

ORDINANCE NO. 9168

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REPEALING EXISTING CHAPTER V, ARTICLE 2 OF THE CODE OF THE CITY OF LAWRENCE, 2015 EDITION, AND AMENDMENTS THERETO, AND ENACTING, IN ITS PLACE, CHAPTER V, ARTICLE 2 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2015 EDITION, AND AMENDMENTS THERETO, WHICH ADOPTS AND INCORPORATES BY REFERENCE THE *2015 INTERNATIONAL 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Chapter V, Article 2, of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, is hereby repealed in its entirety, it being the intent of the Governing Body that Section 2 of this Ordinance supersede it.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, 2015 Edition, and amendments thereto, is hereby amended by enacting Chapter V, Article 2, which reads as follows:

ARTICLE 2. BUILDING CODE

5-201 **BUILDING CODE ADOPTED AND INCORPORATED.**

The *2015 International 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 Building Code and is incorporated herein by reference as if set forth in full.

5-202 **OFFICIAL COPY.**

Not less than one (1) copy of the *2015 International Building Code* shall be marked or stamped "OFFICIAL COPY AS INCORPORATED BY ORDINANCE No. 9168," 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 Building Code.

5-203 **AMENDMENTS TO THE 2015 INTERNATIONAL BUILDING CODE.**

The *2015 International 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 *2015 International Building Code*, unless the section or subsection is specifically identified as being deleted, modified, or amended.

5-204 **Section 308.4.2 of the 2015 International Building Code** is hereby amended to read as follows:

308.4.2 Five or fewer persons receiving medical care. A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the 2015 International Residential Code, as adopted by the City, provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 903.3.1.1 or 903.3.1.2 of the 2015 International Residential Code, as adopted by the City.

Comment [BW1]: The reference here should be the International Building Code.

5-205

Sections 310.5 and 310.5.1 of the 2015 International Building Code are hereby amended to read as follows:

~~310.5 Residential Group R-3.~~ ~~Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:~~

~~Buildings that do not contain more than two dwelling units
Boarding houses (nontransient) with 16 or fewer occupants
Boarding houses (transient) with 10 or fewer occupants
Care facilities that provide accommodations for five or fewer persons receiving care
Congregate living facilities (nontransient) with 16 or fewer occupants
Congregate living facilities (transient) with 10 or fewer occupants
Lodging houses with five or fewer guest rooms.~~

~~310.5.1 Care facilities within a dwelling.~~ ~~Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or within Section P2904 of the International Residential Code.~~

310.5 Residential Group R-3: Residential occupancies where the occupants are primarily permanent in nature, are not classified as Group R-1, R-2, R-4, or I, and meet or exceed the zoning occupancy limits, as defined in Section 20-601(d) of the Code of the City of Lawrence, Kansas, and amendments thereto, including:

Buildings that do not contain more than two dwelling units
Boarding houses (non-transient) with 5 to 16 or occupants
Boarding houses (transient) with 5 to 10 occupants
Care facilities that provide accommodations for five or fewer persons receiving care
Congregate living facilities (non-transient) with 5 to 16 occupants
Congregate living facilities (transient) with 5 to 10 occupants
Lodging houses with five or fewer guest rooms

310.5.1 Care facilities within a dwelling. Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the 2015 International Residential Code, as adopted by the City, provided an automatic sprinkler system is installed in accordance with Section 903.3.1.2 of the 2015 International Building Code, as adopted by the City.

5-206

Section [F] 903.2.7 of the 2015 International Building Code is hereby amended to read as follows:

[F] 903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m²).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. ~~A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).~~
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

5-207

Sections [F] 903.2.8, [F] 903.2.8.1, [F] 903.2.8.2, [F] 903.2.8.3, [F] 903.2.8.3.1, [F] 903.2.8.3.2, and [F] 903.2.8.4 of the 2015 International Building Code are hereby amended to read as follows:

[F] 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: An automatic sprinkler system is not required in Group R-3 occupancies that contain less than three dwelling units. However, an automatic sprinkler system shall be provided in all Group R-3 boarding houses, care facilities, congregate living facilities, and lodging houses, regardless of the number of dwelling units.

[F] 903.2.8.1 Group R-3. An automatic sprinkler system in accordance with Section ~~903.3.4~~ 903.3.1.2 shall be permitted in Group R-3 occupancies.

[F] 903.2.8.2 Group R-4 Condition 1. An automatic sprinkler system in accordance with Section ~~903.3.4~~ 903.3.1.2 shall be permitted in Group R-4 Condition 1 occupancies.

[F] 903.2.8.3 Group R-4 Condition 2. An automatic sprinkler system in accordance with Section 903.3.1.2 shall be permitted in Group R-4 Condition 2 occupancies. Attics shall be protected in accordance with Section 903.2.8.3.1 or 903.2.8.3.2.

[F] 903.2.8.3.1 Attics used for living purposes, storage or fuel-fired equipment. Attics used for living purposes, storage or fuel-fired equipment shall be protected throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2.

[F] 903.2.8.3.2 Attics not used for living purposes, storage or fuel-fired equipment. Attics not used for living purposes, storage or fuel-fired equipment shall be protected in accordance with one of the following:

1. Attics protected through by a heat detector system arranged to activate the building fire alarm system in accordance with Section 907.2.10.
2. Attics constructed of noncombustible materials.
3. Attics constructed of fire-retardant-treated wood framing complying with section 2303.2.
4. The automatic sprinkler system shall be extended to provide protection throughout the attic space.

[F] 903.2.8.4 Care facilities. An automatic sprinkler system installed in accordance with Section ~~903.3.1.3~~ 903.3.1.2 of the *2015 International Building Code*, as adopted by the City, shall be permitted in care facilities with five or fewer individuals in a single-family dwelling.

5-208 **Section [F] 903.3.1.3 of the 2015 International Building Code** is hereby amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings; ~~Group R-3, Group R-4 Condition 4~~ and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D.

5-209 **Table 1004.1.2, "Maximum Floor Area Allowances Per Occupant," of the 2015 International Building Code** is hereby amended to read as follows:

**TABLE 1004.1.2
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT**

FUNCTION OF SPACE	OCCUPANT LOAD FACTOR ^a
Accessory storage areas, mechanical equipment room	300 gross
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport Terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Exhibit Gallery and Museum	30 net

Assembly with fixed seats	See Section 1004.4
Assembly without fixed seats	
Concentrated (chairs only-not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	100 gross
Courtrooms—other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
<u>Sleeping Dormitories</u>	<u>25 gross</u>
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 gross
Group H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library	50 net
Reading rooms	100 gross
Stack area	
Mall buildings—covered and open	See Section 402.8.2
Mercantile	
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Warehouses	500 gross

For SI: 1 square foot = 0.0929 m².

^a Floor area in square feet per occupant.

5-210 **Section [P] 2902.2 of the 2015 International Building Code** is hereby amended to read as follows:

[P] 2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of ~~45~~ 30 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

5-211 **Section 3109.1 of the of the 2015 International Building Code** is hereby amended to read as follows:

3109.1 General. ~~The design and construction of swimming pools, spas and hot tubs shall comply with the 2015 International Swimming Pool and Spa Code.~~ Swimming Pools shall comply with Section 5-212 of this Article and other applicable sections of the Building Code.

5-212 **The 2015 International Building Code is hereby amended by adding Sections 3109.2, 3109.3, 3109.4, and 3109.5, and subparts,** which read as follows:

3109.2 Swimming pool; definition. A swimming pool is any structure, intended for swimming, recreational bathing, or washing, that contains water over 24 inches (610 mm) in depth. Swimming Pools include, but are not limited to in-ground, above-ground, and on-ground pools, hot tubs, spas, and fixed in-place wading pools.

3109.3 Public swimming pools. Public swimming pools shall be completely enclosed by a fence or screened enclosure not less than 6 feet (1290 mm) in height. Openings in the fence or screened enclosure shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screened enclosure shall be equipped with self-closing and self-latching gates.

3109.4 Residential swimming pools. Residential swimming pools shall be completely enclosed by a barrier complying with Sections 3109.4.1 through 3109.4.3.

Exception: A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346 are exempt from the requirements of Section 3109.4.

3109.4.1 Barrier height and clearances. The top of the barrier shall be not less than 72 inches (1219 mm) above grade, measured on the side of the barrier that faces away from the swimming pool. The vertical clearance between grade and the bottom of the barrier shall be not greater than 2 inches (51 mm), measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the vertical clearance between the top of the pool structure and the bottom of the barrier shall be not greater than 4 inches (102 mm).

3109.4.1.1 Openings in the barrier. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3109.4.1.2 Solid barrier surfaces. Solid barriers that do not have openings shall not contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.

3109.4.1.3 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall be not greater than 1 3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1 3/4 inches (44 mm) in width.

3109.4.1.4 Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall be not greater than 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall be not greater than 1 3/4 inches (44 mm) in width.

3109.4.1.5 Chain link dimensions. Mesh size for chain link fences shall be not greater than a 2 1/4-inch square (57 mm square) unless the fence is provided with slats fastened at the top or the bottom that reduce the openings to not more than 1 3/4 inches (44 mm).

3109.4.1.6 Diagonal members. Where the barrier is composed of diagonal members, the opening formed by the diagonal members shall be not greater than 1 3/4 inches (44 mm).

3109.4.1.7 Gates. Access doors or gates shall comply with the requirements of Sections 3109.4.1.1 through 3109.4.1.6 and shall be equipped to accommodate a locking device. Pedestrian access doors or gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Doors or gates, other than pedestrian access doors or gates, shall have a self-latching device. Release mechanisms shall be in accordance with Sections 1010.1.9 and 1109.13. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the door or gate, the release mechanism shall be located on the pool side of the door or gate 3 inches (76 mm) or more, below the top of the door or gate, and the door or gate and

barrier shall be without openings greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

3109.4.1.8 Dwelling wall as a barrier. Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

1. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. In dwellings not required to be Accessible units, Type A units or Type B units, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible units, Type A units or Type B units, the deactivation switch shall be located not higher than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the threshold of the door.
2. The pool shall be equipped with a power safety cover that complies with ASTM F 1346.
3. Other means of protection, such as self-closing doors with self-latching devices, which are approved, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by subsection 1 or 2 above.

3109.4.1.9 Pool structure as barrier. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked, or removed to prevent access, or the ladder or steps shall be surrounded by a barrier that meets the requirements of Sections 3109.4.1.1 through 3109.4.1.8. Where the ladder or steps are secured, locked, or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

3109.4.2 Indoor swimming pools. Walls surrounding indoor swimming pools shall not be required to comply with Section 3109.4.1.8.

3109.4.3 Prohibited locations. Barriers shall be located so as to prohibit permanent structures, equipment, or similar objects from being used to climb the barriers.

3109.5 Entrapment avoidance. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

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, 2016.

PASSED by the Governing Body of the City of Lawrence, Kansas, this ____ day of February, 2016.

APPROVED:

Mike Amyx
Mayor

ATTEST:

Brandon McGuire
Acting City Clerk

APPROVED AS TO FORM:

Toni R. Wheeler
City Attorney

NOTICE TO PUBLISHER

Publish once and return one Proof of Publication to the City Clerk and one to the City Attorney.