

**FIRE CODE OF THE CITY OF LAWRENCE, KANSAS,
JULY 1, 2016, EDITION**

Amending Article 2

**OF CHAPTER VIII OF THE CODE OF THE CITY
OF LAWRENCE, KANSAS**



City of Lawrence

Incorporated By Reference Pursuant to K.S.A. 12-3009, *et seq.*, K.S.A. 12-3301 *et seq.*,
and the Home Rule Authority of the City

Passed by the Governing Body of the City of Lawrence, Kansas

Ordinance No. 9246

Effective July 1, 2016

SECTION 1. Chapter VIII, Article 2 of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, is hereby amended to read as follows:

ARTICLE 2. FIRE CODE

8-201 **INTERNATIONAL FIRE CODE ADOPTED AND INCORPORATED; OFFICIAL COPY.**

(A) The *2015 International Fire 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 Fire Code and is incorporated herein by reference as if set forth in full.

(B) Not less than one (1) copy of the *2015 International Fire Code*, as amended herein, shall be marked or stamped "OFFICIAL COPY AS ADOPTED BY ORDINANCE No. 9246," 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 Fire Code.

8-202 **AUTHORITY TO SERVE NOTICE TO APPEAR.**

Pursuant to the authority of Charter Ordinance No. 31, employees of the Lawrence-Douglas County Fire Medical Department, who are duly appointed and designated by the Chief of the Department, shall have the authority to prepare and serve a Notice to Appear for alleged violations of the *2015 International Fire Code*, and amendments thereto, as adopted and amended by law.

8-203 **DEFINITIONS.**

Wherever "jurisdiction" or "name of jurisdiction" is used in the *2015 International Fire Code*, that word or phrase shall mean the City of Lawrence, Kansas.

8-204 **ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN STATIONARY OUTSIDE ABOVEGROUND TANKS AND PORTABLE TANKS IS PROHIBITED.**

The storage of flammable or combustible liquids, as those terms are defined in Section 5702 of the *2015 International Fire Code*, in stationary outside aboveground tanks and portable tanks is prohibited except for:

(A) Uses lawfully existing prior to the effective date of this ordinance; or

(B) Subsequent storage of Class I, II or III flammable or combustible liquids in above ground vaults in compliance with the requirements of the *2015 International Fire Code*, specifically Section 2206 and Section 3404.2.8, Vaults. Such storage must be approved by the Fire Chief to be legally valid and shall be additionally restricted as follows:

(1) The maximum volume of product is limited to 12,000

(2) The storage vessel must be U.L. approved for its intended use

- (3) Installation is only allowed in Industrial districts as defined by Chapter 20 of the Code of the City of Lawrence, and amendments thereto, and must be located per 2015 IFC Table 2306.2.3

EXCEPTION: Installation is allowed in other zoning districts on fully developed tracts under single ownership which exceed 35 acres in total area and provide an installation site located a minimum of 100 feet from all adjacent property lines

- (4) The stationary outside aboveground tanks and portable tanks must be installed and maintained in a manner that meets all applicable legal requirements for screening and landscape

8-205 **ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.**

The storage of liquefied petroleum gas is only permitted:

- (A) In Industrial districts as defined by Chapter 20 of the Code of the City of Lawrence, and amendments thereto.
- (B) For uses lawfully existing prior to the adoption of this ordinance.

8-206 **AMENDMENTS MADE TO THE 2015 INTERNATIONAL FIRE CODE.**

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

8-207 Section 102.4 of the *2015 International Fire Code* is hereby amended to read as follows:

102.4 Application of building code. The design and construction of new structures shall comply with the *2015 International Building Code*. Repairs, alterations and additions to existing structures shall comply with applicable sections of this code and the *2015 International Existing Building Code*.

8-208 Section 102.6 of the *2015 International Fire Code* is hereby amended to read as follows:

102.6 Historic buildings. The construction, alteration, repair, enlargement, restoration, relocation or movement of existing buildings or structures that are designated as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property shall be in accordance with the provisions of the *2015 International Existing Building Code*.

8-209 Section 105.6.32 of the *2015 International Fire Code* is hereby amended to read as follows:

105.6.32 Open Burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

8-210 Section 108.3 of the *2015 International Fire Code* is hereby amended to read as follows:

108.3 Qualifications. The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems.

8-211 Section 109.3.3 of the *2015 International Fire Code* is hereby amended to read as follows:

109.3.3 Prosecution of violations. The fire code official is authorized, pursuant to the authority granted by Charter Ordinance 31 of the City of Lawrence, to serve a Notice to Appear in the City of Lawrence Municipal Court for a violation of this code. Notices to Appear may be issued only by those fire & medical personnel who are designated by the fire chief. The fire code official may also request that the legal counsel of the jurisdiction institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

8-212 Section 109.4 of the *2015 International Fire Code* is hereby amended to read as follows:

109.4 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of its requirements 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. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The violation(s) shall be punished as follows:

(A) For any violation of Sections 107.6 or 1029.2 of this code, upon a first offense such person shall be fined in an amount not less than \$500 or more than \$2500, or sentenced to a jail term not to exceed 180 days, or both such fine and jail term. Upon a second or subsequent violation within one year from the date of the previous conviction, the person shall be fined in an amount not less than \$1000 or more than \$2500, or sentenced to a jail term not to exceed 180 days, or both such fine and jail term.

(B) For a violation of any other section of this code, the person shall be punished by a fine not to exceed \$200. Upon a second or subsequent violation of this code within one year from the date of the previous conviction, the person shall be punished by a fine not to exceed \$500 or a jail term not to exceed 180 days, or both such fine and jail term.

8-213 Section 202, GENERAL DEFINITIONS, "Residential Group R-3," of the *2015 International Fire Code* is hereby amended to read as follows:

Residential Group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, R-4 or I, and meet or exceed the zoning occupancy limits as defined in Chapter 20, Article 6, Section 20-601(d) of the Code of the City of Lawrence, and amendments thereto:

Boarding houses (non-transient) with 5 to 16

Boarding houses (transient) with 5 to 10

Building that do not contain more than two dwelling units Care facilities that provide accommodations for five or fewer persons receiving care

Congregate living facilities (non-transient) with 5 to 16

Congregate living facilities (transient) with 5 to 10

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.

8-214 Section 307.2 of the *2015 International Fire Code* is hereby amended to read as follows:

307.2 Permit Required. A permit shall be obtained from the fire code official or his or her designee, in accordance with Section 105.6. All open burning for the purpose of land clearing or when otherwise required by the fire code official to protect the health or safety of the public shall be conducted utilizing an air curtain destructor or similar device to reduce the level of combustion products released to the atmosphere.

8-215 The *2015 International Fire Code* is hereby amended by adding Section 307.4.4, which reads as follows:

307.4.4 Air Curtain Destructor. The air curtain destructor, where required by this code, must be located a minimum of 500 feet from any structure.

8-216 The *2015 International Fire Code* is hereby amended by adding Section 307.6 which reads as follows:

Section 307.6 Notification. All applicants for permits for open burning for the purpose of land clearing operations shall be required to notify the occupants of all occupied structures within 1500 feet of the burn site of the intent to burn before a permit will be issued.

8-217 Section 310.2 of the *2015 International Fire Code* is hereby amended to read as follows:

310.2 Prohibited Areas. Smoking is regulated in Chapter 9, Article 8 of the Code of the City of Lawrence, and amendments thereto.

8-218 Section 403.12.1 of the *2015 International Fire Code* is hereby amended to read as follows:

403.12.1 Fire Watch Personnel/Medical Standby Personnel. When, in the opinion of the fire official, it is essential for public safety in a place of assembly or any other place where people congregate because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more experienced firefighters, as required and approved, to remain on duty during the times such places are open to the public, or when such activity is being conducted.

8-219 Section 403.12.1.2 of the *2015 International Fire Code* is hereby amended to include item 4 as follows:

403.12.1.2 Duties.

(4) Medical Standby personnel shall be assigned on site to respond to and treat medical emergencies per Department Protocol.

8-220 Section 503.6 of the *2015 International Fire Code* is hereby amended to read as follows:

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed an approved means of emergency operation in the form of a Priority Traffic Signal Control System (commonly referred to as Opticom) shall be provided and both the gates and approved means shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

8-221 Section 903.2.7 of the *2015 International Fire Code* is hereby amended to read as follows:

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

(1) A Group M fire area exceeds 12,0000 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 floor, 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 exceeding 2,500 square feet (2230 m²).

8-222 Section 903.2.8.1 of the *2015 International Fire Code* is hereby amended to read as follows:

903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be required in Group R-3 living facilities with 5 to 16 residents.

8-223 Section 903.3.1.3 of the *2015 International Fire 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 shall be permitted to be installed throughout in accordance with NFPA 13D.

8-224 The *2015 International Fire Code* is hereby amended by adding Section 914.12, which reads as follows:

914.12 Animal Housing Facilities. An area of a building or structure, including interior and adjacent exterior spaces, where animals are fed, rested, worked, exercised, treated, exhibited, or used for production, including but not limited to animal hospitals, kennels, pounds, and mercantile or business occupancies with animals, are required to provide the following items, regardless whether it is an existing or new facility:

- (1) Smoke detection with integration into a monitored fire alarm system compliant with NFPA 72
- (2) Carbon monoxide detection under section 915 or 1103.9
- (3) Fire prevention and fire safety training to employees under Section 406.3.1 and 406.3.3
- (4) Develop and provide disaster/emergency management plans and provide drills for staff.

8-225 The *2015 International Fire Code* is hereby amended by adding Section 1103.5.5, which reads as follows:

1103.5.5 Existing Group R-2 Occupancies. Existing Group R-2 Occupancies defined as Congregate Residences of 16 or more Occupants shall be equipped with an approved fire sprinkler system installed throughout the structure in accordance with NFPA 13R. Quick response sprinkler heads shall be required in all living areas and exit corridors. Basement areas shall be sprinkler protected as light hazard.

8-226 Table 1004.1.2, "Maximum Floor Area Allowances Per Occupant," of the *2015 International Fire Code* is hereby amended to read as follows:

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

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER OCCUPANT
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
Assembly with fixed seats	See Section 1004.7
Assembly without fixed seats Concentrated (chairs only-not fixed) Standing Space Unconcentrated (tables and chairs)	7 net 5 net 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 Sleeping Dormitories (auto fire sprinklers req'd)	50 gross 25 gross
Educational Classroom area Shops and other vocational room areas	20 net 50 net
Exercise rooms	50 gross
H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional Inpatient treatment areas Outpatient areas Sleeping areas	240 gross 100 gross 120 gross
Kitchens, commercial	200 gross
Library Reading rooms Stack area	50 net 100 gross
Locker rooms	50 gross
Mercantile Areas on other floors Basement and grade floor areas Storage, stock, sipping areas	60 gross 30 gross 300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools Rink and pool Decks	50 gross 15 gross
Stages and platforms	15 net
Accessory storage areas, mechanical Equipment room	300 gross
Warehouses	500 gross

8-227

Section 5601.1.3 of the 2015 *International Fire Code* is hereby amended to read as follows:

5601.1.3 Fireworks. The manufacture, storage, sale, use and handling of fireworks is prohibited.

Exceptions:

- (1) The storage of fireworks is allowed as set forth in Section 5604.
- (2) The use of fireworks for display is allowed as set forth in Section 5608 For supervised public displays by a jurisdiction, fair association, amusement park, and other organization or for the use of fireworks by artisans in pursuit of their trade.
- (3) Nothing in this section shall be construed as applying to “Novelties” not classified as fireworks by the United States Department of Transportation. Novelties shall include Party Poppers, containing less than .25 grains of explosive composition, Snappers containing less the .02 grains of explosive composition, Toy Smoke Devices not classified as 1.4G, Snakes with no more than .07 oz. of pyrotechnic material and Toy Caps containing not more than .25 grains of explosive composition per cap.

8-228 The *2015 International Fire Code* is hereby amended by adding Section 5601.1.3.1, which reads as follows:

5601.1.3.1 Aerial Luminaries Prohibited. It shall be unlawful to ignite or otherwise use aerial luminaries, commonly known as sky lanterns or flying luminaries, within the City of Lawrence. As used in this section, "aerial luminary" refers to airborne paper objects containing a device for fuel that heats air from the inside causing it to rise into the air and remain airborne until extinguished.

8-229 Sections 5607.1 through 5607.15, inclusive, of the *2015 International Fire Code*, are hereby deleted.

8-230 **AMENDMENTS TO THE APPENDICES TO THE *2015 International Fire Code*, APPENDICES.**

The appendixes of the *2015 International Fire Code* are 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 Appendices to the *2015 International Fire Code*, unless the section or sub section is specifically identified as being deleted, modified or amended.

8-231 Appendix L, inclusive, of the *2015 International Fire Code*, is hereby deleted.

8-232 Appendix M, inclusive, of the *2015 International Fire Code*, is hereby deleted.

8-233 Appendix D, Section D102 of the *2015 International Fire Code* is hereby amended to read as follows:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 88,000 pounds (40 000 kg).

8-234 Appendix D, Section D103.2 of the *2015 International Fire Code* is hereby amended to read as follows:

D103.2 Grade. Fire apparatus access roads shall not exceed an eight (8) percent grade increase or decrease in any 24 lineal feet of roadway.

8-235 Appendix D, Section D103.5 of the *2015 International Fire Code* is hereby amended by amending items 5 and 6 to read as follows:

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

(5) The installation of electric gates across a fire apparatus access road shall be approved by the fire code official. Where electric gates are installed an approved means of emergency operation in the form of a Priority Traffic Signal Control System (commonly referred to as Opticom) shall be provided and both the gates and approved means shall be maintained operational at all times including periods of power outage.

(6) Locking device shall be Knox padlock #3770.

8-236 Appendix J of the *2015 International Fire Code* is hereby amended to reads as follows:

APPENDIX J

MIXED OCCUPANCIES

J101 Purpose: To provide a reasonable degree of safety for all residential occupancies in a structure with mixed occupancy as defined by the *International Building Code*, as adopted by the City.

J102 Scope. This appendix shall apply to all existing Group R occupancies which occupy an area in a structure that has a mixed occupancy classification as defined by the *International Building Code*, and that are located within the City of Lawrence, Kansas.

J103 Fire Alarm System. An NFPA 72 compliant monitored fire alarm system with smoke detection shall be installed in all common and public areas of the Group R occupancies and in all other areas of the building so as to sound an audible alarm throughout the structure.

Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance 907.2.11.1 through 907.2.11.4 and NFPA 72.

J104 Fire Extinguishers. A minimum of a one 1A:10B:C: portable fire extinguisher shall be provided in each dwelling unit of the Group R occupancy.

J105 Exits. Exits shall comply with 2015 IFC section 1006.3.2.1 and 1006.3.2.2.

8-237 Appendix K of the *2015 International Fire Code* is hereby amended to reads as follows:

APPENDIX K

RESIDENTIAL DAY-CARE FACILITIES

K101 Purpose. The purpose of this Appendix is to provide a reasonable degree of safety to children and providers attending residential day-care facilities.

K102 Scope. The provisions of this Appendix shall apply to all newly established or existing Licensed and Group Day-care facilities within the City of Lawrence when other provisions and inspections are not provided for by the Kansas Office of the State Fire Marshal.

K103 Definitions.

- (A) Group Day-care - Care provided for no more than twelve (12) children less than 16 years of age.
- (B) Licensed Day-care - Care provided for no more than ten (10) children less than 16 years of age.

K104 Exits.

- (A) **Escape Corridor.** Every escape path, including all stairways, shall be clear of obstructions and all doors shall be in proper working condition.
- (B) **Exit Doors.** Every required exit door must be capable of being easily opened from the inside at all times when the facility is operating.
- (C) **Exit Pathway Passing by a Basement Stairway.** If an exit pathway passes by a basement stairway, the stairway must be separated by a door or gate to prevent children from accidentally entering the basement.

K105 Doors.

- (A) **Closet Doors.** At all times, every closet door must be capable of being easily opened from the inside by children.
- (B) **Bathroom Doors.** Every bathroom door must be capable of being unlocked from the outside at all times. The unlocking key/device must be readily accessible to the staff.

K106 Basement and Second Floor Use.

- (A) **Before May 1, 1998.** Facilities which possess a Certificate or Day-care License dated before May 1, 1998 may use a basement or second floor for day-care only if there are at least two separate exits to the outside. One exit must be a door and one exit may be an approved escape window. Day-care providers must be able to demonstrate that everyone under their care can safely exit the house and go to a designated safe area within four (4) minutes. The code official may require day-care providers to demonstrate their ability to conduct such an exit drill.

- (B) **On or After May 1, 1998.** Facilities which possess a Certificate or Day-care License dated on or after May 1, 1998 may use a basement for day-care only if there are at least two exits to the outside. One exit must be a door leading directly to the outside. If the two exits in use are within ten (10) feet of each other, a third exit, which may be an approved exit window, will be required. Residential day-care is not allowed on the second floor of a residence. Bi-level houses must be inspected by the code official to determine if they comply with this provision prior to their use as a day-care facility.

K107 Portable Fire Extinguishers.

- (A) **Type and Location.** A fire extinguisher rated at 2A:10B:C: is required and must be placed or mounted so that the unit's operating and mounting mechanisms are located no higher than 48 inches from the floor and no lower than 15 inches above the floor.
- (B) **Maintenance.** Fire extinguishers provided for the day-care must be inspected and/or serviced and tagged within the previous 12 months by a person or business licensed by the Kansas State Fire Marshal. If the fire extinguisher is purchased new, a purchase receipt must be retained that shows the date of purchase. Such a new fire extinguisher does not need to be inspected within the first 12 months after the date shown on the purchase receipt.

K108 Smoke Detectors.

- (A) **Smoke Detector Installation.** Smoke detectors shall be installed on every level of the residence according to the manufacturer's instructions. Smoke detectors shall be located in the pathways serving sleeping and use areas and in each sleeping room used for children.
- (B) **Smoke Detector Maintenance.** Smoke detectors shall be tested monthly. The batteries in battery-powered smoke detectors shall be changed every six months and records of the tests and battery changes required in this section shall be kept on file for review upon request of the code official. The batteries in standard battery-powered smoke detectors shall be changed every six months and the battery replacement documented with monthly detector tests. Standard battery-powered smoke detectors shall be replaced within ten years of date of manufacture with 10-year lithium or 110 volt interconnected smoke detectors.

K109 Heating Devices.

- (A) **Venting.** All natural gas, kerosene, wood, propane heaters, and other open flame heating devices shall be properly vented to the outside of the residence.
- (B) **Protective Barriers.** All heating devices shall be shielded by a noncombustible barrier that prevents accidental contact with the devices.
- (C) **Combustible Storage.** No combustible storage is allowed within 36 inches of the furnace or hot water heater or other open flame device. All heating devices shall be kept clean and dust free.

K110 Emergency Procedures.

- (A) **Exit Drills.** Exit drill procedures shall be posted and exit drills shall be conducted monthly. Accurate written records of the exit drills conducted in the previous twelve months shall be kept and posted in plain view at the day-care.
- (B) **Tornado Procedures.** Written emergency procedures for tornadoes shall be posted and shall be practiced monthly. Accurate written records of the emergency tornado procedures practice conducted in the previous twelve months shall be kept and posted in plain view at the day-care.

K111 General Fire Safety.

- (A) **Electrical Outlets.** All unused electrical outlets in licensed areas shall have child-resistant protective covers in place.
- (B) **Flashlights.** A working flashlight shall be available for each staff member in the day-care.

8-238

APPEALS

Whenever the code official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the code official to the Board of Appeals within 30 days from the date of the decision appealed.