

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REPEALING EXISTING CHAPTER 5, ARTICLE 9 OF THE CODE OF THE CITY OF LAWRENCE, 2018 EDITION, AND AMENDMENTS THERETO, AND ENACTING, IN ITS PLACE, CHAPTER 5, ARTICLE 9 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2018 EDITION, AND AMENDMENTS THERETO, WHICH ADOPTS AND INCORPORATES BY REFERENCE THE 2018 INTERNATIONAL EXISTING BUILDING CODE, REGULATING BUILDING AND CONSTRUCTION WITHIN THE CITY OF LAWRENCE, KANSAS.

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

SECTION 1. Existing Chapter 5, Article 9, of the Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby repealed in its entirety, it being the intent of the Governing Body that Section 2 of this Ordinance supersede it.

SECTION 2. The Code of the City of Lawrence, Kansas, 2018 Edition, and amendments thereto, is hereby amended by enacting Chapter 5, Article 9, which reads as follows:

ARTICLE 9. EXISTING BUILDING CODE

5-901 EXISTING BUILDING CODE ADOPTED AND INCORPORATED.

The *2018 International Existing Building Code*, published by the International Code Council, Inc., other than those portions hereinafter specifically deleted, modified, or amended, is hereby adopted as the City's Existing Building Code and is incorporated herein by reference as if set forth in full.

5-902 OFFICIAL COPY.

Not less than one (1) copy of the *2018 International Existing Building Code* shall be marked or stamped "OFFICIAL COPY AS INCORPORATED BY ORDINANCE No. XXXX," with all sections or portions deleted, modified, or amended clearly marked as such, and to which one (1) copy of this ordinance shall be affixed, shall be filed with the City Clerk, shall be open to inspection, and shall be available to the public during reasonable business hours. Additional official copies shall, at the cost of the City, be supplied to those officials and agencies charged with enforcement of the City's Existing Building Code.

5-903 AMENDMENTS TO THE 2018 INTERNATIONAL EXISTING BUILDING CODE.

The *2018 International Existing Building Code* is amended as set forth in the succeeding sections of this Article. These amendments shall not serve to delete, modify, or amend any discretely numbered section or subsection of the *2018 International Existing Building Code*, unless the section or subsection is specifically identified as being deleted, modified, or amended.

5-904 CHAPTER 1, "SCOPE AND ADMINISTRATION," of the 2018 Existing Building Code is hereby deleted.

5-905 **Section 809.1 of the 2018 International Existing Building Code** is hereby amended to read as follows:

809.1 Minimum fixtures. Where the occupant load of the story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the *2018 International Plumbing Code* based on the increased occupant load.

Exception: The foregoing section shall not apply to occupancies with an existing restroom containing at least one water closet and one lavatory, except that it shall apply to: (1) food handling establishments; and (2) occupancies exceeding 2,000 square feet in area.

5-906 **Section 1009.1 of the 2018 International Existing Building Code** is hereby amended to read as follows:

1009.1 Increased demand. Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with the *2018 International Plumbing Code*, the new occupancy shall comply with the intent of the respective *2018 International Plumbing Code* provisions.

Exception: The foregoing section shall not apply to occupancies with an existing restroom containing at least one water closet and one lavatory, except that it shall apply to: (1) food handling establishments; and (2) occupancies exceeding 2,000 square feet in area.

5-907 **Section 1106.1 and 1106.1.1 of the 2018 International Existing Building Code** are hereby amended to read as follows:

1106.1 Addition to Group E occupancy. ~~Where an addition is added to an existing Group E occupancy~~ the area of an addition to an existing Group E occupancy building is greater than 25% of the area of the existing Group E occupancy and the Group E occupancy is located in an area where the shelter design wind speed for tornadoes is 250 mph in accordance with Figure 304.2(1) of ICC 500 and the occupancy load in the addition is 50 or more, the addition shall have a storm shelter constructed in accordance with ICC 500.

Exceptions:

1. Group E day care facilities.
2. Group E occupancies accessory to places of religious worship.
3. Buildings ~~Additions~~ meeting the requirements for shelter design in ICC 500.

1106.1.1 Required occupant capacity. The required occupancy capacity of the storm shelter shall include all buildings on the site, and shall be the greater of the following:

1. The total occupant load of the classrooms, vocational rooms, and offices in the Group E occupancy.
2. The occupant load of any indoor assembly space that is associated with the Group E occupancy.

Exceptions:

1. Where ~~an addition~~ a new building is being added on an existing Group E site, and where the ~~addition is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on-site~~ area of the new building does not increase the floor area of the classrooms, vocational rooms, and offices on the site by more than 25%, then the storm shelter shall at a minimum accommodate the required capacity for the ~~addition~~ new building.
2. Where approved by the code official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the site.

SECTION 3. If any section, sentence, clause, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 4. After passage and publication as provided by law, this ordinance shall be in full force and effect commencing July 1, 2019.

PASSED by the Governing Body of the City of Lawrence, Kansas, this ____ day of _____, 2019.

APPROVED:

Stuart Boley
Mayor

ATTEST:

Sherri Riedemann
City Clerk

APPROVED AS TO FORM:

Toni R. Wheeler
City Attorney