

## ORDINANCE NO. 944

**AN ORDINANCE REPEALING AND REPLACING THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS, (“CODE”), CHAPTER 3, ARTICLE 3.02, TECHNICAL AND CONSTRUCTION CODES AND STANDARDS, EXCEPT FOR SECTION 3.02.084 FEES; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE.**

**BE IT ORDAINED** by the Governing Body of the City of Edwardsville, Kansas:

**Section 1.** Article 3.02, Technical and Construction Codes and Standards is hereby deleted in its entirety except for Section 3.02.084 Fees.

### **Section 2. Adoption of Construction Codes**

The following construction codes (hereinafter referred to as “code”) are hereby adopted as the regulations governing construction of buildings and other structures in City of Edwardsville. Unless specified, all standards contained in a referenced code are adopted and included for purposes of this chapter. Unless referenced by name or letter designation, no appendix or appendices to the codes specified herein are adopted.

(A) 2012 International Building Code (IBC), as published by the International Code Council, including any standards referenced therein, but with the following amendments.

**[A] 105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

#### **Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58m<sup>2</sup>).
2. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Temporary motion picture, television and theater stage sets and scenery.

7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
9. Swings and other playground equipment accessory to detached one- and two-family dwellings.
10. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
11. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

(B) 2012 International Existing Building Code (IEBC), as published by the International Code Council, including any standards referenced therein.

(C) 2012 International Residential Code (IRC), as published by the International Code Council, including any standards referenced therein, but with the following amendments.

**R105.2 Work exempt from permit** is amended to read as follows:

Permits shall not be required for the following. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. :

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (11 m<sup>2</sup>).
2. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
7. Swings and other playground equipment.

8. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
9. Decks not exceeding 200 square feet (18.58m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4

**R303.4 Mechanical ventilation** is deleted in its entirety.

**R313 Automatic Fire Sprinkler Systems** is deleted in its entirety.

**R501.3 Fire protection of floors** is deleted in its entirety.

**R602.6.1 Drilling and notching of top plate** is amended to read as follows:

When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 Ga) and 1 ½ inches (38 mm) 5 inches (127 mm) wide shall be fastened across and to the plate at each side of the opening with not less than four 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. The metal tie must extend a minimum of 6 inches past the opening.

**Exception:** When the entire side of the wall with the notch or cut is covered by wood structural panel sheathing.

**N1102.2.8 (R402.2.8) Basement walls** is deleted in its entirety.

**N1101.2.9 (R402.2.9) Slab-on-grade floors** is deleted in its entirety.

**N1102.4 (R402.4) Air leakage (Mandatory)** is deleted in its entirety.

**N1103.1.1 (R402.1.1) Programmable thermostat** is deleted in its entirety.

**N1103.2 (R402.2.2) Sealing (Mandatory)** is amended to read as follows:

Ducts, air handlers, and filter boxes shall be sealed.

**N1103.2.2.1 (R403.2.2.1) Sealed air handler** is deleted in its entirety.

**N1103.2.3 (R403.2.3) Building cavities (Mandatory)** is deleted in its entirety.

**N1103.4.1 (R403.4.1) Circulating hot water systems (Mandatory)** is deleted in its entirety.

**N1103.4.2 (R403.4.2) Hot water pipe insulation (Prescriptive)** is deleted in its entirety.

**N1104.1 (R404.1) Lighting equipment (Mandatory)** is deleted in its entirety.

**Table N1102.1.1 (R402.1.1) Insulation and Fenestration Requirements by Component, Wood Frame R-Value** is amended for Climate Zones 3, 4 and 5 by replacing 20 or 13 + 5<sup>h</sup> to 13.

**Table N1102.4.1 (R402.4.1) Air Barrier and Insulation Installation** is amended to exclude the requirement of gasketed doors for fireplaces.

(D) 2012 International Mechanical Code (IMC), as published by the International Code Council, including any standards referenced therein.

(E) 2012 International Plumbing Code (IPC), as published by the International Code Council, including any standards referenced therein.

(F) 2012 International Fuel Gas Code (IFGC), as published by the International Code Council, including any standards referenced therein.

(G) 2011 National Electrical Code (NEC), as published by the National Fire Protection Association, including any standards referenced therein.

**Section 3.** All other ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and are hereby repealed.

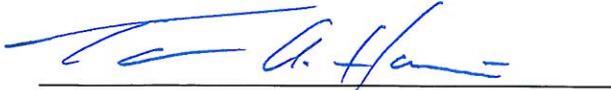
**Section 4.** This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 26<sup>th</sup> DAY OF JANUARY, 2015.**



John McTaggart, Mayor

ATTEST:



Tamara A. Harris, City Clerk

APPROVED AS TO FORM:



David K. Duckers, City Attorney