

ORDINANCE NO. 7224

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF MANHATTAN, INCORPORATING BY REFERENCE THE “INTERNATIONAL FIRE CODE” EDITION OF 2015, PERTAINING TO THE STANDARDS OF FIRE PREVENTION, AND MAKING CERTAIN CHANGES THERETO.

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

SECTION 1. That Section 13-16 of the Code of Ordinances, City of Manhattan, Kansas, is hereby amended to read as follows:

Section 13-16. Adoption of the International Fire Code.

There is hereby incorporated by reference for the purpose of prescribing regulations concerning conditions hazardous to life and property from fire, hazardous materials or explosion within the corporate limits of the City of Manhattan, Kansas, that certain code known as the International Fire Code, edition of 2015, prepared and published in a book form by the International Code Council including Appendix Chapters B, C, D, E, F, G, I, K, L and M, save and except such portions as are hereinafter deleted, modified or amended by this article. The same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect. No fewer than one (1) copy of such publication shall be marked or stamped “Official Copy as adopted by Ordinance No. 7224”, and shall be attached to a copy of this ordinance and filed with the city clerk and open for inspection and available to the public at all reasonable hours. All administrative departments of the city charged with enforcement of this code shall be supplied, at the cost of the city, such number of official copies, similarly marked, as may be deemed expedient.

SECTION 2. That Section 13-18 of the Code of Ordinances, City of Manhattan, Kansas, is hereby amended to read as follows:

Section 13-18. Amendments.

The International Fire Code, adopted by Section 13-16, is hereby changed, altered, modified and otherwise amended as follows:

1. Section 101.1 of the International Fire Code shall read as follows:

Section 101.1 Title. These regulations shall be known as the Fire Code of the City of Manhattan, hereinafter referred to as “this code.”

2. Section 108 of the International Fire Code is hereby deleted.

3. Section 109.4 of the International Fire Code is hereby changed to read as follows:

Section 109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment not exceeding six months, or both such fine and imprisonment as outlined in Section 1-7 of the Code of Ordinances. Each day that a violation continues after notice has been served shall be deemed a separate offense.

4. Section 111.4 of the International Fire Code is hereby changed to read as follows:

Section 111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to the penalties outlined in Section 1-7 of the Code of Ordinances.

5. Section 307.4, exceptions 1 and 2, of the International Fire Code is hereby deleted.
6. Section 307.4.3 exception of the International Fire Code is hereby deleted.
7. Section 308.1.4 of the International Fire Code is hereby deleted.
8. Section 403.4 of the International Fire Code is hereby changed to read as follows:

Section 403.4 Group E Occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both Group E and an atrium. Group E occupancies shall comply with Sections 403.5.1 through 403.5.3 and Kansas State Fire Marshal Regulation 22-18-2.

9. Section 507.2.1 of the International Fire Code is hereby changed to read as follows:

Section 507.2.1 Fire Service Mains. Fire Service mains and appurtenances shall be installed in accordance with NFPA 24 and the city's Standard Construction Specifications. All mains and fire hydrants shall be installed in a dedicated public utility easement, on file with the county register of deeds, and become the property of the city upon satisfactory installation. The city public works department shall be notified of construction activities to insure

the opportunity for formal inspections by the city.

10. Section 903.3.1.2.1 of the International Fire Code is hereby changed to read as follows:

Section 903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, breezeways of combustibile construction, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies, breezeways and decks that are constructed of open wood joist construction.

11. Section 903.4.2 of the International Fire Code is hereby changed to read as follows:

Section 903.4.2 Alarms. Approved audible/visual devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building directly above the fire department connection or an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

12. Section 904.11.6.3 of the International Fire Code is hereby changed to read as follows:

Section 904.11.6.3 Fusible link and sprinkler head replacement. Fusible links and automatic sprinkler heads shall be replaced at least annually, and other protection devices shall be serviced or replaced in accordance with the manufacturer's instructions. Replaced links and heads shall be left on site with the required service tag for verification by the fire code official.

Exception: Frangible bulbs are not required to be replaced annually.

13. Section 906.1 Exception of the International Fire Code is hereby deleted.

14. Section 1008.1.9.3 of the International Fire Code is hereby changed to read as follows:

Section 1008.1.9.3 Locks and latches. Locks and latches shall be permitted to prevent the operation of doors where any of the following exists:

Exceptions:

1. Places of detention or restraint.
 2. In buildings in occupancy Group A having an occupant load of 300 or less, Group B, F, M and S, and in places of religious worship, the main exterior door or doors is permitted to be equipped with thumb turn operated locking devices from the egress side provided:
 - 2.1. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. This sign shall be in letters one inch high on a contrasting background.
 - 2.2. Doors other than those regulated by Exception 2 in Group B, F, M and S, and in places of religious worship, having an occupant load of 500 or less, the secondary exterior door or doors is permitted to be equipped with thumb turn operated locking devices from the egress side.
 - 2.3. Doors serving rooms or spaces Accessory to Group A occupancies not in the means of egress for the Group A occupancy, are permitted to be equipped with thumb turn operated locking devices from the egress side.
 - 2.4. The use of the key-operated or thumb turn locking device is revocable by the fire code official for due cause.
 3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface mounted hardware. The unlatching of any leaf shall not require more than one operation.
 4. Doors from individual dwelling units or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.
 5. Fire doors after the minimum elevated temperature has disabled the unlocking mechanism in accordance with listed fire door test procedures.
15. Section 1013.3 of the International Fire Code is hereby changed to read as follows:

Section 1013.3. Opening limitations. Open guards shall have intermediate rails or an ornamental pattern such that a sphere 4 1/2" (102 mm) in diameter cannot pass through.

Exceptions:

1. The open space between the intermediate rails or ornamental pattern of guardrails in areas of commercial and industrial-type occupancies which are not accessible to the public may be such that a sphere 12" (305 mm) in diameter cannot pass through.

2. The triangular openings formed by the riser, tread and bottom element of a guardrail at the open side of a stairway may be of such size that a sphere 6" (152 mm) in diameter cannot pass through.
 3. At elevated walking surfaces for access to and use of electrical, mechanical and plumbing systems or equipment, guards shall have balusters or be of solid materials such that a sphere with a diameter of 21 inches cannot pass through any opening.
16. Section 1029.1 of the International Fire Code is hereby changed to read as follows:

Section 1029.1 General. In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue in group R as applicable in Section 101.2 and Group I-1 occupancies. Basements and sleeping rooms below the fourth story shall have at least one exterior emergency escape and rescue opening in accordance with this section. Such openings shall open directly into a public street, public alley, yard or court.

Exception: In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 may have the required above grade egress windows fixed in a closed position as long as the required ventilation is maintained.

17. Section 1030.2 of the International Fire Code is hereby changed to read as follows:

Section 1030.2 Minimum size. Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet.

18. Section 1031.7 of the International Fire Code is hereby changed to read as follows:

Section 1031.7 Emergency escape opening. Every sleeping room located in a basement in an occupancy in Use Group I-1 or R shall have at least one operable window or exterior door approved for emergency egress or rescue; or shall have access to not less than two approved independent exits.

Exceptions: Buildings equipped throughout with an automatic fire suppression system may have fixed windows in accordance with the International Building Code.

An approved emergency escape or rescue window shall have a minimum clear opening width and height of 18 inches, a minimum total clear operable area of 4 square feet, and a maximum sill height above floor level of 48 inches. Permanently installed step(s) may be used to attain maximum sill height. Such

step(s) must have a minimum tread of 12 inches and a maximum riser height of 16 inches. Emergency escape or rescue windows wells shall be a minimum of 24 inches measured from the exterior wall of the structure to the inside of the well and shall be at least as wide as the window.

19. Section 1104.16.5 of the International Fire Code is hereby changed to read as follows:

Section 1104.16.5 Materials and strength. Components of fire escape stairs shall be constructed of noncombustible materials. Fire escape stairs and balconies shall support the dead load plus a live load of not less than 100 pounds per square foot (4.78 kN/m²). Fire escape stairs and balconies shall be provided with a top and intermediate handrail on each side. The fire code official is authorized to require testing or other satisfactory evidence that an existing fire escape stair meets the requirements of this section.

20. Section 1104.16.5.1 of the International Fire Code is hereby deleted.

21. Section 2304.3.6 of the International Fire Code is hereby deleted.

22. Section 3104.12 of the International Fire Code is hereby changed to read as follows:

Section 2404.12 Portable Fire Extinguishers. Minimum fire extinguisher coverage shall be provided in every tent and temporary membrane structure as required by Section 906 and as follows:

- a) 200 to 500 square feet of floor area: One 2A:10B:C.
- b) 501 to 1,000 square feet of floor area: Two 2A:10B:C.
- c) Each additional 2,000 square feet of floor area or fraction thereof:
One 2A:10B:C .

23. Section 5601.2.4 of the International Fire Code is hereby is deleted.

24. Section 5601.2.4.2 of the International Fire Code is hereby changed to read as follows:

Section 5601.2.4.2 Fireworks display. The permit holder shall furnish a bond or certificate of insurance in an amount specified in Section 13-55 of the Code of Ordinances for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors.

25. Section 5704.2.7.10.1 of the International Fire Code is hereby changed to read as follows:

Section 5704.2.7.10.1 Leak reporting. A consistent or accidental loss of liquid, or other indication of a leak from a tank system, shall be reported immediately to the fire department, the fire code official and other authorities having jurisdiction.

Leaking tanks shall be promptly emptied, repaired and returned to service or removed in accordance with Section 3404.2.13 or 3404.2.14.

26. Section 5704.2.13.1.3 of the International Fire Code is hereby changed to read as follows:

Section 5704.2.13.1.3 Out of service for one year. Underground tanks that have been out of service for a period of one year shall be removed from the ground in accordance with Section 5704.2.14 or tested by an approved method to show that the tank does not leak.

27. Section 5704.2.13.1.4 of the International Fire Code is hereby deleted.

28. Section D103.4 of the International Fire Code shall read as follows:

D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 or if a dead end in a residential development is less than 600 feet in length the turnaround should be provided in accordance with City Engineering Standard Specifications.

29. Section D107.1 of the International Fire Code shall read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:

- 1) Where there are more than 30 dwelling units existing, or proposed to exist, on a single public or private fire apparatus access road and the owners of all building lots, beyond those building lots which are closest to the development entrance and where 30 dwelling units exist, or are proposed to exist, have contractually bound said lots by an agreement with the City that all dwelling units constructed, or to be constructed thereon, will be equipped throughout with an approved automatic sprinkler system, access from two directions shall not be required; or,
- 2) Where the fire code official determines that additional approved fire apparatus access roads are planned for in the reasonably foreseeable future, the fire code official may allow more than 30 dwelling units to exist on a single access road.

SECTION 3. That Section 13-23.4 of the Code of Ordinances, City of Manhattan, Kansas, is hereby amended to read as follows:

Section 113-23.4 Establishing limits of districts in which the use of LP gas is restricted.

- (1) It is unlawful for any person to install, store, use or otherwise maintain any liquefied petroleum gas cylinder, bottle or tank larger than 25-gallon individual capacity on residential property. It is further unlawful for any person to install, store, use or otherwise maintain any combination of cylinders, bottles or tanks with capacity greater than 50 gallons in the aggregate on any residential property. These regulations shall not apply in those areas where natural gas is not reasonably available.
- (2) Installation of liquefied petroleum gas cylinders, bottles or tanks shall meet the requirements of the International Fire Code and NFPA 58, Liquefied Petroleum Gas Code.
- (3) Liquefied petroleum gas cylinders, bottles or tanks having a water capacity of 500 gallons or less may be used on a temporary basis on construction sites, provided, however, such cylinder, bottle or tank shall not be used or maintained for more than 18- days in any 12-month period.
- (4) Liquefied petroleum gas cylinders, tanks and bottles in residential districts in which natural gas is not reasonably available shall not be larger than 500-gallon water capacity.
- (5) The following terms, as used in this section, shall be defined as follows:
 - a. Residential property shall mean any property located within any district in the city zoned RS, R, R-1, R-2, R-3, R-4, R-5, R-M, any planned unit development district that contains residential buildings, or any property upon which a residential building is situated.
 - b. Residential building shall mean a building all or part of which contains one or more dwelling units, including single-family dwellings, two-family dwellings, multiple-family dwellings, lodging houses, dormitories, sororities and fraternities.
 - c. Construction site shall mean any location where construction work is being actively pursued for which a building permit has been issued by the city.

SECTION 4. This ordinance shall take effect and be in force from and after January 1, 2017, and its publication in the official city newspaper.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS, THIS 21ST DAY OF JUNE, 2016.





Gary S. Fees, MMC, City Clerk



Usha Reddi, Mayor