. – Certificate – Examination required.

- (a) It is unlawful for any person in the business of installing, repairing or altering solid fuel-burning or gas fireplace equipment in the City or County, as applicable, unless and until a certificate has been obtained therefore, and a license has been issued for such business and a permit has been issued for such work, all in accordance with the provisions of this code. Apprentices shall be permitted to work when accompanied by and under the direct supervision of a master or journeyman solid fuel or gas fireplace contractor, who shall be responsible for the work done by the apprentice. There shall be a maximum of three apprentices per one master or journeyman.

- (b) Any person desiring to engage in or work at the business of installing, repairing or altering solid fuel-burning equipment or gas fireplace equipment shall make application to the Office of the MABCD for a certificate.
- (c) No certificate shall be issued to any individual who is not certified by the National Fire Institute in one or more of the following areas:
 - (1) NFI Gas Specialist;
 - (2) NFI Wood-burning Specialist;
 - (3) NFI Pellet Specialist.
- (d) A journeyman's certificate shall not be issued to any individual with less than one year's experience as an apprentice.

Individuals wanting a master's certificate for gas fireplace and solid fuel shall be required to be certified by the National Fire Institute as both a gas and wood-burning specialist.
- (e) Individuals holding a journeyman or master's mechanical (A-C) certificate are not required to obtain a SF-P, SF-W or GF certificate to install solid fuel or gas fireplace equipment.

Sec. 5.2.030. – Certificate – Classification.

- (a) The certificate issued to an individual wishing to engage in the business of installing, repairing or replacing solid fuel wood-burning equipment shall be known as a class 'SF-W' certificate and shall authorize such individual, upon his complying with Section A.2.060, to engage in such business.
- (b) The certificate issued to an individual wishing to engage in the business of installing, repairing or replacing solid fuel pellet-burning equipment shall be known as a class 'SF-P' certificate and shall authorize such individual, upon his complying with Section A.2.060, to engage in such business.
- (c) The certificate issued to an individual wishing to engage in the business of installing, repairing or replacing gas fireplace equipment shall be known as a class 'GF' certificate and shall authorize such individual upon his complying with Section A.2.060, to engage in such business.
- (d) It shall be unlawful for any individual or contractor to engage in the business of installing, repairing or replacing solid fuel-burning equipment in the city or county, as applicable, unless and until a certificate has been obtained therefore and a license has been issued for such business and a permit has been issued for such work, all in accordance with the provisions of the Code.
- (e) It shall be unlawful for any individual or contractor to engage in the business of installing, repairing or replacing gas fireplace equipment, unless a certificate has been obtained therefor and a license has been issued for such

business and a permit has been issued for such work, all in accordance with the provisions of the Code.

Sec 5.2.040. – Certificates – Fees – Expiration – Duration.

- (a) The fee for each examination and original certificate of class 'SF-W' 'SF-P' or 'GF' shall be established by the Director of the MABCD to cover the administrative costs of issuing such certificates. All such certificates shall be renewed bi-annually upon payment of a fee established by the Director of the MABCD to cover the administrative costs of issuing such certificates. All certificates shall expire on the thirty-first day of December of each odd-numbered year and no reduction shall be made for part of the year being lapsed. Certificates which have not been renewed by March 1st after their expiration may be subject to reexamination and/or board appearance prior to reissuance of the certificate.
- (b) All applicants for renewal must provide their current NFI certificate as required by Section 5.2.20 of this Code.

Sec. 5.2.050. – Application of related provisions of this code and additional codes adopted by reference.

All solid fuel-burning equipment and gas fireplace equipment installations, repairs or replacements shall comply with existing laws and ordinances as contained in the following parts of this Code and any other that may apply:

Mechanical Code – Article 5 of this Code;

Plumbing Code – Article 3 of this Code;

Electrical Code - Article 4 of this Code;

Building Code - Article 2 of this Code;

Sec. 5.2.060. – License requirement. See Article 1.2 of this Code.

Sec. 5.2.070. – Insurance required. See Article 1.4(c) of this Code.

Sec. 5.2.080. – Truth in advertising requirements. See Article 1.4(d) of this Code.

Article 5, Section 3 – PREFABRICATED ASSEMBLIES

Sec. 5.3.010. – Definitions.

The following definitions shall apply in the interpretation of this chapter:

- (1) "Prefabricated assembly" means a structural unit, the integral parts of which have been built up or assembled prior to incorporation in the building or to being erected as a building unit.
- (2) "Approved agency" means an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the Director of MABCD.

Sec. 5.3 .020 – Certificate approval.

A certificate of approval by an approved agency shall be furnished with every prefabricated assembly, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected and meets all the requirements of Article 5 of this Code.

Sec. 5.3.030 – Field erection.

Placement of prefabricated assemblies at the building site shall be inspected by the mechanical inspector to determine compliance here with.

Sec. 5.3.040. – Master mechanics certificate or approved agency certification.

The installation of air conditioning and warm air heating equipment within or on any prefabricated assembly to be erected within the City or County, if applicable, shall be performed under the supervision of a person who has secured a master mechanic's certificate as set forth in Section 1.330, or shall have been factory installed and inspected by an agency approved by the building official.

Sec. 5.3.050 – Permits and fees.

Permits and fees are to be obtained under Article 1.2 of this Code.

Sec. 5.4.010. – Scope. Section M1201.1 of the International Residential Code is amended to read as follows:

The provisions of Chapters 12 through 24 of the 2015 International Residential Code excluding sections M1308.2.1, M1308.2.2, M1308.2.3, M1411.8, M1506.2, and Chapter 20, shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and used to control environmental conditions within buildings. These Chapters Shall also regulate those mechanical systems, systems components, equipment and appliances specifically addressed in this Code.

Sec. 5.4.020. – Ground Clearance. Section M1305-1.4.1 of the International Residential Code is amended to read as follows:

Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending above adjoining grade or shall

be suspended a minimum of six (6) inches (152 mm) above adjoining grade. Supports for heat pumps shall be at least three (3) inches and conform to the manufacturer's specifications.

Sec. 5.4.030. – Appliance Clearance. Section M 1306.1 of the International Residential Code is amended to read as follows:

Appliances shall be installed with the clearances from unprotected combustible materials as indicated on the appliance label and in the manufacturer's installation instructions. Standard Installation Clearances for Unlisted Heat-Producing Appliances shall be in accordance with Table 3-1 as follows:

Table 3-1 shall be created as follows:

Table 3-1- Standard Installation Clearances in Inches for Heat-Producing Appliances See Section 304.0

In. x 24.5mm

RESIDENTIAL TYPE APPLIANCES		APPLIANCE				
	FUEL	ABOVE TOP OF CASING OR APPLIANCE	FROM TOP AND SIDES OF WARM-AIR BONNET OR PLENUM	FROM FRONT	FROM BACK	FROM SIDES
BOILERS AND WATER HEATERS ¹¹						
Steam Boilers -15 psi (103.4 kPa)	Automatic oil or comb. Gas-oil	6		24	6	6
Water Boilers 250°F (121°C)	Automatic Gas	6		18	6	6
Water Heaters 200°F (93°C) All water walled or jacketed	Solid	6		24	6	6
FURNACES – CENTRAL OR HEATERS¹¹						
Electric Central Warm-Air Furnaces	Automatic Oil or Comb. Gas Oil	6 ²	6 ²	24	6	6
Gravity, Upflow, Downflow,	Automatic Gas	6 ²	6 ²	18	6	6
Horizontal and Duct	Solid	18 ²	18 ²	48	18	18
Warm Air – 250°F (121°C) max.	Electric	6 ²	6 ²	18	6	6
FURNACE FLOOR						
For Mounting in	Automatic oil or comb. Gas-oil	36		12	12	12
Combustible Floors	Automatic Gas	36		12	12	12
HEAT EXCHANGERS						
Steam – 15 psi (103.4 kPa) max. Hot Water – 250° (121°C) max.	1	1	1	1	1	1
ROOM HEATERS						
Circulating Type	Oil or Solid	36		24	12	12
	Gas	36		24	12	12
	Gas or Solid	36		36	36	36

Radiant	Gas	36		36	18	18
Or Other Type	Gas with Double metal or ceramic back	36		36	12	18
Fireplace Stove	Solid	48 ⁵		54	48 ⁵	48 ⁵
RADIATORS						
Steam or Hot Water ⁶		36		6	6	6
RANGES – COOKING STOVES						
					Firing Side	Opp Side
	Oil	30 ⁷		9	24	18
	Gas	30 ⁷		6	6	6
	Solid Clay Lined	30 ⁷		24	24	18
	Firepot	30 ⁷		36	36	18
	Electric	30 ⁷		6	6	6
INCINERATORS						
Domestic Types		36 ⁸		48	36	36
COMMERCIAL APPLIANCES ANY AND ALL PHYSICAL SIZES EXCEPTED AS NOTED ¹¹	INDUSTRIAL-TYPE APPLIANCE					
	FUEL	ABOVE TOP OF CASING OR APPLIANCE	FROM TOP AND SIDES OF WARM-AIR BONNET OR PLENUM	FROM FRONT	FROM BACK	FROM SIDES
BOILERS AND WATER HEATERS						
100 cu. ft. (2.832 m ³ or less)	All Fuels	18		48	18	18
Steam any pressure of 50 psi (345 kPa) or less Any Size	All Fuels	18		48	18	18
UNIT HEATERS						
Floor Mounted or Suspended any size	Steam or hot water	1			1	1
	Oil or comb. gas-oil	6		24	18	18
Suspended – 100 cu. ft. (2.832 m ³) or less	Gas	6		18	18	18
Suspended – 100 cu ft. (2.832m ³)	All fuels	18		48	18	18
Floor Mounted any size	All fuels	18		48	18	18
RANGES – RESTAURANT – TYPE						
Floor Mounted	All Fuels	18		48	18	18
OTHER LOW-HEAT INDUSTRIAL APPLIANCES						
Floor Mounted or Suspended	All fuels	18	18	48	18	18
Boilers and Water Heaters Over 50 psi (345 kPa) Over 100 cu. ft. (2.832m ³)	All fuels	48		96	36	36
OTHER MEDIUM-HEAT INDUSTRIAL APPLIANCES						
All sizes	All fuels	48	36	96	36	36
INCINERATORS						
All sizes		48		96	36	36
HIGH-HEAT INDUSTRIAL APPLIANCES						
All sizes	All fuels	180		360	120	120

Footnotes to Table 3-1

1. The minimum dimension shall be that necessary for servicing the appliance, including access for cleaning and normal care, tube removal, etc.

2. For a listed oil, combination gas-oil, gas or electric furnace, this dimension may be two (2) inches (51 mm) if the furnace limit control cannot be set higher than 250°F (121°C), or this dimension may be one (1) inch (25.4 mm) if the limit control cannot be set higher than 200°F (93°C), or the appliance shall be marked to indicate that the outlet air temperature cannot exceed 200°F (93°C).
3. The dimension may be six (6) inches (152 mm) for an automatically stoker-fired forced warm-air furnace equipped with 250°F (121°C) limit control and with barometric draft control operated by draft intensity and permanently set to limit draft to a maximum intensity of 0.13 inch (3.3mm) water gauge.
4. Unlisted appliances shall be installed on noncombustible floors and may be installed on protected combustible floors. Heating appliances approved for installation on protected combustible flooring shall be so constructed that flame and hot gases do not come in contact with appliance base. Protection for combustible floors shall consist of four (4) inch (102mm) hollow masonry covered with sheet metal at least 0.021 inch (0.53 mm) thick (No. 24 manufacturer's standard gauge). Masonry shall be permanently fastened in place in an approved manner with the ends unsealed and joints matched so as to provide free circulation of air through the masonry. Floor protection shall extend twelve (12) inches (305 mm) at the side and rear of the appliance, except that at least eighteen (18) inches (457 mm) shall be required on the appliance-opening side or sides measured horizontally from the edges of the opening.
5. The forty-eight (48) inch (1219 mm) clearance may be reduced to thirty-six (36) inches (915 mm) when protection equivalent to that provided by (a)-(g) of Table 3-2 is applied to the combustible construction.
6. Steam pipes and hot water heating pipes shall be installed with a clearance of at least one (1) inch (25 mm) to all combustible construction or materials, except that at the points where pipes carrying steam at not over fifteen (15) pounds gauge pressure (103.4 kPa) or hot water that emerges from a floor, wall, or ceiling, the clearance at the opening through the finished floorboards or wall-ceiling boards may be reduced to not less than one-half (1/2) inch (12.7 mm). Each such opening shall be covered with a plate of noncombustible material. Such pipes passing through stock shelving shall be covered with not less than one (1) inch (25.4 mm) of approved insulation. Wood boxes or casing enclosing uninsulated steam or hot water heating pipes or wooden covers to recesses in walls in which such uninsulated pipes are placed shall be lined with metal or insulating millboard. Where the temperature of the boiler piping does not exceed 160°F (71°C), the provisions of this table shall not apply. Coverings or insulation used on steam or hot water pipes shall be of material suitable for the operating temperature of the system. The insulation or jackets shall be of noncombustible materials, or the insulation or jackets and lap-seal adhesives shall be tested as a composite product. Such composite product shall have a flame-spread rating of not more than twenty-five (25) and a smoke-developed rating not to exceed fifty (50) when tested in accordance with UBC Standard No. 42-1.

7. Thirty (30) inches to combustible material or metal cabinets, or if the underside of such combustible material or metal cabinet is protected with insulating millboard at least one-quarter (1/4) inch (6.4 mm) thick covered with sheet metal of not less than 0.013 inch (0.33 mm)(No. 28 gauge), the distance may be reduced to twenty-four (24) inches (610 mm).
8. Clearance above charging door shall be at least forty-eight (48) inches (1.219 m).
9. If the appliance is encased in brick, the eighteen (18) inch (457 mm) clearance above and at the sides and rear may be reduced to twelve (12) inches (305 mm).
10. If the appliance is encased in brick, the clearance above may be reduced to thirty-six (36) inches (914 mm) and at the sides and rear may be reduced to eighteen (18) inches (457 mm).
11. A central heating boiler or furnace shall be installed in accordance with the manufacturer's instructions and shall be installed on a floor of noncombustible construction with noncombustible flooring and surface finish and with no combustible material against the underside thereof, or on fire-resistive slabs or arches having no combustible material against the underside thereof.

Exception No. 1: Appliances listed for installation on a combustible floor.

Exception No. 2: Installation on a floor protected in an approved manner. [NFPA 54:9.3.3]"

Sec. 5.4.035. – Protection Against Physical Damage. Section M1308.2 of the International Residential Code is amended to read as follows:

In concealed locations where piping, other than cast-iron or galvanized steel, is installed through holes or notches in studs, joist, rafters, or similar members less than 1.5 inches (38 mm) from the nearest edge of the member, the pipe shall be protected by shield plates. Protective steel shield plates having a minimum thickness of 0.0575-inch (1.463 mm) (No. 16 Gage), shall cover the area of the pipe where the member is notched or bored and shall extend a minimum of 2 inches (51 mm) above sole plates and below top plates.

Sec. 5.4.040. – Location. Section M1408.3 of the International Residential Codes is amended to read as follows:

Vented Floor Furnaces. Location of floor furnaces shall conform to the following requirements:

1. Floor registers of floor furnaces shall be installed not less than six (6) inches (152 mm) from a wall.
2. Wall registers of floor furnaces shall be installed not less than six (6) inches (152 mm) from the adjoining wall at inside corners.
3. The furnace register shall be located not less than twelve (12) inches (305 mm) from doors in any position, draperies or similar combustible objects.

4. The furnace register shall be located at least five (5) feet (1527 mm) below any projecting combustible materials.
5. The floor furnace burner assembly shall not project into an occupied under-floor area.
6. The floor furnace shall not be installed in concrete floor construction built on grade.
7. The floor furnace shall not be installed where a door can swing within twelve (12) inches (305 mm) of the grille opening.
8. Replacement of floor furnaces with the same or lesser B.T.U. rating may be installed in the same location with prior approval by the building official.”

Sec. 5.4.050. – Installation. Section M1409.3 of the International Residential Code is amended to read as follows:

Vented wall furnace installations shall conform to the following requirements:

1. Required wall thickness shall be in accordance with the manufacturer’s installation instructions.
2. Ducts shall be attached to a wall furnace. Casing extensions or boots shall be installed only when listed as part of a listed and labeled appliance.
3. A manual shut off valve shall be installed ahead of all controls.
4. The wall cavity directly above the wall furnace shall be ventilated by a twenty-six (26) gauge (0.016 inch) (0.4 mm) metal thimble into attic; or, an eight (8) inch (203 mm) by fourteen (14) (356 mm) inch metal grill a minimum of twelve (12) inches (305 mm) below the ceiling.”

Sec. 5.4.060. – Auxiliary and Secondary Drain System. Section M1411.3.1 of the International Residential Code is amended to read as follows:

In addition to the requirements of Section M1411.3, a secondary drain or auxiliary drain pan shall be required for each cooling or evaporator coil when located above finished ceilings or furred spaces. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than 1/8 vertical in twelve (12) units horizontal (1-percent slope). Drain piping shall be a minimum of ¾-inch (19 mm) nominal pipe size. One of the following methods shall be used:

1. An auxiliary drain pan with a separate drain shall be installed under the coils on which condensation will occur. The auxiliary pan drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of 1.5 inches (38 mm), shall not be less than three (3) inches (76 mm) larger than the unit or the coil dimensions in width and length and shall be constructed of corrosion-resistant material. Metallic pans shall have a minimum thickness of not less than 0.0276-inch (0.7 mm) galvanized sheet metal. Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm).
2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. This overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.

3. An auxiliary drain pan without a separate drain line shall be installed under the coils on which condensate will occur. This pan shall be equipped with a water level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section.

4. A water level detection device conforming to UL 508 shall be provided that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line or the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.”

Sec. 5.4.070. – Auxiliary Drain Pan. Section M1411.4 of the International Residential Code is amended to read as follows:

Category IV condensing appliances shall have an auxiliary drain pan when located above finished ceilings or furred spaces. These pans shall be installed in accordance with the applicable provisions of Section M1411.3.1.

Exception: Fuel-fired appliances that automatically shut down operation in the event of a stoppage in the condensate drainage system.

Sec. 5.4.080. – Bathroom Exhaust. Section M1501.1 of the International Residential Code is amended to read as follows:

Outdoor Discharge. The air removed by mechanical exhaust systems shall be discharged to the outdoors in accordance with Section M1506.2.

Exceptions:

(1) Whole house ventilation-type attic fans that discharge into the attic space of dwelling units have private attics shall be permitted.

(2) Ventilation air from residential bathrooms or toilet rooms may be exhausted into a properly ventilated attic when all of the following are met:

1. The duct(s) conveying exhaust into the attic shall terminate a minimum of thirty-six (36) inches above the top of the ceiling framing members, and shall not discharge upon any building element.

2. Attics into which bath and/or toilet room exhausts are discharged must be properly ventilated, in accordance with Section R806, and shall not discharge into an unvented attic assembly.

3. The exhaust duct(s) shall terminate above the top of the attic insulation with a “goose-neck” installed to prevent infiltration of insulating material into the duct.

4. Exhaust duct(s) run above the insulation inside of attics, with a developed length greater than five (5) feet, shall be insulated.

Sec. 5.4.090. – Duct Installation. Section M1502.4.2 of the International Residential Code is amended to read as follows:

Exhaust ducts shall be supported at intervals not to exceed 12 feet (3658 mm) vertically or 6 feet (1828.8 mm) horizontally and shall be secured in place. The

insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust ducts joints shall be sealed in accordance with Sec. 5.4.180 of the Unified Building and Trade Code. Exhaust ducts shall not be connected with sheet-metal screws or fastening means which extend into duct.

Sec.5.4.100. – Specified Length. Section M1502.4.5.1 of the International Residential Code is amended to read as follows:

The maximum length of the exhaust duct shall be 45 feet (13716 mm) from the connection to the transition duct from the dryer to the outlet terminal. Where fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table M1502.4.5.1 of the 2015 International Residential Code. The maximum length of the exhaust duct does not include the transition duct.”

Sec. 5.4.110. – Vertical Clearance. Section M1505.5 of the International Residential Code is created to read as follows:

Domestic cooking appliances either built-in or freestanding shall have a vertical clearance above the cooking top of not less than thirty (30) inches (760 mm) to combustible material or metal cabinets. A minimum clearance of twenty-four (24) inches (610 mm) is permitted when one of the following is installed:

1. The underside of the combustible material or metal cabinet above the cooking top is protected with not less than ¼ inch (6.4 mm) insulating millboard covered with sheet metal not less than 0.0122 inch (0.3 mm) thick.
2. A metal ventilating hood of sheet metal not less than 0.0122 inch (0.3 mm) thick is installed above the cooking top with a clearance of not less than ¼ inch (6.4 mm) between the hood and the underside of the combustible material or metal cabinet, and the hood is at least as wide as the appliance and is centered over the appliance.
3. A listed cooking appliance or microwave oven is installed over a listed cooking appliance and will conform to the term of the upper appliance’s listing and the manufacturers’ instructions.”

Sec. 5.4.120. – Overhead Exhaust Hoods. Section M1505.1 of the International Residential Code is amended to read as follows:

Domestic open-top broiler units shall be provided with a metal exhaust hood, not less than twenty-eight (28) gauge, with ¼ (6 mm) between the hood and the underside of combustible material or cabinets. A clearance of at least thirty (30) inches (760 mm) shall be maintained between the cooking surface and the combustible material or cabinet. The hood shall be at least as wide as the broiler unit and shall extend over the entire unit. Such exhaust hood shall discharge to the outdoors and shall be equipped with a backdraft damper or other means to control infiltration/exfiltration when not in operation. Broiler units incorporating an integral exhaust system, and listed and labeled for use without an exhaust hood, need not be provided with an exhaust hood.

Sec. 5.4.130. – Recirculation of Air. Section M1507.2 of the International Residential Code is amended to read as follows:

Exhaust air from bathrooms and toilet rooms shall not be recirculated within a residence or to another dwelling unit and shall be exhausted directly to the outdoors. Exhaust air from bathrooms or toilet rooms may discharge into an attic when the following are met:

1. The duct(s) conveying the exhaust into the attic shall terminate a minimum of thirty-six (36) inches above the top of the ceiling framing members, and shall not discharge upon any building element.
2. Attics into which bath and/or toilet room exhausts are discharged must be properly ventilated, in accordance with R806, and shall not discharge into an unvented attic assembly.
3. The exhaust duct(s) shall terminate above the top of the attic insulation with a “goose-neck” installed to prevent infiltration of insulating material into the duct.

Exhaust duct(s) run above the insulation side of attics, with a developed length greater than five (5) feet, shall be insulated.

Sec. 5.4.135. – Table 1601.1.1(2) Section 5.4.135 is hereby created to read as follows:

Section M1601.1.1(2). Table 1601.1.1(2). Gauges for metal ducts and plenums used for heating or cooling shall meet current SMACNA HVAC Duct Construction Standards.

Sec. 5.4.140 – Duct Insulation Materials. Sec. M1601.3 of the International Residential Code is amended to read as follows:

Duct insulation materials shall conform to the following requirements:

1. Duct coverings and linings, including adhesives where used, shall have a flame spread index not higher than twenty-five (25), and a smoke-developed index not over fifty (50) when tested in accordance with ASTM E 84, using the specimen preparation and mounting procedures of ASTM E 2231.
2. Duct coverings and linings shall not flame, glow, smolder or smoke when tested in accordance with ASTM C 411 at a temperature to which they are exposed in service. The test temperature shall not fall below 250°F (121°C).
3. External duct insulation and factory-insulated flexible ducts shall be legibly printed or identified at intervals not longer than thirty-six (36) inches (914 mm) with the name of the manufacturer; the thermal resistance R-value at the specified installed thickness; and the flame spread and smoke-developed indexes of the composite materials. All duct insulation product R-values shall be based on insulation only, excluding air films, vapor retarders or other duct components, and shall be based on tested C-values at 75°F (24°C) means temperature at the installed thickness, in accordance with recognized industry procedures. The installed

thickness of duct insulation used to determine its R-value shall be determined as follows:

3.1 For duct board, duct liner and factory-made rigid ducts not normally subjected to compression, the nominal insulation thickness shall be used.

3.2 For duct wrap, the installed thickness shall be assumed to be seventy-five (75) percent (25-percent compression) of nominal thickness.

3.3 For factory-made flexible air ducts, the installed thickness shall be determined by dividing the difference between the actual outside diameter and nominal inside diameter by two.

3.4 Duct insulation shall conform to the requirements of the Table of R-Values of Duct Insulation

R-Values of Duct Insulation

Location of Duct*	R-Value
Inside of conditioned space	None
Inside of building envelope but outside of conditioned space	R-4.2
Outside of building envelope	R-6

*In addition, insulation shall be applied to all ductwork located in an environment that may result in the formation of condensation when operating within the normal design limits of the system, including exhaust and outside air intake ductwork.

Sec.5.4.150. – Joints and Seams. Sec. M1601.4.1 of the International Residential Code is amended to read as follows:

All joints and seams of that portion of supply and/or return ductwork installed outside of the conditioned envelope shall be made substantially airtight by means of tapes, mastics, gaskets, and other approved closure systems, commercially available and specially designed for sealing. “Duct Tape” shall not be an acceptable method. Closure systems used with rigid fibrous glass ducts shall comply with UL 181A and shall be marked “181A-P” for pressure-sensitive tape, “181A-M” for mastic or “181 A-H” for heat-sensitive tape. Closure systems used with flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked “181B-FX” for pressure-sensitive tape or “181B-M” for mastic. Duct connections to flanges of air distribution system equipment or sheet metal fittings shall be mechanically fastened. Mechanical fasteners for use with flexible nonmetallic air ducts shall comply with UL 181B and shall be marked 181 B-C. Crimp joints for round metal ducts shall have a contact lap of at least 1-1/2 inches (38 mm) and shall be mechanically fastened by means of at least three (3) sheet-metal screws or rivets equally spaced around the joint.

Exception: Low pressure systems.

Sec. 5.4.160. – Return Air. Section M1602.1 of the International Residential Code is amended to read as follows:

Return air shall be taken from inside the dwelling. Dilution of return air with outdoor air shall be permitted. In new dwellings and additions to existing one and two Family dwellings where a new separate heating and/or cooling system is being added to serve, but not necessarily limited to only serve the new addition, an outside air duct shall be connected to the main return air duct, prior to the filter, of each heating and/or cooling system for the habitable space served. Duct size shall be based on the square footage of habitable space served as follows:

1. 1500 sq. ft. or less: 4 inch diameter or 12.6 square inches.
2. 1501 sq. ft. to 2000 sq. ft.: 5 inch diameter or 19.6 square inches.
3. 2001 sq. ft. and larger: 6 inch diameter or 28.3 square inches.

All areas listed excluded finished basement area. The outside air duct shall be provided with a ¼ inch wire mesh inlet screen. The outside air duct shall not draw air from contaminated sources.

Sec. 5.4.170. – Prohibited Sources. Section M1701.5 of the International Residential Code is created to read as follows:

Combustion air ducts and openings shall not connect appliance enclosures with space in which the operation of a fan may adversely affect the flow of combustion air. Combustion air shall not be obtained from an area in which flammable vapors present a hazard. Fuel-fired appliances shall not obtain combustion air from any of the following rooms or spaces:

1. Sleeping rooms.
2. Bathrooms.
3. Toilet rooms.

Exceptions: The following appliances shall be permitted to obtain combustion air from sleeping rooms, bathrooms, and toilet rooms:

1. Solid fuel-fired appliances provided that the room is not a confined space and the building is not of unusually tight construction.
2. Replacement of fuel-fired appliances installed in toilet rooms if approved by the building official.

4-406 VIOLATIONS AND PENALTIES. Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 108 et seq. of the International Mechanical Code as amended. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.

4-407 PENALTY CLAUSE NOT EXCLUSIVE. The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this ordinance, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this ordinance.

4-408 ENFORCEMENT. Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the City, which may be through Sedgwick County Court through separate interlocal agreement, and such citations shall rely on the citation numbers set forth within the Sedgwick County Code. If Sedgwick County and the City of Colwich choose not to be bound by such interlocal agreement, prosecution of any violations of this code shall be in the Colwich Municipal Court.

4-409 LIABILITY. Requirements of this code and ordinance shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

4-410 SEVERABILITY. If any part or parts of this ordinance shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this ordinance.

ARTICLE 5. THE INTERNATIONAL RESIDENTIAL CODE

4-501 RESIDENTIAL BUILDING STANDARDS. No person, firm or corporation shall hereafter design, construct, erect, remodel, alter, demolish, locate, relocate or remove any residential building or structure, or place or install service equipment therein if the same is not done in accordance with the residential code regulations of this Article as hereafter set forth, and shall not design, construct, erect, remodel, alter, demolish, locate, relocate or remove any residential building or structure, or place or install service equipment therein without a permit authorizing the same.

4-502 INSPECTION AND ENFORCEMENT. Sedgwick County, through the MABCD shall provide code inspection and enforcement services to the City, based upon the current Wichita-Sedgwick County unified building, electrical, plumbing, and mechanical codes, as adopted by the City and agreed to by separate interlocal agreement,

4-503 ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE, 2015 EDITION, WITH CERTAIN ADDITIONS AND DELETIONS. There is hereby adopted by reference by the City of Colwich, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the International Residential Code, 2015 as published by International Codes Council, Inc., 2015 Edition, is hereby adopted to such amendments as set forth hereinafter.

4-504 AVAILABILITY OF COPIES. One (1) copy of said code along with the amendments set forth in Sedgwick County Resolution 059-2017 have been and are now filed in the office of the City Clerk and the said code is hereby adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq.

4-505 AMENDMENTS. The International Residential Code, is hereby amended by adopting those changes, deletions, and additions contained in Resolution No. 059-2017 of the Board of County Commissioners of Sedgwick County, Kansas, adopted April 19, 2017 including all fee schedules, and incorporated by reference herein, as previously published in the official newspaper of the County.

Section 2.4.010 Permit required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Section 2.4.130 **Exterior Walls.** Deleted.

Section 2.4.135 – **Three (3) and Four (4)-family Dwellings.** Dwelling units in three (3)- and four (4)-family dwelling 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 (2) feet from the center of the wall. There shall be no penetrations through this area of the roof deck or sheathing.

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

Section 2.4.138 **Opening Protection.** Openings from a private garage directing into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb- core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

Section 2.4.160 **Stairway Illumination.** All interior and exterior stairways shall be provided with means to illuminate the stairway.

Section 2.4.170 **Hazardous Locations.** Reserved.

Section 2.4.225 **Drainage.** Window wells shall be designed for proper drainage by connecting to the existing foundation drainage system required by Section R405.1 or by an approved alternative method. If no existing foundation drainage system has been installed, the entire window well area shall have a minimum depth of 12” of washed gravel or crushed rock below the floor level.

Exception: A drainage system for window wells is not required when the foundation is on well-drained soil or sand-gravel mixture soils according to the U.S. Soil Classification System, Group I Soils, as detail in Table 405.1.

Section 2.4.230 **Landings at doors.** Floor elevations at the required egress doors. The floor or landing at the exterior door shall not be more than 1.5 inches (38 mm) lower than the top of the threshold. The landing shall be permitted to have a slope not to exceed 0.25 unit vertical in 12 units horizontal (2- percent).

Exceptions: The exterior landing at an exterior doorway shall not be more than 8 (203 mm) inches below the top of the threshold, provided that the door, other than an exterior storm or screen door, does not swing over the landing.

Section 2.4.235 **Floor elevations other exterior doors.** Doors other than the required egress door shall be provided with landings or floors not more than 8-inches below the top of the threshold.

Exception: A landing is not required where a stairway of four (4) or fewer risers is located on the door, provided the door does not swing over the stairway.

Section 2.4.240 **Riser height.** The maximum riser height shall be 8 (203 mm) inches. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inches (9.5 mm).

Section 2.4.250 **Tread depth.** The minimum tread depth shall be 9 inches (228.6 mm). 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. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Winder and circular treads. Winder and circular treads shall have a minimum tread depth of 9 inches (228.6 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower. Winder and circular treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the largest winder or circular tread depth at the 12-inch (305 mm) walk line shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Section 2.4.270 **Landings for stairways.** Reserved.

Section 2.4.280 **Handrails.** Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finished surface of ramp slope, shall be not less than 32 inches (864mm) and not more than 38 inches (965 mm).

Exceptions:

1. The use of a volute, turnout or starting easing shall be allowed over the lowest tread.

2. When handrail fittings or bendings are used to provide continuous transition between flights, transitions at winder treads, the transition from handrail to guardrail, or used at the start of a flight, the handrail height at the fittings or bendings shall be permitted to exceed the maximum height.

Section 2.4.290 **Handrails continuity.** Handrails for stairways shall be continuous for the full length of the flight, from the point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrail ends shall be returned to the wall or shall terminate in newel posts or safety terminals at the top of each flight of stairs. Handrails adjacent to a wall shall have a space of not less than 1.25 (32.5 mm) inches between the wall and the handrails.

Graspable portions of the handrail may not end up completely continuous from the top riser to the bottom riser. The rail shall return to the wall.

Exception:

1. Handrails shall be permitted to be interrupted by a newel post at the turn.
2. The use of a volute, turnout or starting easing, or starting newel shall be allowed over the lowest tread.

Section 2.4.300 **Handrail grip size.** All required handrails shall be of one (1) of the following types or provided equivalent graspability.

1. Type I. Handrails with a circular cross section shall have an outside diameter of at least 1 ¼ inches (32 mm) and not greater than 2 inches (51 mm). If the handrail is not circular it shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6 ¼ inches (160 mm) with a maximum cross section of dimension of 2 ¼ inches (57 mm).
2. Type II. Handrails with a perimeter greater than 6 ¼ inches (160 mm) shall provide a graspable finger recess area on the outboard side of the profile. The finger recess shall begin within a distance of ¾ inches (19 mm) measured vertically from the tallest portion of the profile and achieve a depth of at least 5/16 inch (8 mm) within 7/8 inch (22 mm) below the widest portion of the profile. This required depth shall continue for at least 3/8 inch (9.5 mm) to a level that is not less than 1 ¾ inches (45 mm) below the tallest portion of the profile. The minimum width of the handrail above the recess shall be 1 ¼ inches (32 mm) to a maximum of 2 ¾ inches (70 mm). Edges shall have a minimum radius of 0.01 inch (0.25 mm).

Section 2.4.310 **Guard opening limitations.** Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere 4 ½ inches (114.3

mm) or more in diameter. Required guards shall not be constructed with horizontal rails or other ornamental pattern that results in a ladder effect.

Exceptions:

1. The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches (152 mm) cannot pass through.
2. Openings for required guards on the sides of stair treads shall not allow sphere 4 ½ inches (114.3 mm) to pass through.

Section 2.4.315 Sec. Section R312.2 Window fall protection of the International Residential Code is hereby deleted in its entirety.

Section 2.4.318 Section R313 Automatic fire sprinkler systems of the International Residential Code is hereby deleted in its entirety.

Section 2.4.320 **Single-and multiple-station smoke alarms.** Single and multiple-station smoke alarms shall be installed in the following locations:

1. Outside of each separate sleeping area in the immediate vicinity of the bedrooms.
2. On each additional story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one (1) full story below the upper level.

Section 2.4.325 **Interconnection.** Where more than one (1) smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one (1) alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where wireless alarms are installed & all alarms sound on activation of one (1) alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Section 2.4.332 – **Carbon monoxide alarms.** For new construction, an approved carbon monoxide alarm shall be installed in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages in the following locations:

1. Outside each sleeping room in the immediate vicinity of the bedrooms.
2. On each additional story of the dwelling, including basements in the immediate vicinity of the bedrooms or mechanical room.

Section 2.4.335 – **Section R315.3 deleted.** Carbon monoxide detectors are not required in existing homes.

Section 2.4.350 **Protection against decay.** Protection from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative treated in accordance with AWPA U1 for the species, product, preservative and end use. Preservatives shall be listed in Section 4 of AWPA U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (457 mm) or wood girders when closer than 12 inches (305 mm) to the exposed ground in crawl spaces or unexcavated area located within the periphery of the building foundation.
2. All wood framing members that rest on concrete or masonry exterior foundation walls and are less than 6 inches (152 mm) from the exposed ground.
3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such slab by an impervious moisture barrier.
4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than 0.5 inch (12.7 mm) on tops, sides and ends.
5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than 6 inches (152 mm) from the ground.
6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.

Section 2.4.360 **Section R319.1.1. deleted.** Section R318.1.1 of the International Residential Code is hereby deleted.

Section 2.4.370 Section R320.1.2 deleted (former title). Section R318.1.2 of the International Residential Code is hereby deleted.

Section 2.4.380 Section R324 deleted (former title). Section R322 of the International Residential Code is hereby deleted.

Section 2.4.455 Section R405.1 deleted. Section R405.1 of the International Residential Code is hereby deleted.

Section 2.4.480 Section R502.2.2 created (former title) Section 2.4.480 Decks. R507 Decks. The “City of Wichita Standard for Residential Wood Framed Decks” may be used to design and construct decks to comply with the requirements

of this section. Decks which fall outside of the scope of the standard will require design by a Kansas licensed architect or engineer. Where supported by attachment to an exterior wall, decks shall be positively anchored to the primary structure and designed for both vertical and lateral loads as applicable. Such attachment shall not be accomplished by the use of toenails or nails subject to withdrawal. Where positive connection to the primary building structure cannot be verified during inspection, decks shall be self-supporting. For decks with cantilevered framing members, connections to exterior walls or other framing members, shall be designed and constructed to resist uplift resulting from the full live load specified in Table R301.5 acting on the cantilevered portion of the deck.

Section 2.4.490 Section 506.2.3 deleted (former title) Section 506.2.2 of the International Residential Code is hereby deleted.

Section 2.4.510 – Cement, fiber-cement and glass mat gypsum backers. R702.4.2 Cement, fiber-cement or glass mat gypsum backers in compliance with ASTM C 1288, C 1325 or C 1178 and installed in accordance with manufacturers' recommendations shall be used as backers for wall tile in shower areas and wall panels in shower areas.

Section 2.4.035 Exclusion of "hoop houses" from building code requirements. A "hoop house" is defined as the following: A poly-tunnel (also known as a poly-house, hoop greenhouse or hoop house, or high tunnel) made of polyethylene usually semi-circular, square or elongated in shape. The interior heats up due to solar radiation from the sun, thus warming plants, soil, and other things inside the building faster than heat can escape the structure. Air warmed by the heat from hot interior surfaces is retained in the building by the roof and wall. Hoop houses, within this definition, are for residential use only.

Structures that meet the definition of "hoop houses" are exempted from building permit requirements or engineering specifications within this jurisdiction.

4-506 VIOLATIONS AND PENALTIES. Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 113 et seq. of the International Residential Code as amended. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.

4-507 PENALTY CLAUSE NOT EXCLUSIVE. The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this ordinance, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this ordinance.

4-508 ENFORCEMENT. Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the City, which may be through Sedgwick County Court through separate interlocal agreement, and such

citations shall rely on the citation numbers set forth within the Sedgwick County Code. If Sedgwick County and the City of Colwich choose not to be bound by such interlocal agreement, prosecution of any violations of this code shall be in the Colwich Municipal Court.

4-509 LIABILITY. Requirements of this code and ordinance shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

4-510 SEVERABILITY. If any part or parts of this ordinance shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this ordinance.

ARTICLE 6. THE NATIONAL ELECTRICAL CODE

4-601 ELECTRICAL STANDARDS. No person, firm or corporation shall hereafter design, construct, erect, remodel, alter, demolish, locate, relocate or remove any building or structure, or place or install service equipment therein if the same is not done in accordance with the electrical code regulations of this Article as hereafter set forth, and shall not perform any work governed by this electrical code without a permit authorizing the same.

4-602 INSPECTION AND ENFORCEMENT. Sedgwick County, through the MABCD shall provide code inspection and enforcement services to the City, based upon the current Wichita-Sedgwick County unified building, electrical, plumbing, and mechanical codes, as adopted by the City and agreed to by separate interlocal agreement,

4-603 ADOPTION OF THE NFPA 70, NATIONAL ELECTRICAL CODE, 2014 EDITION, AS THE ELECTRICAL CODE, WITH CERTAIN ADDITIONS AND DELETIONS. There is hereby adopted by reference by the City of Colwich, Kansas, for the purpose of establishing standards for the safety, health, and public welfare, the NFPA 70, National Electrical Code, 2014 Edition, as the Electrical Code of the City, including Annexes C (Conduit and Tubing Fill Tables) and G (Administration and Enforcement), as published by the National Fire Protection Association, One (1) Batterymarch Park, Quincy, Massachusetts, 02169, with certain provisions declared to be omitted, changed, or added to as set forth in Sedgwick County Resolution 159-2014; which is referred to within the Sedgwick County Resolution and herein as the Standard Code; all of which does provide for penalties and prosecutions for violations thereof; and regulation and control of the installation, construction, enlargement, alteration, repair, removal, maintenance, and use of electrical systems, conductors and equipment within or on private or public buildings or other structures and other premises, that connect to the supply of electricity; provides for the issuance of permits and fees therefor; establishes the Board of Electrical Examiners and Appeals; establishes the Electrical Contractors License requirements and penalties for violations thereof, and establishes for Master and Journeyman Electrician and Residential Wireman Certificates, the requirements and exceptions

thereto, and for the process of suspension or revocation thereof; creates the office of electrical inspector; and establishes truth in advertising requirements.

- 4-604 AVAILABILITY OF COPIES. One (1) copy of said code along with the amendments set forth in Sedgwick County Resolution 175-2012 have been and are now filed in the office of the City Clerk and the said code is hereby adopted and incorporated as if fully set out herein at length as authorized in the manner provided by K.S.A. 12-3009, et seq. This Code and all amendments shall hereafter be known as Chapter 4, Article 6 of the Colwich Municipal Code.
- 4-605 AMENDMENTS. The NFPA 70, National Electrical Code, 2011 Edition, as the Electrical Code of the City, including Annexes C (Conduit and Tubing Fill Tables) and G (Administration and Enforcement), is hereby amended by adopting those changes, deletions, and additions contained in Resolution No. 175-2012 of the Board of County Commissioners of Sedgwick County, Kansas, adopted November 21, 2012 including all fee schedules, and incorporated by reference herein, as previously published in the official newspaper of the City.
- 4-606 VIOLATIONS AND PENALTIES. Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth in Section 80.23 et seq. of the NFPA 70, National Electrical Code, 2011 Edition, as the Electrical Code of the City, including Annexes C (Conduit and Tubing Fill Tables) and G (Administration and Enforcement) as amended. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.
- 4-607 PENALTY CLAUSE NOT EXCLUSIVE. The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this ordinance, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this ordinance.
- 4-608 ENFORCEMENT. Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the City, and prosecution of violations may be through Sedgwick County Court through separate interlocal agreement, and such citations shall rely on the citation numbers set forth within the Sedgwick County Code. If Sedgwick County and the City of Colwich choose not to be bound by such interlocal agreement, prosecution of any violations of this code shall be in the Colwich Municipal Court. The City hereby authorizes the building official to enforce such rules and regulations as are necessary to carry out the purpose(s) of this Code, after such are approved by the Board of County Commissioners of Sedgwick County, Kansas.
- 4-609 LIABILITY. Requirements of this code and ordinance shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.

4-610 SEVERABILITY. If any part or parts of this ordinance shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this ordinance.

ARTICLE 7. THE INTERNATIONAL PLUMBING CODE

4-701 PLUMBING STANDARDS. No person, firm or corporation shall hereafter design, construct, erect, remodel, alter, demolish, locate, relocate or remove any building or structure, or place or install service equipment therein if the same is not done in accordance with the plumbing code regulations of this Article as hereafter set forth, and shall not place or install equipment therein governed by this Article without a permit authorizing the same.

4-702 INSPECTION AND ENFORCEMENT. Sedgwick County, through the MABCD shall provide code inspection and enforcement services to the City, based upon the current Wichita-Sedgwick County unified building, electrical, plumbing, and mechanical codes, as adopted by the City and agreed to by separate interlocal agreement,

4-703 ADOPTION OF THE UNIFORM PLUMBING CODE, 2015 EDITION, AS THE PLUMBING CODE, WITH CERTAIN ADDITIONS AND DELETIONS. The Board of County Commissioners of Sedgwick County, Kansas, in the interest of promoting freedom of choice amongst its citizens and plumbers and gas fitters, including dual plumbing codes under which the incorporated codes shall be: (1) the Uniform Plumbing Code, 2015 Edition; and (2) the applicable International Code Council code provisions for plumbing, as contained within the International Plumbing Code, 2015 Edition, the International Residential Code, 2015 Edition, and the International Fuel Gas Code, 2015 Edition.

SECTION 1 – AMENDMENTS TO THE WICHITA SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE

Amendment No. 1

The title for Article 1, Section 2, Table H is amended to read as follows:

TABLE H

MABCD Plumbing Code – Permit fees

Amendment No. 2

Article 3 of the Unified Building and Trade Code is repealed in its entirety and replaced with the following:

ARTICLE 3 – MABCD PLUMBING CODE

Article 3 Section A – BOARD OF APPEALS OF PLUMBERS AND GAS FITTERS

Sec. 3.A.010 – Board of Appeals – Created, Composition

There is authorized by board of plumbing and gas fitters appeals which shall consist of the Director of the Metropolitan Area Building and Construction Department (“MABCD”), or the duly authorized representative, who shall serve as the secretary of the board, and seven other members, as follows:

- (1) One mechanical contractor (appointed by the City);
- (2) One master plumber (appointed by the County);
- (3) One master lawn sprinkler (appointed by the City);
- (4) One journeyman plumber (appointed by the County);
- (5) One mechanical engineer (appointed by the County);
- (6) One master plumber contractor (appointed by the City); and
- (7) One public at large member (appointed jointly).

The board shall elect its own chairman and make sure rules as are necessary for the conduct of its business.

Section 107.1 and 107.2 of the 2015 Uniform Plumbing Code are deleted in their entirety.

Sec. 3.A.020 – Board of Appeals of Plumbers and Gas Fitters.

- (a) The Board shall act as a board of appeals in making a determination of any appeal arising from the actions of the administrative authority. Appeals shall be made in writing, and the appellant may appear in person before the Board or be represented by an attorney, and may introduce evidence to support their claim. Appeals shall be submitted in writing at least ten (10) working days in advance of the Board meeting and the appeals shall be heard at reasonable times at the convenience of the Board, but not later than the next regularly scheduled Board meeting. The appellant shall cause to be made at his own expense, any test or research required by the Board to substantiate their claims.
- (b) The Board shall, upon the request of the administrative authority, interpret sections of this Code, as adopted by reference herein, as to the approval of plumbing materials and methods allowed under this Code.
- (c) Where conditions exist on any plumbing job which are not specifically provided for by this Code, or where it would be impracticable to follow its provisions, the Board may grant a variance from the strict application of the provisions of this Code. The person or persons desiring such variance shall submit all data and information necessary or as may be required by the Board to enable it to make its decision, and if after thorough study of the desired variance it determines that the granting of such request would not act in contravention to the welfare of the public, it shall have the authority to grant the variance.

- (d) The Board may consider applications for the use of materials or methods of installation not specifically covered in this Code, or for a change in the grading or quality of materials or for a change in methods of installation as set forth in this Code and accept, modify or reject the same as affording the same degree of safety, sanitation and performance as the materials or methods provided for herein. The Board may use established standards of nationally recognized laboratories and research organizations in making its determination to accept, modify, or reject the application. The applicant shall submit to the Board all necessary information as may be required by the Board in order for it to make its determination, and any expense incurred for the payment of laboratory reports and tests shall be borne by the applicant. If, after a thorough study of the application and upon the basis of such study, it is determined that the public interest would be best served, would not be detrimental to the health and welfare of the public and would afford the same degree of safety and sanitation as elsewhere provided for in this Code, the Board may approve the application; or should it be determined that it is against public interest, would be detrimental to the health and welfare of the public, would not afford the same degree of safety and sanitation as elsewhere provided for in this Code, the Board shall deny the application.

Sec. 3.A.030. – Administrative Authority.

The administrative authority duly appointed to enforce the standard code shall be the Director of the MABCD or designees(s). The term “administrative authority”, “building official”, and Director of MABCD are synonymous. The administrative authority shall have the authority to promulgate such rules and regulation as are necessary to carry out the purpose of the standard code and such rules and regulations shall be effective upon approval by the governing bodies. The Administrative authority shall have the authority to refer to the Board of Appeals of Plumbers and Gas Fitters that relates to the approval of plumbing material and methods as the same relate to the standard code.

Section 103.1 of the Uniform Plumbing Code shall be deleted in its entirety.

Article 3. Section 1 – MABCD PLUMBING CODE

Sec. 3.1.010. – MABCD Plumbing Code

The Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials (IAPMO), 2015 Edition, including the Appendixes and Installation Standards thereto and including the Uniform Plumbing Code’s latest edition of Table 1701.1 excluding:

Sections 103.1, 107.1 107.2,
Table No. 104.5 Plumbing Permit Fees,
Sections 312.13, 312.14,
Sections 422.1, 422.1.1, 422.2, 422.2.1, 422.3, 422.4, 422.4.1, 422.5,

Table 422.1,
Sections 604.10.1, 609.11, 609.11.1, 609.11.2,
Part II of Chapter 7: Building Sewers,
Sections 807.3,
Sections 1014.0, 1015.0,
Section 1210.1.5,
Appendix F,
Appendix H,

and except for amendments set forth in this section, is by reference incorporated herein and made a part of this Code as though set forth at length herein, and is hereby adopted as a part of the Wichita/Sedgwick County Unified Building and Trade Code, Article 3 MABCD Plumbing Code. In lieu of Appendix H and Chapter 7 Part II, within the jurisdiction of the unincorporated area of Sedgwick County, and adopting second and third class cities, Chapter 23 of the Sedgwick County Code, entitled Sewers and Sewage Disposal, shall apply. In lieu of Appendix H and Chapter 7 Part II, within the jurisdiction of the City of Wichita. Title 16 of the Code of the City of Wichita, entitled Sewers, Sewage Disposal and Drains shall apply.

Within the Sedgwick County Jurisdiction, the International Plumbing Code, 2015 Edition, in its entirety, and the International Residential Code, 2015 Edition, Chapters 1 and 24 through 33 – to the extent that such code provisions apply to plumbing matters-both codes published by the International Code Council, Inc., are by reference incorporated herein and made a part of this Code as though set forth at length herein, and are hereby adopted as a part of the Wichita/Sedgwick County Unified Building and Trade Code entitled Article 3, MABCD Plumbing Code.

Within the Sedgwick County Jurisdiction, the International Fuel Gas Code, 2015 Edition published by the International Code Council, Inc., to the extent that said code's provisions are referred to within the International Plumbing Code, 2015 Edition and the provisions of the International Residential Code, 2015 that pertain to plumbing matters, said International Fuel Gas Code is by reference incorporated herein and made a part of this Code as though set forth at length herein and said International Fuel Gas Code is also hereby adopted as a part of the Wichita/Sedgwick County Unified Building and Trade Code entitle Article 3, MABCD Plumbing Code.

Sec. 3.1.015 – Operation of dual plumbing codes incorporation within the MABCD Plumbing Code within the Sedgwick County Jurisdiction.

SEDGWICK COUNTY JURISDICTION ONLY

The following provisions describe the manner in which the MABCD will operate with dual plumbing codes incorporated into this MABCD Plumbing Code within the Sedgwick County Jurisdiction:

- (a) At the time that a permit is applied for under this Code or any other action is taken to initiate work on a project under this Code, the contractor or property owner who obtains the permit shall indicate whether that work will be

complete pursuant to the provisions of the 2015 Uniform Plumbing Code, as amended by this Code, or the 2015 International Plumbing Code / 2015 International Residential Code (jointly termed “2015 ICC”). After such designation, the work will be required to meet the term of the selected code until the permitted work is completed.

- (b) In the event that any contractor or other person begins work without selecting a code or without obtaining a permit, the default code that will be applied to their work and any possible enforcement action is the 2015 Uniform Plumbing Code, with amendments included within this Code.
- (c) On matters involving the 2015 ICC, the Director of the MABCD and his/her designee are granted the authority to issue administrative waivers, distinct from any other similar procedures contained within this Code, pursuant to Section 105.1 of the 2015 International Plumbing Code, which reads as follows, such that the Director and his/her designee would be considered the “code official”:

Where there are practical difficulties in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner’s authorized agent, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification conforms to the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of the action granting modification shall be records and entered in the files of the plumbing inspection department [MABCD].

Furthermore, any contractor or other person completing work under a permit utilizing the 2015 ICC shall be authorized to complete that work consistent with any of the local amendments to the 2015 Uniform Plumbing Code, without the requirement of obtaining an administrative waiver.

- (d) All administrative waivers considered and decided by the Director and his/her designee pursuant to subsection (c) shall be reported to the Sedgwick County Board of County Commissioners.
- (e) Any party aggrieved by the administrative waiver decision of the Director and/his designee pursuant to subsection (c) may have an appeal heard by the Board of Appeals of Plumbers and Gas Fitters, pursuant to Sec. 3.A.020 of this Code.
- (f) For any plumbing permits that have been applied for prior to the effective date of the 2015 ICC adoption and have not been finalized prior to such effective date, the party that pulled the permit may contact the MABCD in writing within 30 days after the effective date of the 2015 ICC to request that the 2015 ICC apply to their permit. Unless a timely request is received by the MABCD, all permits applied for prior to the effective date of the 2015 ICC adoption will be

required to meet the requirements of this Code that existed on the date that the party applied for the permit.

- (g) Regardless of which plumbing code a permit designates, the same fees included within Article 1.2 of the Wichita-Sedgwick County Unified Building and Trade Code shall apply.

Sec. 3.1.020. – Section 101.1 of the 2015 Uniform Plumbing Code. Section 101.1 of the 2015 Uniform Plumbing Code shall be amended to read as follows:

With the exception of Sections 3.1.030, 3.1.040, and 3.1.050 (which apply to all of this Code), all of the subsequent provisions of this Code modify and apply to the 2015 Uniform Plumbing Code.

Sec. 3.1.030. – Schedule of fees. See Article 1.2 of this Code.

Sec. 3.1.040. – Investigation fees. See Article 1.2 (e) of this Code.

Sec. 3.1.050. – Definitions.

Unless otherwise specified, the following terms, as used in this Section, shall mean as follows:

‘Apprentice’ means an individual who works as an employee in training under the direct supervision of a Journeyman Plumber or Master Plumber. An apprentice is not a certified individual.

‘Board’ means that board appointed for Plumbers and Gas Fitters for the purpose of reviewing code interpretations taken by the building code enforcement division, granting variances from the code reviewing license applications and license suspensions and revocation.

‘Code’ means the MABCD Plumbing Code and Article 3 of this Code, as adopted by the MABCD.

‘Direct supervision’ means that the apprentice is limited to the same structure and/or building site as the journeyman or master plumber, except in the case of one and two-family residential developments, where the apprentice may be on the job site within five hundred (500) feet of where the journeyman or master is working.

‘Field Experience’ means working under the direct supervision of a person having a valid Journeyman Plumber or Master Plumber certificate or attending trade related schooling. No more than one year of the requirement may be satisfied by trade related schooling. Schooling shall consist of a minimum of nine hundred thirty (930) program hours documented by a certificate of completion.

‘Journeyman Gas Fitter’ means a person who has been approved by the MABCD showing the individual to be qualified to do gas piping, make repairs to gas piping

systems or in any work at the trade of gas piping for a Licensed Contractor. That individual shall have a current certificate showing him or her to be so qualified.

'Journeyman Plumber' A journeyman plumber is a person who has been approved by the MABCD showing that individual to be qualified to do plumbing or gas piping, venting work, and work at the trade of plumbing and gas piping for a Licensed Contractor. That individual shall have a current certificate showing him or her to be so qualified. A Journeyman Plumber is deemed to be a Journeyman Gas Fitter, Journeyman Drain Layer, Journeyman Lawn Irrigation, Journeyman Sewer Cleaner and certified Water Conditioning Installer by definition.

"Licensed Contractor" mean a person, firm partnership, corporation, limited liability company, association or combination thereof that has acquired a plumbing, gas fitter, lawn irrigation, drain laying, or certified Water Conditioning license from the MABCD, who undertakes or offers to undertake for another, for hire, the planning, laying out, supervising and installing or making additions, alterations, and repairs in the installation of plumbing, drains, gas fittings, lawn irrigation or plumbing systems.

'Licensed Trade' or 'trade' means the mechanical, electrical, plumbing or gas fitting trade, as the context of this Code may require.

'Master Gas Fitter' means a person who has been approved by the MABCD showing that individual to be qualified to engage in the business of gas piping systems and who has a current certificate showing him or her to be so qualified.

'Master Plumber' means a person who has been approved by the MABCD showing that individual to be qualified to engage in the business of plumbing and gas piping, the installation of plumbing and gas fixtures and appliances, and who has a current certificate showing him or her to be so qualified. A Master Plumber is deemed to be a Master Gas Fitter, Master Drain Layer, Master Lawn Irrigation, Master Sewer Cleaner and Certified Water Conditioning installer by definition.

'Qualified Master' means an individual who holds a master certificate issued pursuant to this Code evidencing such person to be qualified to control and have authority of all technical work performed under the authority of the licensed contractor's enterprise, and assures quality control and is responsible for complying with all applicable laws, code and regulations. An individual shall not be the Qualified Master for more than one licensed contractor's enterprise unless such individual receives approval from the Director of the MABCD or an authorized representative thereof and approved by the Board.

Sec. 3.1.055. – Use of Licenses to Obtain Permits for Another.

Licensed Contractors are prohibited from pulling permits for other persons to complete work for which this Code requires the Licensed Contractor, as the permit holder, to be the party to complete the work.

Sec. 3.1.058. - Requirement to Obtain Permit.

All persons who install, remove, alter, repair or replace or cause to be installed, removed, altered, repaired or replaced, any plumbing, gas or drainage piping work or fixture or water heating or treating equipment in a building or premises shall be required to obtain the proper permit from the MABCD in order to do such work.

Sec. 3.1.060. – Sleeves. Section 312.10 of the Uniform Plumbing Code is amended to read as follows:

Sleeves shall be provided to protect all piping through concrete and masonry walls, or concrete floors.

Exceptions:

- (1) Sleeves shall not be required where openings are drilled or bored; and
- (2) Sleeves shall not be required for DWV pipes going through concrete basement floors or slab on grade.

Sec. 3.1.070. – Test Gauges. Section 318.0 of the Uniform Plumbing Code is amended to read as follows:

In performing the prescribed piping tests as required elsewhere in this Code, a spring type gauge may be used provided the required maximum capacity of the gauge used for the ten (10) psi, for fifteen (15) minutes test, be thirty (30) psi and the required maximum capacity of the spring type gauge used for the sixty (60) psi, for thirty (30) minutes test, be one hundred (100) psi.

Sec. 3.1.080. – Drainage connections. Section 414.3 of the Uniform Plumbing Code is amended to read as follows:

Commercial dishwashing machines shall discharge indirectly through an air gap or direct connection in accordance with Section 704.3 with floor drain protection.

Sec. 3.1.085. – Minimum Plumbing Fixtures. Section 422.0 of the Uniform Plumbing Code is amended to read as follows:

Minimum Number of Plumbing Fixtures shall be in accordance with MABCD's current adopted version of the International Building Code – (Table 2902.1) and all amendments thereto as adopted into the Wichita-Sedgwick County Unified Building and Trade Code.

Sec. 3.1.090 – Backflow Prevention Devices, Assemblies and Methods. Section 603.1 of the Uniform Plumbing Code is amended to read as follows:

No person shall install any water-operated equipment or mechanism, or use any water treating chemical or substance, if it is found that such equipment, mechanism, chemical or substance may cause pollution or contamination of the domestic water supply. Such equipment or mechanism may be permitted only when equipped with an approved backflow prevention device. In addition to the general requirements of

Section 603.0, Cross Connection Control, Backflow prevention devices and methods shall conform to Title 17.10 of the Code of the City of Wichita. Registration of backflow testers and test reporting is required by the Authority Having Jurisdiction over backflow testing. Test reports must be maintained by the testing provider and supplied to the Authority Having Jurisdiction, and the backflow device owner. Where, in any specific case, sections of this Code specify different material, methods of construction or requirements in conflict with other local laws or ordinance, the most restrictive shall govern.

Sec. 3.1.100. – Protection from Lawn Sprinklers and Irrigation Systems. Section 603.5.6 of the Uniform Plumbing Code is amended to read as follows:

Potable water supplies to systems having no pumps or connections for pumping equipment, and no chemical injection or provisions for chemical injection, shall be protected from backflow by one of the following devices.

- (1) Pressure vacuum breaker,
- (2) Split-resistance vacuum breaker,
- (3) Reduced-pressure backflow preventer, or
- (4) Air gap.

Sec. 3.1.110. – Backflow Device Downstream from a Potable Water Supply Pump. Section 603.5.6.2 of the Uniform Plumbing Code is amended to read as follows:

Where systems have a device installed downstream of a potable water supply pump or a potable water supply pump connection, the device shall be one of the following:

- (1) Pressure vacuum breaker,
- (2) Split-resistance vacuum breaker,
- (3) Reduced-pressure backflow preventer, or
- (4) Air gap.

Sec. 3.1.120. – Deck-Mounted and Equipment-Mounted Vacuum Breakers. Section 603.5.13 of the Uniform Plumbing Code is amended to read as follows:

Deck-mounted or equipment –mounted vacuum breakers shall be installed in accordance with their listing and the manufacturer's installation instructions, with the critical level not less than six (6) inches (15.24 cm) above the flood-level rim.

Sec. 3.1.130. – Protection from Fire Systems. Section 603.5.14.2 of the Uniform Plumbing Code is amended to read as follows:

Where contaminant chemicals (ethylene glycol, corrosion inhibitors, or other chemical) are added to a fire protection system supplied from a potable water supply, the potable water system shall be protected by one of the following:

- (1) Reduced pressure backflow preventer, or
- (2) Reduced pressure detector assembly.

Fire protection systems using low hazard materials must be protected with appropriate protection and clearly labeled per NFPA requirements with MSDS documentation permanently maintained at the backflow device. Devices approved for low hazard potable water system protection include the following:

- (1) Double check backflow preventer, and
- (2) Double check detector assembly.

Sec. 3.1.140. – Excessive Water Pressure. Section 608.2 of the Uniform Plumbing Code is amended to read as follows:

Where static water pressure in the water supply piping is in excess of one hundred (100) psi, an approved type pressure regulator preceded by an adequate strainer shall be installed and the static pressure reduced to one hundred (100) psi or less. Such regulator(s) shall control the pressure to all water outlets in the building unless otherwise approved by the administrative authority. Each such regulator and strainer shall be accessibly located aboveground or in a vault equipped with a properly sized and sloped bored-sighted drain to day light, shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. All pipe size determinations shall be based on eighty percent (80%) of the reduced pressure when using Table 610.4.

**TABLE 604.1
MATERIALS FOR BUILDING SUPPLY AND
WATER DISTRIBUTION PIPING AND FITTING**

MATERIAL	BUILDING SUPPLY PIPE AND FITTINGS	WATER DISTRIBUTION PIPE AND FITTINGS	REFERENCED STANDARD(S) PIPE	REFERENCED STANDARD(S) FITTINGS
Copper and Copper Alloys	X	X	ASTM B42, ASTM B43, ASTM B75, ASTM B88, ASTM B135, ASTM B251, ASTM B302, ASTM B447	ASME B16.15 ASME B16.18 ASME B16.26 ASME B16.51
CPVC	X	X	ASTM D2846, ASTM F441 ASTM F442, CSA B137.6	ASTM D2846 ASTM F437 ASTM F438 ASTM F439 ASTM F1970 CSA B137.6
CPVC-AL-CVPC	X	X	ASTM F2855	ASTMD 2846
Ductile-Iron	X	X	AWWA C151	ASME B16.4 AWWA C110 AWWA C153
Galvanized Steel	X	X	ASTMA 52	-
Malleable Iron	X	X	-	ASME B16.3
PE**	X	**	ASTM D2239 ASTM D2737 ASTMD3035 AWWA C091 CSAB 137.1	ASTM D2609 ASTM D2683 ASTM D 3261 ASTM F1055 CSA 137.1
PE-AL-PE	X	X	ASTM F1282 CSA B137.9	ASTM F1282 ASTM F1974 CSA B137.9
PE-RT	X	X	ASTM F 2769	ASTM F1807 ASTM F2098 ASTM F2159 ASTM F2735 ASTM F2769
PEX	X	X	ASTM F876 ASTM F877 CSA B137.5 AWWA C904*	ASSE 1061 ASTM F877 ASTM F1807 ASTM F1960 ASTM F1961 ASTM F2080 ASTM F2159 ASTM F 2735 CSA B137.5

Sec. 3.1.150. Table 604.1 MATERIALS FOR BUILDING SUPPLY AND WATER DISTRIBUTION PIPING AND FITTINGS. The following footnote has been added to Table 604.1: **Polyethylene (PE) water service piping may extend inside a structure to the building master shut off valve; provided there are no branches taken off ahead of the building master shut off valve.

Sec 3.1.160. – Installation. Section 609.1 of the Uniform Plumbing Code is amended to read as follows:

All water piping shall be adequately supported in accordance with Section 313.0 Table 313.1 and to the satisfaction of the administrative authority. Burred ends shall be reamed to the full bore of the pipe.

Changes in direction shall be made by the appropriate use of the fittings, except that changes in direction in copper tubing may be made with bends having a radius of not less than six (6) diameters of the tubing, providing that such bends are made with bending equipment that does not deform or create a loss in the cross-sectional area of the tubing. Changes in direction are allowed with flexible pipe and tubing without fittings in accordance with the manufacturer's installation instructions. Provisions shall be made for expansion in hot water piping.

The depth of a water service line shall be at least thirty-six (36) inches below finished grade. Such service shall not be less than five (5) feet from any tree on public property (repair or replacement of an existing service is exempt from this requirement). The water service pipe shall be laid in a ditch separate from other underground pipes or conduits. There shall be not less than eighteen (18) inches of solid undisturbed earth between water service pipes and other underground pipes or conduits. All piping, equipment appurtenances and devices shall be installed in a workmanlike manner in conformity with the provision and intent of this Code.

Sec. 3.1.170. – Solvent Welding. Section 705.5.2. of the Uniform Plumbing Code is amended to read as follows:

Plastic Pipe and fittings designed to be joined by solvent cementing shall comply with the manufacturer's installation instructions and the following:

PVC pipe and fittings must be cleaned and joined with primer(s) and solvent cement(s).

Non-pressure PVC pipe and fittings may be joined without primer by using a medium body, one step cement that must be listed by the cement manufacturer for use without primer and so stated on the label.

Sec. 3.1.180. – Discharge Line. Section 710.4 of the Uniform Plumbing Code is amended to read as follows:

The discharge line from such ejector, pump, or other mechanical device shall be of approved material and be provided with an accessible backwater or swing check valve and gate or ball valve. Where the gravity drainage line to which such discharge line connects is horizontal, the method of connection shall be from the top through a wye branch fitting. The gate or ball valve shall be located on the discharge side of the backwater or check valve.

Gate or ball valves, where installed in drainage piping, shall be the fullway type with working parts of corrosion-resistant metal. Sizes four (4) inches (100 mm) or more in diameter shall have cast-iron bodies, and sizes less than four (4) inches (100 mm), cast-iron or copper alloy bodies.

Sec. 3.1.190. – Media. Section 712.1 of the Uniform Plumbing Code is amended to read as follows:

The piping of the plumbing, drainage, and venting systems shall be tested with water or air. The Authority Having Jurisdiction, as defined in the Uniform Plumbing Code, may require the removal of any cleanouts, etc., to ascertain whether the pressure has reached all parts of the system. When the temperature wherein the drainage system is located is above twenty degrees (20°) Fahrenheit, a water test as set forth in Section 712.2 may be made. After the plumbing fixtures have been set and their traps filled with water, they shall be submitted to a final test.

NOTE: Chapter 7, Part II Building Sewers is deleted and sewers are regulated by Wichita's "Title 16."

Sec. 3.1.200. – Indirect Waste Receptors. Section 804.1 of the Uniform Plumbing Code is amended to read as follows:

All plumbing fixtures or other receptors receiving the discharge of indirect waste pipes shall be approved for the use proposed, shall be of such shape and capacity as to prevent splashing or flooding, and shall be located where they are readily accessible for inspection and cleaning. No indirect waste receptor shall be installed in any toilet rooms, closet, cupboard or storeroom, nor in any other portion of a building not in general use by the occupants thereof, except standpipes for clothes washers may be installed in toilet and bathroom areas when the clothes washers are installed in the same room. Clothes washers shall not be installed so as to discharge into any gravity line higher than sixty (60) inches above its base. The clothes washer standpipe shall be a minimum length of eighteen (18) inches above the trap and the inlet of the standpipe no higher than sixty (60) inches above the floor. In any structure where drains indirect waste receptors are to be installed in or flush with the floor, they these receptors may be floor sinks or floor drains, and shall be readily accessible, provided floor drains. Floor drains used as indirect waste receptors shall meet the following requirements:

1. Have a reservoir capacity a minimum of four (4) inches in diameter and two (2) inches deep;
2. Have a perforated cover equal in area to the diameter of the drain;
3. Have a minimum trap and waste line size of two (2) inches in diameter; and
4. The indirect waste line shall maintain a two (2) inch air gap.

Sec. 3.1.210. – Point of Discharge. Section 814.5 of the Uniform Plumbing Code is amended to read as follows:

Air-conditioning condensate waste pipes shall connect indirectly, except where permitted in section 814.6 to the drainage system through an air gap or air break to properly trapped and vented receptors, dry wells, leach pits, or the tailpiece of plumbing fixtures. When a fixture tail piece is used for condensate waste, the air

gap or air break fitting shall be located no less than six (6) inches above the flood level rim of the fixture served by the tail piece.

A condensate drain line shall be trapped in accordance with the appliance manufacturer's instructions or as approved.

Sec. 3.1.220. – Condensate Waste From Air-Conditioning Coils. Section 814.6 of the Uniform Plumbing Code is amended to read as follows:

Where the condensate waste from air-conditioning coils discharges by direct connection to a lavatory tailpiece or to an approved accessible inlet on a bathtub overflow, the connection shall be located in the area controlled by the same person controlling the air-conditioned space. The flood level rim of the condensate collection device shall be located no less than six (6) inches above the flood level rim of the fixture served by the tail piece.

Sec. 3.1.230. – Vent Termination. Section 906.1 of the Uniform Plumbing Code is amended to read as follows:

Roof Termination. Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than six (6) inches (152 mm) above the roof not less than one (1) foot (305 mm) from the vertical surface.

Exception:

Extension through the wall. With prior approval of the authority having jurisdiction, vent terminals through a wall shall be allowed as an alternative method on residential plumbing remodels where other structural issues make it impractical to install a roof termination without remodeling other areas of the structure. Vent terminals extending through the wall shall terminate at a point not less than ten (10 feet (3048 mm) from a lot line and not less than ten (10 feet) (3048 mm) above average ground level. Vent terminations shall not terminate under an overhang of a structure with soffit vents. Side wall vent terminals shall be protected to prevent birds or rodents from entering or blocking the vent opening.

Sec. 3.1.240. – Wet Venting. Section 908.0 of the Uniform Plumbing Code is amended to read as follows:

Groups of fixtures on the same floor may be wet or stack vented provided that:

- (1) The maximum distance from the vent intersection with the waste or soil pipe to the dip of the trap shall be in accordance with Table 1002.2.
- (2) No more than one fixture unit wastes into a one and one-half (1 ½) inch diameter wet vent. Not more than four (4) fixture units shall waste into a two (2) inch diameter (excluding urinals) or nine (9) fixture units into three (3) inch or larger diameter wet vent.

- (3) Excepting floor drains, no fixtures shall waste into such stack below the closet fixture opening without a proper vent.
- (4) The limit of a horizontal wet vent shall be ten (10) feet developed length.
- (5) A wet vent receiving the discharge from a clothes washer can only be used to wet vent a water closet. The vent intersection shall be no closer than four (4) feet total developed length from the top of the closet flange.

Sec. 3.1.250. – Circuit Venting, Top Floor Option is created to read as follows:

Sec. 3.1.250 – Circuit Venting, Top Floor Option.

When a circuit vent is installed on a top floor, the circuit may loop to the stack vent. Also, the stack vent may be used as the required relief vent.

Sec. 3.1. 260 – Air Admittance is created to read as follows:

Sec. 3.1.260 – Air Admittance Valves.

Air admittance valves shall be allowed as an alternative method on residential plumbing renovations and repairs where structural issues make it impractical to install a conventional vent without remodeling other areas of the structure. Vent systems using air admittance valves shall comply with this Section, including the following requirements:

- (1) Individual and branch-type air admittance valves should conform to ASSE 1051.
- (2) The valves shall be installed in accordance with the requirements of this Section and the manufacturer's instructions. Air admittance valves shall be installed after the DWV testing required by Sections 105.0 and 712.0 of the Uniform Plumbing Code has been performed.
- (3) Individual vents and branch type air admittance valves shall vent only fixtures that are on the same floor level and connect to a horizontal branch drain.
- (4) Individual and branch air admittance valves shall be located not less than four (4) inches above the horizontal branch drain or fixture drain being vented. The air admittance valve shall be located within the maximum developed length permitted for the vent. The air admittance valve shall be installed not less than six (6) inches above insulation materials when installed in attics.

- (5) Access shall be provided to air admittance valves. Such valves shall be installed in a location that allows air to enter the valve.
- (6) Air admittance valves shall not be located in spaces utilized as supply or return air plenums.
- (7) The air admittance valve shall be rated for the size of the vent to which the valve is connected.
- (8) Each plumbing system shall be vented by one or more vent pipes extending outdoors to the open air, and the aggregate cross-sectional area of which shall be not less than that of the largest required building sewer, as stated in 904.1 of the Uniform Plumbing Code.
- (9) Air admittance valves shall not be used to vent sumps or tanks except where the vent system for the sump or tank has been designed by the engineer.
- (10) A permanent, visible label shall be attached to the panel, enclosure, or trap of the fixture being served stating "AIR ADMITTANCE VALVE INSTALLED".

Sec. 3.1.270 – TABLE 1002.2. Table 1002.2 of the Uniform Plumbing Code is amended to read as follows:

Table 1002.2
Horizontal Lengths of Trap Arms
(Except for water closets and similar fixtures)*

Trap arm pipe diameter (inches)	Distance Trap to vent minimum (inches)	Length maximum (inches)
1 ¼	2 ½	30
1 ½	3	42
2	4	72
3	6	72
4	8	120
Exceeding 4	2 x Diameter	120

For SI units: 1 inch = 25.4 mm

Provided that the distance for floor drains shall be within fifteen (15) feet of a ventilated line and the distance for bathtubs with one and one-half (1 ½) inch waste shall be within five (5) feet of a vent.

For trap arms three (3) inches in diameter and larger, the change of direction shall not exceed one hundred and thirty-five (135) degrees without the use of a cleanout.

*The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring (flange) to inner edge of vent) and its vent shall not exceed six (6) feet.

Sec. 3.1.280 – Rough Piping Inspection. Section 1203.3.1 of the Uniform Plumbing Code is amended to read as follows:

A rough piping inspection shall be made after all gas piping authorized by the permit has been installed, and before any such piping has been covered or concealed, or any fixture or appliance has been attached thereto. This inspection shall include a determination that the gas piping size, material and installation meet the requirements of this Code.

When installing any gas opening for a future gas burning appliance in residential gas piping systems, it shall be sized and located according to the following requirements:

1. The future appliance shall be assigned a minimum of fifty-five thousand (55,000) BTU value for sizing the gas distribution piping system;
2. For future solid fuel burning fireplaces, the gas opening shall be run to within four (4) feet of the fire box and be controlled by an accessible approved shut-off valve outside the hearth and be properly capped or plugged;
3. For future gas fired appliances, the gas opening shall be run to within three (3) feet of the appliance and be controlled by a readily accessible approved shut-off valve outside the hearth and be properly capped or plugged;
4. The approved required shut-off valve shall be outside of each appliance or fireplace and ahead of the union connection and in addition to any valve on the appliance;
5. When creating a new opening all gas piping must be tested in accordance with this Code.
6. When extending an existing gas opening, only that branch must be tested in accordance with this Code. When making a gas opening at the meter loop, only that branch must be tested in accordance with this Code.

Exception: When approved by the administrative authority, above procedures may be waived and a soap test administered.

Sec. 3.1.290. – Corrugated Stainless Steel. Section 1208.5.3.4 of the Uniform Plumbing Code is amended to read as follows:

Corrugated stainless steel tubing shall be tested and listed in accordance with the construction, installation, and performance requirements of CSA LC – 1. [NFPA 54:5.6.3.4]. In addition, corrugated stainless steel tubing shall be coated with an electrically conductive jacket compliant with the listing standard of ANSI LC – 1/CSA 6.26 – 2014.

Sec. 3.1.300. – Installation of Gas Piping. Section 1210.2 of the Uniform Plumbing Code is amended to read as follows:

All exposed piping installed outdoors shall be elevated not less than three and one half (3 ½) inches above grade.

Gas piping shall enter or exit the structure above the finish grade, and threaded steel gas piping shall be installed with a swing joint located where the gas piping enters or exits the structure. A “swing joint” means a joint in a threaded pipeline which permits motion in the line in a plane normal to the direction of one part of the line.

Where installed across roof surfaces, gas piping shall be elevated not less than three and one-half (3 ½) inches above the roof surface. Piping installed above ground, outdoors, and installed across the surface of roofs shall be securely supported and located where it will be protected from physical damage. Where passing through an outside wall, the piping shall also be protected against corrosion by coating or wrapping with an inert material approved for such applications. The piping shall be sealed around its circumference at the point of the exterior penetration to prevent the entry of water, insects, and rodents. Where piping is encased in a protective pipe sleeve the annular space between the gas piping and the sleeve shall be sealed at the wall to prevent the entry of water, insects, or rodents. [NFPA 54:6.2.1].

Section 3.1.310. – Bonding of CSST Gas piping. Section 1211.2 of the Uniform Plumbing Code is created to read as follows:

CSST gas piping systems shall be bonded to the electrical service grounding electrode system. The bonding jumper shall connect to a metallic pipe or fitting between the point of delivery and the first downstream CSST fitting. The bonding jumper shall be not smaller than six AGW copper wire or equivalent. Gas piping systems that contain one or more segments of CSST shall be bonded in accordance with this section. [NFPA 54-12:7.13.2].

Exception: This bonding requirement may be eliminated if the CSST is compliant with the listing standard of ANSI LC-1/CSA6.26-2014, and the manufacturer’s installation instructions for the specific product states that additional bonding is not required.

Sec. 3.1.320 – Installation – LPG. Section 1212.10.1 of the Uniform Plumbing Code, is created to read as follows:

In areas where natural gas is available for use as a fuel gas, it shall be used as the primary source for fuel gas for R-1, R-2, R-3, and R-4 type occupancy.

Sec. 3.1.322 – Equipment Burning – LPG. Section 1212.10.2 of the Uniform Plumbing Code, is created to read as follows:

Equipment burning liquefied petroleum gas (LPG) or liquid fuel shall not be located in a pit, an under-floor space, below grade or similar location where vapors or fuel might unsafely collect unless an approved method for the safe collection, removal and containment or disposal of the vapors or fuel is provided.

Exception: Equipment burning liquefied petroleum gas (LPG) that is equipped with an automatically controlled gas valve may be installed below grade of a R-1, R-2, R-3, or R-4 type occupancy, provided that each area where said appliance(s) are located is equipped with a listed, labeled and approved liquefied petroleum gas detection alarm. Detectors shall sound an alarm audible in all areas of the structure and be installed per manufacturers installation instructions.

Sec. 3.1.324 – Sump Pump – LPG. Section 1212.10.3 of the Uniform Plumbing Code, is created to read as follows:

Only submersion type sump pumps will be accepted for structures with LPG service.

Sec. 3.1.326 – Log Lighter Valve-LPG. Section 1212.10.4 of the Uniform Plumbing Code is created to read as follows:

No LPG log lighter valve shall be allowed to be installed below grade, but shall be allowed on the main floor with the maximum 50 gallon LPG tank no closer than three (3) feet to a structure. LPG tank must be secured. Valves and fittings must be listed for LPG.

Sec. 3.1.330 – Building Code Provision.

The provision of Article 2 of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Sec. 3.1.340. – Electrical.

The provision of Article 4 of this Code shall apply to the installation of electrical system, including alterations, repairs, replacement equipment, appliances, fixtures, fittings and appurtenances thereto.

Sec. 3.1.350. – Mechanical.

The provision of Article 5 of this Code shall apply to the installation of vents, combustion air, ventilation, mechanical systems, system components, equipment and appliances applied within HVAC systems.

Sec. 3.1.360. – Fire Prevention.

The provision of Title 15 of the Code of the City of Wichita for matters within the jurisdiction of the City of Wichita and Chapter 12 of the Sedgwick County Code for matters within the jurisdiction of Sedgwick County shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion

arising from storage, handling, or use of structures, materials or devices, from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of alarm systems and fire hazards in the structure or on the premises.

Sec. 3.1.370. – Apprentice Limitations.

Apprentices shall be permitted to work when accompanied by and under the direct supervision of a Master or Journeyman Plumber, who shall be responsible for the plumbing work done by the Apprentice. There shall be a maximum of four (4) Apprentices per one Master or Journeyman Plumber. The on-site Master or Journeyman shall be responsible for maintaining the ratio of Master/Journeyman Plumbers to Apprentices as required by this Section. If an Apprentice works without the required direct supervision, the Qualified Master, on-site Master or Journeyman Plumber, and/or the Apprentice may be held responsible for violation of this Code.

Sec. 3.1.380. – Applicant Requirements, Examinations; Issuance of Certificates.

Any person desiring to engage in or work at the business of plumbing, plumbing repair, lawn irrigation, water conditioning, gas fitter, or to do such work, shall submit the prescribed application form to the MABCD for a certificate, and if applicant meets the following requirements or is approved by the Board, shall at such time and place as directed be subjected to an examination as to their qualifications. The qualifications are as follows:

- a. A minimum score of seventy-five (75) percent on the “Block Examination” Master/Journeyman Plumbing Certificate, which is administered by Prometric, or
- b. A minimum score of seventy-five (75) percent on the International Code Council Examination for a Master/Journeyman Plumbing Certificate, which is administered by the International Code Council, or
- c. A satisfactory score on any other standard examination to determine the qualification of a Master/Journeyman Plumbing that is approved and adopted by the State of Kansas, pursuant to state law, following the effective date of this Code. Applicant requirements:

Journeyman Plumber: two (2) years documented Field Experience.

Master Plumber: two (2) years as Journeyman Plumber or four (4) years documented Field Experience.

Journeyman Gas Fitter: two (2) years documented Field Experience.

Master Gas Fitter: two (2) years as Journeyman Plumber or four (4) years documented Field Experience.

Journeyman Drain Layer: two (2) years documented Field Experience.

Master Drain Layer: two (2) year as Journeyman Plumber or four (4) years documented Field Experience.

Journeyman Lawn Irrigation: two (2) years documented Field Experience.

Master Lawn Irrigation: two (2) years as Journeyman Plumber or four (4) years documented Field Experience.

Note: For Journeyman Plumber requirements an applicant may use completion of a technical or trade related school for one (1) year of the required two (2) years. The school shall consist of a minimum of nine hundred thirty (930) program hours documented by a certificate of completion.

Sec. 3.1.390. – Fees for Examination and Certificates, Renewing, and Continuing Education Requirements.

- (a) The fee for each examination and original certificate of a Master Plumber, Journeyman Plumber, Master Drain Layer, Journeyman Drain Layer, Master Lawn Irrigation, Journeyman Lawn Irrigation, Master Water Conditioning, certified Water Conditioning Installer, Master Gas Fitter or Journeyman Gas Fitter shall be established by the Director of the MABCD to cover the administrative costs of issuing such certificates. This fee shall be paid to the MABCD when the application for a certificate is made. Individuals not holding a certificate at the beginning of the certificate cycle, who obtain a certificate during such certificate cycle by the standardized test required by K.S.A. 12-1508 and any amendments thereto, will be issued the initial certificate without documentation of continuing education. Such certificate will be issued noting the test provider, specific test type and grade. Such test shall be completed during the certificate cycle. All such certificates shall expire December 31st of each odd numbered year. The biennial fee for all certificates shall be established by the Director of the MABCD to cover the administrative cost of issuing such certificates. All such certificates shall be renewed biennially upon payment established by the Director of the MABCD to cover the administrative cost of issuing such certificates. All certificates shall expire on December 31st of each odd-numbered year and no reduction shall be made for part of the year being elapsed. Any holder of a certificate who fails to renew the same by March 1st after its expiration shall be required to submit one of the following:
 - (1) Proof of completing a new examination in accordance with K.S.A. 12-1508; or

- (2) Proof of completing an additional one and one-half (1 ½) hours of continuing education hours pursuant to K.S.A. 12-1509, for each three (3) month period the renewal is late and only when the original certificate was issued pursuant to K.S.A. 12-1508. It is the total responsibility of the certificate holder to assure that his/her certificate has been renewed and is valid.

- (b) Individuals passing the examination in the first year of a renewal cycle will need to provide documentation of twelve (12) hours of approved continuing education when renewing their certificate. Not less than six (6) hours shall consist of plumbing code education. The continuing education shall be attended during the certificate cycle. Individuals passing the examination in the second year of the renewal cycle will need to provide documentation of six (6) hours approved continuing education when renewing their certificate. Not less than (3) hours shall consist of plumbing code education. The continuing education shall be attended during the second year of the certificate cycle. Individuals with an active certificate that passed the examination prior to the first year of the renewal cycle must provide written proof of having completed biennially not less than twelve (12) hours of continuing education approved by the MABCD. Not less than is (6) hours shall consist of plumbing code education. Continuing education shall be provided by the MABCD or a nationally recognized trade association, community college, technical school, technical college or other provider approved by the MABCD. All twelve (12) hours of education 160 shall comply with the MABCD's continuing education guidelines for plumbing.

Sec. 3.1.400 – Licenses.

Any person engaging or desiring to engage in the business of plumbing, plumbing repair, drain laying, lawn irrigation, water conditioning, gas fitting or gas fitting repair shall, before obtaining any permit or transacting any business, obtain a license therefore from the Director of MABCD, which license shall All certificate shall expire on December 31st of each odd-numbered year.

Sec. 3.1.410 – Certain Persons Exempt from License Requirements.

Any person, corporation, business, government entity or similar entity not engaged in the business of plumbing within the scope of this Code who has in his/her regular and permanent employment a person or persons who possess a current and valid journeyman or master plumbing certificate shall be permitted to have such person or persons perform maintenance and repair work, that does not require a permit, on buildings and premises that are owned, leased, operated or managed by him/her shall be exempt from this Code, as pertains to licenses but shall be subject to all other requirements pertaining to this Code.

Sec. 3.1.420 – Revocation of Certificates and Licenses.

The Board is authorized to cancel and recall any certificates or licenses obtained in accordance with the provision of Article 3 of this Code for any or all of the following reasons:

1. Abandonment of any contract without legal cause; or
2. Diversion of funds or property received for performance or completion of a specific contract, or for a specific purpose in the performance or completion of any contract, and the application or use for any other contract, obligation or purpose, or the failure, neglect or refusal to use such funds or property for the performance or completion of such contract; or
3. Violation of any provisions of this Code or the failure or refusal to comply with any lawful order of the administrative authority; or
4. Misrepresentation of a material fact by the applicant in obtaining a license; or
5. The failure of any such master plumber, master gas fitter, master drain layer, master lawn irrigation, master water conditioning, journeyman plumber, journeyman gas fitter, journeyman drain layer or journeyman lawn irrigation, journeyman water conditioning to fully satisfy all claims for labor and materials used in the performance of any work for which he has been engaged and for which he has been paid; or
6. Use of a license to obtain permits for another; or
7. Carelessness or negligence in providing safety measures for the protection of workmen and the public; or
8. Failure to obtain permits or schedule required inspections; or
9. Unreasonable delay in the performance and carrying out of any contract; or
10. A Qualified Master who allows or permits an uncertified individual to engage in the business of plumbing, plumbing repair, lawn irrigation, water conditioning, or gas fitting; or
11. Any person who installs, removes, alters, repairs or replaces or causes to be installed, removed, altered, repaired or replaced, any plumbing, gas or drainage piping work or fixture or water heating or treating equipment in a building or premises without first obtaining the proper permit to do such work from the MABCD; or
12. Failure to obtain an excavation permit from the department of public works-engineer prior to performing any excavation work on public property within the City limits of the City of Wichita, and said permit to

be obtained in accordance with the terms of Chapter 10.20 of the Code of the City of Wichita, or who fail to obtain a separate permit for each building or structure or for any additional work other than authorized in the permit; or

13. A licensed contractor who allows another person, to do or cause to be done any work under a permit secured by said contractor except those persons in his employment.

Sec. 3.1.430. – Owner Occupants –Minor Repairs.

Regardless of the requirements of other sections of this Code, the owner-occupant of a single-family dwelling may obtain permits to repair, replace, or maintain the existing plumbing systems in such single-family dwelling and the usual accessory buildings in connection with such dwelling; provided however, that the owner-occupant shall perform all such work and that the work so performed is in accordance with this Code as verified by the inspection requested by such owner-occupant and performed by the MABCD. No permit shall be required for minor repairs or alterations which do not exceed two hundred dollars (\$200) as the price charged for such work, but such work shall comply with all requirements of this Code.

Sec. 3.1.440 – Owner-Occupants Permit, Fee, Examination, and Requirements.

The owner-occupant of a detached single-family dwelling occupied or to be occupied by the owner-occupant applying for the permit may be permitted to install plumbing systems in the main structure and accessory structures thereto provided all materials are purchased and all labor is performed by the applicant. Owner-occupants applying for permits for installations as outlined above shall first qualify themselves by successfully passing an open book examination dealing with relevant provisions of this Code. Successful passage of the examination shall qualify the applicant for future permits until the time of adoption of another edition of the Code by the MABCD. Prior to permit approval, the applicant shall also submit a plan of the installation drawn in a format acceptable to and drawn in sufficient detail as to satisfy the Director of the MABCD of the overall Code compliance of the anticipated installation. Permit fees shall be as set forth elsewhere in this Code and in Article 2 provided, however, that each additional inspection owing to detected Code deficiencies requiring correction shall be billed at the rate as determined by the Director of the MABCD. Permits for installation in completely new residences and/or total remodel permits shall be limited to one (1) in three (3) years to each applicant unless a waiver is obtained, upon written application from the Board.

Sec. 3.1.450. – Insurance Requirements. See Article 1.4. (c) of this Code.

Sec. 3.1.460. – Licensed Contractors –Established Place of Business Required. See Article 1.4 (a) of this Code.

Sec. 3.1.470. – Licensed Contractors – Marking of Vehicles. See Article 1.4 (b) of this Code.

Sec. 3.1.480. – Truth in Advertising Requirements. See Article 1.4 (d) of this Code.

Article 3. Section 2 – PREFABRICATED ASSEMBLIES

Sec. 3.2.010 – Definitions.

The following definitions shall apply in the interpretation of this section:

1. “Prefabricated assembly” means a structural unit, the integral parts of which have been built up or assembled prior to incorporation in the building or to being erected as a building unit.
2. “Approved agency” means an established and recognized agency regularly engaged in conducting tests or furnishing inspection services.

Sec. 3.2.020. – Certificates of Approval

A certificate of approval by an approved agency shall be furnished with every prefabricated assembly, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected and meets the requirements of Article 3 of this Code.

Sec. 3.2.030 – Field Erection.

Placement of prefabricated assemblies at the building site shall be inspected by the plumbing inspector to determine compliance herewith.

Sec. 3.2.040 – Master Plumber’s certificates or approved agency certification.

The installation of plumbing, house drainage, gas piping, fixtures and appliances within or on any prefabricated assembly to be erected shall be performed under the supervision of a person who has secured a master plumber’s certificate as approved by the Director of the MABCD when certified as defined in Sec. 3.1.280 of this Code.

Sec. 3.2.050 – Permit required.

Final connections of the plumbing and gas piping services to the prefabricated assembly shall be made by a licensed master plumber, and for each assembly placed within the MABCD jurisdiction, as applicable, he shall secure a permit according to Article 3 of this Code.

4-704 AVAILABILITY OF COPIES. One (1) copy of said code along with the amendments set forth in Sedgwick County Resolution ~~475-2012~~ **144-2016** have been and are now filed in the office of the City Clerk and the said code is hereby adopted and incorporated as if fully set out herein at length as authorized in the

manner provided by K.S.A. 12-3009, et seq. This Code and all amendments shall hereafter be known as Chapter 4, Article 7 of the Colwich Municipal Code.

- 4-705 AMENDMENTS. The Uniform Plumbing Code, 2015 Edition is hereby amended by adopting those changes, deletions, and additions contained in Resolution No. 144-2016 of the Board of County Commissioners of Sedgwick County, Kansas, adopted November 1, 2016 including all fee schedules, and incorporated by reference herein, as set forth hereafter.
- 4-706 VIOLATIONS AND PENALTIES. Any person who shall violate the provision of this code or shall fail to comply with any of the requirements thereof, or who shall act in violation of the approved plan or directive of an official or of a permit or certificate issued under the provisions of this code shall be prosecuted as set forth above. Each day of violation shall be a separate violation. Furthermore, such person may be required to repair or correct any violation and pay all costs associated therewith.
- 4-707 PENALTY CLAUSE NOT EXCLUSIVE. The imposition of the penalties herein prescribed shall not preclude the City from instituting an appropriate action to restrain, correct, or abate a violation of this ordinance, and specific authority for such is hereby granted to take any action or imposing any penalty allowed by State law, this code, or this ordinance.
- 4-708 ENFORCEMENT. Enforcement of this code within the boundaries of the City shall be by the Code Enforcement Official(s) designated by the City, and prosecution of violations may be through Sedgwick County Court through separate interlocal agreement, and such citations shall rely on the citation numbers set forth within the Sedgwick County Code. If Sedgwick County and the City of Colwich choose not to be bound by such interlocal agreement, prosecution of any violations of this code shall be in the Colwich Municipal Court. The City hereby authorizes the building official to enforce such rules and regulations as are necessary to carry out the purpose(s) of this Code, after such are approved by the Board of County Commissioners of Sedgwick County, Kansas.
- 4-709 LIABILITY. Requirements of this code and ordinance shall not be construed as imposing on the City, its officers, agents, or employees, any liability or responsibility for any damages to any property or any injury to any person due to defective installation or any other reason.
- 4-710 SEVERABILITY. If any part or parts of this ordinance shall be held to be invalid such invalidity shall not affect the validity of the remaining part of this ordinance.

ARTICLE 8. INSURANCE PROCEEDS

- 4-801. CITY'S AUTHORIZATION. The city is hereby authorized to utilize the procedures established by K.S.A. 40-3901 et seq., and amendments thereto, whereby no insurance company shall pay a claim of a named insured for loss or damage to any building or other structure located within the city, arising out of

any fire, explosion or windstorm, where the amount recoverable for the loss or damage to the building or other structure under all policies is in excess of seventy-five percent of the face value of the policy covering such building or other insured structure, unless there is compliance with the procedures set out in this article.

4-802. CREATING A LIEN; CITY'S FAVOR. The governing body of the city hereby creates a lien in favor of the city on the proceeds of any policy based upon a covered claim payment made for damage or loss to a building or other structure located within the city, caused by or arising out of any fire, explosion or windstorm, where the amount recoverable for all the loss or damage to the building or structure under all policies is in excess of seventy-five percent of the face value of the policy(s) covering such building or other insured structure. The lien arises upon any unpaid tax, special ad valorem levy or any other charge imposed upon real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that is remained undischarged for at least one (1) year prior to the filing of a proof of loss.

4-803. TRANSFER OF PROCEEDS. (a) Prior to final settlement on any claim covered by section 4-302, the insurer or insurers shall contact the county treasurer, Sedgwick County, Kansas, to determine whether any such encumbrances are presently in existence. If the same are found to exist, the insurer or insurers shall execute and transmit in an amount equal to that owing under the encumbrances a draft payable to the county treasurer, Sedgwick County, Kansas.

(b) Such transfer of proceeds shall be on a pro rata basis by all insurance companies insuring the building or other structure.

4-804. FINAL SETTLEMENT. (a) When final settlement on any claim has been agreed to or arrived at between the named insured or insureds and the company or companies, and the final settlement exceeds seventy-five percent of the face value of the policy covering any building or other structure, and when all amounts due the holder of a first real estate mortgage against the building or other structure, pursuant to the terms of the policy and endorsements thereto, shall have been paid, the insurance company or companies shall execute a draft payable to the city in an amount equal to the sum of fifteen percent (15%) of the covered claim payment, unless the enforcement officer or his/her designee has issued a certificate to the insurance company or companies that the insured has removed the damaged building or other structure, as well as all associated debris, or repaired, rebuilt or otherwise made the premises safe and secure.

(b) Such transfer of funds shall be on a pro rata basis by all companies insuring the building or other structure. Policy proceeds remaining after the transfer to the city shall be disbursed in accordance with the policy terms.

(c) Upon the transfer of funds as required by subsection (a) of this section, the insurance company shall provide the city with the name and address of the named insured or insureds, the total insurance coverage applicable to said building or structure, and the amount of the final settlement agreed to or arrived at between the insurance company or companies and the insured or insureds, whereupon the city clerk shall contact the named insured or insureds, by required

mail, notify them that said insurance proceeds have been received by the city and apprise them of the procedures to be followed under this article.

4-805. FIRE INSURANCE PROCEEDS FUND. The city clerk is authorized and shall create a fund to be known as the "fire insurance proceeds fund." All moneys received by the city clerk as provided by this article shall be placed in said fund and deposited in an interest-bearing account.

4-806. RECEIPT OF MONEY. (a) Upon receipt of moneys as provided by this article, the city clerk shall immediately notify the enforcement officer or his/her designee of said receipt, and transmit all documentation received from the insurance company or companies to him or her.

(b) Within twenty (20) days of the receipt of said moneys, the enforcement officer or his/her designee shall determine, after prior investigation, whether the city shall instigate proceedings under the provisions of K.S.A. 12-1750 et. seq., and amendments thereto.

(c) Prior to the expiration of the twenty (20) days established by subsection (b) of this section, the enforcement officer or his/her designee shall notify the city clerk whether he or she intends to initiate proceedings under K.S.A. 12-1750 et. seq., and amendments thereto.

(d) If the enforcement officer or his/her designee has determined that proceeds under K.S.A. 12-750 et seq. and amendments thereto, shall be initiated, he or she will do so immediately but not later than thirty (30) days after the receipt of the moneys by the city clerk.

(e) Upon notification of the city clerk by the enforcement officer or his/her designee that no proceedings shall be initiated under K.S.A. 12-1750 et. seq., and amendments thereto, the city clerk shall return all such moneys received, plus accrued interest, to the insured or insureds as identified in the communications from the insurance company or companies. Such return shall be accompanied within thirty (30) days of the receipt of the moneys from the insurance company or companies.

4-807. MONEY IN EXCESS. If the enforcement officer or his/her designee has proceeded under the provisions of K.S.A. 12-1750 et seq., and amendments thereto, all moneys in excess of that which is ultimately necessary to comply with the provisions for the removal of the building or structure, less salvage value, if any, shall be paid to the insured.

4-808. NECESSARY TO ACT UNDER THE PROVISIONS OF THIS ARTICLE. If the enforcement officer or his/her designee, with regard to a building or other structure damaged by fire, explosion or windstorm, determines that it is necessary to act under K.S.A. 12-1756 and amendments thereto, any proceeds received by the city clerk under the authority of section 4-804(a) relating to that building or other structure shall be used to reimburse the city for any expenses incurred by the city in proceeding under K.S.A. 12-1756, and amendments thereto. The Public Works Director or his/her designee shall be responsible for notifying the city clerk of the amount of these expenses incurred by the city. Upon reimbursement from the insurance proceeds, the city clerk shall immediately affect the release of the lien resulting therefrom. Should the

expenses incurred by the city exceed the insurance proceeds paid over to the city clerk under section 4-804(a), he or she shall publish a new lien as authorized by K.S.A. 12-1756, and amendments thereto, in an amount equal to such excess expenses incurred.

4-809. EXCEPTIONS. This article shall not make the city a party to any insurance contract, nor is the insurer liable to any party for any amount in excess of the proceeds otherwise payable under his or her insurance policy.

4-810. INSURERS IMMUNE FROM CRIMINAL AND CIVIL LIABILITY. Insurers complying with this article or attempting in good faith to comply with this article shall be immune from civil and criminal liability and such action shall not be deemed in violation of K.S.A. 40-2404 and any amendments thereto, including withholding payment of any insurance proceeds pursuant to this article, or releasing or disclosing any information pursuant to this article.