

ORDINANCE NO. 1011

AN ORDINANCE AMENDING THE WESTWOOD CITY CODE, AS AMENDED, BY REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 4 ARTICLE 3 OF THE CODE OF THE CITY OF WESTWOOD, KANSAS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:

SECTION ONE: That Chapter 4 Article 3 of the Code of the City of Westwood, Kansas, be repealed and replaced in its entirety as follows:

ARTICLE 3. RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

- 4-301. INCORPORATING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood, Kansas, that certain document known as the "International Residential Code for One- and Two-Family Dwellings," 2018 Edition, including Appendix Chapters F, H, J, K and N as published by the International Code Council, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. However, with respect to Appendix F, Radon Control Methods, this Appendix shall apply only to the construction of new residential structures and shall not apply to additions to or the remodeling of existing residential structures. No fewer than two (2) copies of the International Residential Code for One- and Two-Family Dwellings shall be marked or stamped "Official Copy as incorporated by ordinance No. 1011" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be in electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such International Residential Code for One- and Two-Family Dwellings similarly marked, as may be deemed expedient. (Ordinance 1011)
- 4-302. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND TWO-FAMILY DWELLINGS. The following sections of the International Residential Code for One-and Two-Family Dwellings 2018 Edition shall be revised, amended, or deleted:
- (a) Section R101.1, entitled "Title," shall be amended to read: "These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Westwood, Kansas, and shall be cited as such and will be referred to herein as "this code.""

(b) Section R105.2, entitled “Work exempt from permit,” shall be revised and amended to delete exemptions 1, 2, 3, 4, 5, 7, 9 and 10 from the permit requirement under the heading “Building”:

(c) Section R108.3, entitled “Building permit valuations,” shall be amended to add the following sentence at the end of said provision: “Alternatively, building permit fees may be set and established administratively by the City according to the schedule as established by the City and as amended.”

(d) Section R108.6, entitled “Work commencing before permit issuance,” shall be amended to read “Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to one half of the permit fee, in addition to required fees.

(e) Section R112.1, entitled “General,” shall be amended to read as set out in section 4-104 of the City Code.

(f) Section R113.4, entitled “Violation penalties,” shall be amended to add the following at the end of said provision: In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction thereof be fined in a sum not to exceed \$500.00, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person.

(g) Section R114., entitled “Notice to Owner (Stop Work Order)” shall be amended so that the second sentence shall read; “The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner’s agent, or to the person doing the work, or posted on the property in a conspicuous place; and shall state the conditions under which work will be permitted to resume.”

(h) Section R201.3, entitled “Terms defined in other codes,” shall be amended to read as follows: “Where terms are not defined in this code and are defined in the 2017 National Electrical Code, International Building Code, International Fire Code, the International Fuel Gas Code, or the International Mechanical Code, such terms shall have meanings ascribed to them as in those codes.”

(i) Section R301.2, entitled “Climatic and geographic design criteria, shall be amended as follows: “The criteria herein shall be administratively established by the building official and inserted herein.” Section R301.2, Table R301.2(1), is hereby amended to insert the criteria as follows:

Roof Snow Load: 20 pounds per square foot

Wind Speed: 90 miles per hour

Topographic effects: No

Seismic Design Category: A

Weathering: Severe

Frost Line Depth: 36 inches

Termite: Moderate to Heavy

Decay: Slight to Moderate

Winter Design Temperature: Six degrees Fahrenheit

Ice Barrier Underlayment Required: Yes

Flood Hazards: Latest adopted FIRM and FBFM documents

Air Freezing Index: 1000

Mean Annual Temperature: 54.7 degrees Fahrenheit

(j) Section R305.1, entitled "Minimum height," shall be amended to amend only the first sentence thereof to read as follows: "Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 6 feet 8 inches." Also, the subparagraph of section R305.1, entitled "Exceptions 3.," shall be amended to read as follows: "Not more than 50% of the required floor area of a room or space is permitted to have a sloped ceiling less than 5 feet, 8 inches in height with no portion of the required floor area less than 5 feet in height." (Code 2008)

(k) Section R309.5, entitled "Fire Sprinklers," is hereby deleted in its entirety.

(l) Section R313, entitled "Automatic Fire Sprinkler Systems," is hereby deleted in its entirety.

(m) Section R401.1, entitled "Application," shall be amended by adding the following paragraph: "Foundation designs for one- and two-family dwellings may use the approved standards and designs provided in the Johnson County Residential Foundation Guidelines in lieu of the prescriptive requirements of Chapter 4 of this Code as approved by the Building Official."

(n) Section R403.1.1, entitled "Minimum size," is hereby added to read as follows: "The minimum size for all residential concrete footings shall be 8 inches in depth and 16 inches in width. Steel shall be minimum ½" in size with two (2) bars running parallel in the footing. Single story trench footings are to be a minimum of 12 inches in width. Footing projections shall be at least 2 inches and shall not exceed the thickness of the footing. The minimum load-bearing value of soil shall be 2,000 psf. Soils investigation reports are required when it appears the soil bearing value is below 2,000 psf, or when conditions exist as described in R401.4. Footings for structures with more than two stories shall be designed by a licensed Kansas engineer."

(o) Section R501.3, entitled "Fire protection of floors," is hereby amended to read as follows: "Floor assemblies not required elsewhere in this code to be fire resistance rated shall be provided with a ½ inch gypsum wallboard membrane, 5/8-inch wood structural membrane or equivalent on the underside of the floor framing member for open web-type floor truss systems and I joist systems.

Exceptions:

1. Floor systems located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved systems.
2. Floor systems located directly over a crawl space not intended for storage or fuel fired appliances.
3. The aggregate area of the unprotected portions shall not exceed eighty square feet (80 sq. ft.)."

(p) Section R507.1, entitled "Decks," shall be amended by adding the following paragraph: "In lieu of the requirements of Section R507 Decks, the construction of decks and balconies may use the approved standards and designs provided in the latest edition of the Johnson County Building Officials Deck Design publication."

(q) Section R907.3, entitled "Recovering versus Replacement," is hereby amended to read as follows: "New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof decking. Exception: Where the existing roof assembly includes an ice barrier membrane that is adhered to the roof deck, the existing ice barrier

membrane shall be permitted to remain in place and covered with an additional layer of ice barrier membrane in accordance with Section R905.”

(r) Section N1101.1, entitled “Scope,” is hereby amended to add the following paragraphs following the first paragraph:

“As an alternative to the provisions of Chapter 11 of this Code, structures validated by an accepted certified energy auditor to meet a HERS rating score of 85 or less shall be deemed to meet this Code. The energy auditor shall present their national certification credentials for review and approval by the Building Official prior to issuance of the permit.”

“Failure to meet with the compliance rating of 85 or less shall result in a “notice” to the owner that the structure has failed to comply with this Code. Such “notice” shall be signed by the contractor and the owner.”

(s) Table N1102.1.2 of the Residential Code is hereby amended as follows:

Table N1102.1.1
Insulation and Fenestration Requirements by Component^a

Climate Zone	Fenestration U-Factor	Skylight U-Factor ^b	Glazed Fenestration SHGC ^b	Ceiling R-Value ^f	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall R-Value ^c	Slab R-Value & Depth ^d	Crawl Space Wall R-Value ^c
4	0.35	0.55	0.4	49	13	8/13	19	10/13	NR	10/13

a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

c. “10/13” means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls.

d. R-5 shall be added to the required slab edge R-values for heated slabs.

e. No change.

f. No change.

g. No change.

h. Refers to wall cavity insulation minimum standards only.

i. The second R-value applies when more than half the insulation is on the interior of the mass wall.

j. Loose-fill insulation shall be installed at the rate recommended by the manufacturer’s statement “so many bags per 1,000 sq. ft.” Where the pitch of the roof restricts the minimum thickness at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the “minimum thickness” can be achieved. An alternative is to install high density batts around the perimeter edge per R1102.2.

(t) Section N1102.4.1.2, entitled "Testing," is hereby amended to read as follows: "The building or dwelling unit shall be tested and verified as having an air leakage rate not exceeding 5 air changes per hour. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.c. (50 Pascals). Where required by the Code Official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the Code Official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope."

During testing:

1. Exterior windows and doors, fireplaces and stove doors shall be closed but not sealed beyond the intended weather stripping or other infiltration control measures.
2. Dampers, including exhaust, intake, makeup air, backdraft and flue dampers shall be closed but not sealed beyond intended infiltration control measures.
3. Interior doors, if installed at the time of the test, shall be open.
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed.
5. Heating and cooling systems, if installed at the time of the test, shall be turned off.
6. Supply and return registers, if installed at the time of the test, shall be fully open.

(u) Section N1103.3.5, entitled "Building Cavities (Mandatory)," shall be deleted in its entirety.

(v) Section N1103.5.3, entitled "Hot water pipe insulation (prescriptive)," shall be deleted in its entirety.

(w) Section P2503.4, entitled "Building Sewer Testing," is hereby amended to read as follows: "The building sewer shall be tested by insertion of a test plug at the point of connection with the public sewer and filling the building sewer with water, testing with not less than a ten (10') foot head of water and be able to maintain such pressure for fifteen (15) minutes or by air, maintaining five (5) PSI for fifteen (15) minutes. This testing will be required when ordered by the Building Official."

(x) Section P2503.5, entitled "Drain, waste and vent systems testing," is hereby amended to read as follows: "Rough and finished plumbing installations shall be tested in accordance with Sections P2503.5.1 and P2503.5.2. This testing will be required when ordered by the Building Official."

(y) Section P2903.4, entitled "Thermal expansion control," is hereby amended to read: "A means for controlling increased pressure caused by thermal expansion shall be installed in each dwelling unit. A thermal expansion tank shall be the means in which to control thermal expansion. At the time a water heater is new or replaced, a thermal expansion tank shall be installed.

Exception: In cases where a thermal expansion tank is not feasible, the Code Official shall determine an approved method of thermal expansion control.

(z) Section P2904, entitled "DWELLING UNIT FIRE SPRINKLER SYSTEMS," is hereby to be used as a reference for standards and requirements only if a sprinkler system is installed. Automatic Fire Sprinkler systems (section R313) are deleted from the requirements of this code adoption.

(aa) Section P3114.1, entitled "Air admittance valves, General," is hereby amended to read as follows: "Vent systems using air admittance valves shall comply with this section. Individual and branch type air admittance valves shall conform to ASSE 1051. Stack-type air admittance valves shall conform to ASSE 1050. The use of air admittance valves shall only be done so by the approval of the Building Official."

(bb) Section E3902.2, entitled "Garage and accessory building receptacles," is hereby amended to read as follows: "All 125-volt single phase 15 or 20 ampere receptacles installed in garages and grade level portions of accessory buildings used for storage or work areas shall have ground fault circuit interrupter protection for personnel.

Exceptions:

1. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
2. A single receptacle supplying a dedicated branch circuit that is located and identified for a specific use by a cord and plug connected appliance such as a refrigerator, freezer, or a central vacuum system."

(cc) Section E3902.5, entitled "Unfinished basement receptacles," is hereby amended to read as follows: "All 125-volt single phase 15 and 20 ampere receptacles installed in unfinished basements shall have ground-fault circuit interrupter protection for personnel. For purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas and the like.

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. Single dedicated receptacles supplying a sump pump.
3. A single receptacle supplying a dedicated branch circuit that is located and identified for a specific use by a cord and plug connected appliance such as a refrigerator, freezer, or a central vacuum system."

(dd) Section E3902.16, entitled "Arc-fault circuit interrupter protection," is hereby amended to read as follows: "All branch circuits that supply 120-volt single phase 15 and 20 ampere outlets installed in libraries, dens, bedrooms, closets and similar rooms or areas shall be protected by a combination type arc-fault circuit interrupter installed to provide protection of the branch circuit. Other rooms, such as family rooms, dining rooms, living rooms, parlors, sunrooms, recreation rooms, hallways and similar rooms or areas are exempt from this requirement. For these purposes a smoke alarm shall not be considered an outlet and is not required to be on an arc-fault circuit. Isolated circuits serving smoke detectors and/or carbon monoxide detectors shall be exempt from arc-fault protection.

Exceptions:

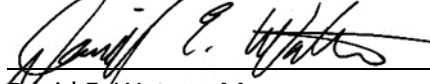
1. Where an outlet branch circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit, the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal outlet and junction boxes and RMC, IMC, EMT, type MC, or steel armored type AC cables meeting the requirements of Section E3908.8

2. Where an outlet branch circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal or nonmetallic conduit or tubing that is encased in not less than 2 inches of concrete.
3. AFCI protection is not required for an individual branch circuit supplying only a fire alarm system where the branch circuit is wired with metal outlet and junction boxes and RMC, IMC, EMT, or steel-sheathed armored cable, Type AC or Type MC, meeting the requirements of Section E3908.8. (Ordinance 1011)

This ordinance shall take effect and be in force from and after its publication as required by law.

PASSED by the City Council the 11th day of March, 2021.

APPROVED:



David E. Waters, Mayor

ATTEST:



Leslie Herring, City Clerk