

SEDGWICK COUNTY FIRE CODE, 2024 EDITION

Section 12-51 Adopted.

The International Fire Code, 2024 Edition, including appendices B, C, D, E, F, G, H, I, K, N, and O published by the International Code Council, Inc., 500 New Jersey Ave., NW, 6th Floor, Washington, DC 20001, save and except such portions as are omitted, amended or modified in this Article, hereinafter altogether referred to as the “I.F.C.,” “Fire Code,” or “this Code,” is hereby adopted in its entirety as the fire code for Sedgwick County, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, from explosion, and from the possession, storage, sale, display, use and discharge or explosion of fireworks, to be effective within all unincorporated areas of Sedgwick County, Kansas and those cities located within Sedgwick County which have by action of their governing bodies adopted the Sedgwick County Fire Code, 2024 Edition, in the same form as contained within this Article and which have entered into separate agreements with Sedgwick County Fire District One providing for enforcement within said cities’ municipal boundaries by members of Sedgwick County Fire District One, and conferring jurisdiction upon Sedgwick County for all prosecutorial functions relating thereto.

Section 12-52 Amendments.

Changes, additions, and deletions to sections of the I.F.C. and the appendices thereto are adopted only as set forth hereinafter:

101.1 Title. These regulations shall be known as the Sedgwick County Fire Code, 2024 Edition, hereinafter referred to as the “Fire Code,” the “I.F.C.,” or “this Code.” This Code shall be the fire code for all unincorporated areas of Sedgwick County, Kansas and those cities located within Sedgwick County which have by action of their governing bodies adopted the Fire Code in the same form as herein contained and which have entered into separate agreements with Sedgwick County Fire District One providing for enforcement within such cities’ municipal boundaries by members of Sedgwick County Fire District One and conferring jurisdiction upon Sedgwick County for all prosecutorial functions relating thereto.

***SECTION 101, GENERAL** is hereby amended by adding a new Section 101.6, which shall read as follows:*

101.6 Reference Codes.

1. Whenever used in the Fire Code, the term “*ICC Electrical Code*” shall be construed to mean the current National Electrical Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
2. Whenever used in the Fire Code, the term “*International Fuel Gas Code*” shall be construed to mean the current International Fuel Gas Code published by the International Code Council.

3. Whenever used in the Fire Code, the term “*International Mechanical Code*” shall be construed to mean the current International Mechanical Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
4. Whenever used in the Fire Code, the term “*International Plumbing Code*” shall be construed to mean the current Uniform Plumbing Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
5. Whenever used in the Fire Code, the term “*International Existing Building Code*” shall be construed to mean the current Building Code contained within the current Wichita-Sedgwick County Unified Building and Trade Code.
6. Whenever used in the Fire Code, the term “NFPA Code” shall be construed to mean the current National Fire Protection Association Codes and Standards.

SECTION 103, DEPARTMENT OF FIRE PREVENTION is hereby amended as follows:

103.2 Appointment. The Code Official shall be appointed by the chief appointing authority of the jurisdiction. The Code Official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority. The Code Official and persons so appointed by the Code Official shall be “code enforcement officers” as code enforcement officer is defined in K.S.A. 19-4708(d) and shall have the power to sign, issue and execute uniform complaints and notices to appear as set out by K.S.A. 19-101d, in addition to all other powers and authority granted to them or any of them by any other applicable federal, state or county law, rule, regulation, or resolution.

SECTION 104, DUTIES AND POWERS OF THE FIRE CODE OFFICIAL is hereby amended by adding clarifying language to Section 104.1, which shall read as follows:

Section 104.1 General the Sedgwick County Fire Chief, or their designee, is hereby authorized to enforce the provisions of this code, and shall have the authority to determine compliance and to determine interpretations of this code.

SECTION 105 PERMITS is further amended 105.5.36 and 105.5.54 which shall read as follows:

105.5.36 Open burning. An operational permit is required for the kindling or maintaining of any open fire or a fire on any street, alley, road, or other public or private ground in accordance with Section 307. Instructions and stipulations of the permit shall be adhered to. Permits can be obtained online or at any Sedgwick County Fire District One fire station.

Exception: Recreational Fire. An outdoor fire burning material other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or pit, and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height and utilized for pleasure, religious, ceremonial cooking, warmth or similar purpose.

105.5.54 Wood Products. An operational permit is required to store chips, hogged material, lumber, plywood or wooden pallets in excess of 2,500 cubic feet.

SECTION 108, FEES is hereby amended by adding a new Table 108.2.1, which shall read as follows:

108.2.1 Permit fees. Permit fees required by this Code are established as follows:

[Table 108.2.1 begins on following page.]

Table 108.2.1
PERMITS AND OTHER FEES

Operational Permits (Sec. 105.5) - Permit to Operate/Use

| | |
|--|---------------------------|
| Wood Products Storage Permit | \$500.00 per year |
| <i>(in excess of 2500 cubic feet)</i> | |
| Explosive Storage Permit - Outdoor storage units | \$150.00 per unit |
| Explosive Storage Permit - Building..... | \$200.00 per unit |
| Explosive Storage Permit - Fireworks sales not to exceed 30 days..... | \$75.00 per unit |
| Flammable and Combustible Liquid Tank at Construction Sites: | |
| <1000 gallons..... | \$75.00 per tank |
| 1001 gallons or more..... | \$100.00 per tank |
| <i>All Burn Permits may be applied for online at www.sedgwickcounty.org/fire</i> | |
| Open Burning Permit..... | No Fee |
| Agricultural Burning Permit..... | No Fee |
| Pyrotechnic Special Effects Display Permit - Indoor/Outdoor..... | \$100.00 per event |
| <i>(The fee shall increase \$25 per day each day the application is submitted less than 10 days prior to the event)</i> | |
| Pyrotechnic Special Effects Display re-inspection fee..... | \$100.00 per inspection |
| Special Amusement Facility or similar operations - Indoor/Outdoor..... | \$75.00 per event |
| Special Amusement Facility or similar operations - re-inspection fee..... | \$100.00 per inspection |
| Storage of scrap tires and tires byproducts..... | \$500.00 per year |
| <i>(in excess of 1,000 cubic feet)</i> | |
| Mobile Food Preparation Vehicles..... | \$75.00 per year/per unit |

Construction Permits (Sec. 105.6) - Permit to Install/Alter

| | |
|---|---------------------------------|
| Plan Review | Fees addressed in Section 114.5 |
| Fire Alarm and Detection Systems | \$75.00 |
| Fire Extinguishing system - Cooking Hood System (New Install) | \$75.00 per system |
| Fire Extinguishing system - Spray Finishing Operation (New Install) | \$75.00 per system |
| Fire Sprinkler System | \$75.00 |
| Private water supply lines for fire protection | \$75.00 |
| Temporary membrane structures, tents and canopies | \$75.00 per structure |

Table 108.2.1
PERMITS AND OTHER FEES

Fire Alarm and Sprinkler System Plan Review Fees (Sec. 105.6.1 and 105.6.2)

Fire Alarm System and Fire Sprinkler System (based upon number of devices or sprinkler heads):

| | | |
|---------|------------------------|----------|
| 1-19 | devices or heads | \$75.00 |
| 20-100 | devices or heads | \$125.00 |
| 101-200 | devices or heads | \$175.00 |
| 201-300 | devices or heads | \$225.00 |
| 301-400 | devices or heads | \$275.00 |
| 401-500 | devices or heads | \$325.00 |
| 501-600 | devices or heads | \$375.00 |
| 601-700 | devices or heads | \$425.00 |
| 701-800 | devices or heads | \$475.00 |
| 801-900 | devices or heads | \$525.00 |
| > 900 * | devices or heads | \$575.00 |

*(*plus \$0.50 per every device or head greater than 900)*

Other Fees

Fire Incident Reports, Investigative reports, and/or medical reports

| | |
|---|----------------------|
| 0 to 2 years after date of incident | \$25.00 per incident |
| 2 to 4 year after date of incident..... | \$35.00 per incident |
| 5 or more years after date of incident..... | \$75.00 per incident |

FOIA/KORA requests for data will be calculated at a rate of \$25.00 a hour.

Any re-inspection that is required shall be subject to a.....\$200.00 re-inspection fee

Additional Plan Review Fee resulting from an incomplete submittal or denial of plans..... One-half of original fees
(minimum charge - \$35)

Return Check Fee..... \$30.00, plus original fees

Reproduction cost of 35mm, digital, video or audiocassette..... \$35.00 per hour, plus actual cost of reproduction cost
(minimum charge - \$35)

Plans, fire alarm, sprinkler and all other review requests made by entities outside of the taxing district boundaries of SCFD 1 shall be at double of original fees. *(minimum charge - \$150)*

SECTION 108 FEES is further amended with the addition of new Section 108.1.2, which shall read as follows:

108.1.2 Payment of fees. Cash, personal check, cashier's check, or money order may be used for the payment of permits and other fees required by this Code. Also, when permitted by the administration of Sedgwick County Fire District One, credit cards may be used for the payment of permits and other fees required by this Code. In any case where a check issued for payment of permits or other fees required by this code is returned marked "insufficient funds" or "account closed" or otherwise dishonored, the remitter of the check shall be liable for a \$30.00 return check service charge, in addition to the permit or other fee. The amount of the returned check, together with the service charge shall constitute a debt due the County, which may be collected by suit or otherwise. Nothing in this subsection shall be construed so as to exclude criminal prosecutions as in other cases involving dishonored checks. A returned check shall void and nullify any approval granted by the Fire Department until such time as a new permit application is reviewed and approved by the Fire Department. Payment of those fees shall be either by certified check or by cash.

SECTION 112 BOARD OF APPEALS is hereby deleted in its entirety and a new Section 112 is hereby adopted, which shall read as follows:

112.1 Board of Appeals established. In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of the I.F.C, there shall be and hereby is created a Board of Appeals consisting of six (6) members who are qualified by experience and training to pass upon pertinent matters and who are not employees of Sedgwick County or Sedgwick County Fire District One, who shall be qualified, appointed and sworn to the office before the Sedgwick County Clerk. The Board of Appeals shall be appointed by the governing body of Sedgwick County Fire District One to serve at its pleasure and each board member so appointed shall serve for a term of three (3) years. In the event of the death, resignation or disqualification of any member of the Board of Appeals, such member's successor shall be appointed as herein provided to fill only the un-expired term caused by the vacancy. The Board of Appeals shall adopt reasonable rules, procedures, and regulations for conducting its investigations and hearing appeals and the Board of Appeals shall appoint one of its members to serve as secretary whose duty shall be to keep accurate written minutes of each meeting, and the Board of Appeals shall render all findings and decisions in writing to the Fire Chief with a duplicate copy to the applicant or appellant. The Board of Appeals members' terms in place at the time of the enactment of this Code are unaffected by said enactment.

The Board of Appeals shall consist of at least one individual from each of the following professions:

1. Registered design professional that is a registered architect with at least ten years of experience, five of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.

3. Registered design professional with mechanical or plumbing engineering experience; or a mechanical or plumbing contractor with at least ten years of experience, five of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience; or an electrical contractor with at least ten years of experience, five of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience; or a fire protection contractor with at least ten years of experience, five of which shall have been in responsible charge of work.
6. Licensed General contractor with at least ten years of experience regularly engaged in the construction, alteration, maintenance, repair or remodeling of buildings or building services and systems regulated by the code.

112.1.1 Application for appeal. All appeals shall be made in writing to the Chief of the Fire Department within ten (10) calendar days of the pronouncement of the decision being appealed from, or be forever barred. Any applicant or appellant desiring to use alternate materials or types of construction shall guarantee payment of all expenses for any tests deemed necessary by the Board of Appeals. Any appeal shall be heard by the Board of Appeals not less than 30 calendar days from the date upon which the Fire Department received said applicant's or said appellant's written notification to appeal the matter.

112.2 Limitations on authority and jurisdiction. An application for appeal shall be based on a claim that the intent of this Code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent method of protection or safety is proposed. The Board shall have no authority to waive requirements of this Code. In making its decision, the Board of Appeals shall consider the degree of safety to be achieved and any resulting detriment to the public welfare, and if available, the Board of Appeals shall use established standards of nationally recognized laboratories and research organizations. The Board, in cooperation with the Fire Chief, shall make a review of the Fire Code as deemed necessary and appropriate and they shall make a report to the governing body of Sedgwick County Fire District One regarding recommendations for changes thereto.

112.3.1 Conflict of interest. Board members with a material or financial interest in a matter before the Board of Appeals shall declare such interest and refrain from participating in discussions, deliberations, and voting on such matters.

112.4.1 Appeal of Board of Appeals Decision. Within 30 days of the final decision of the Board, any person aggrieved thereby may maintain an action in the District Court of Sedgwick County to determine the reasonableness of such final decision.

***SECTION 113 VIOLATIONS** is hereby amended and additions shall read as follows;*

113.1 Unlawful acts. Any person who shall violate any of the provisions of the I.F.C. hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or

modified by the Board of Appeals or by the Sedgwick County Court, within the time fixed for correction of the violation by the Board of Appeals or the Sedgwick County Court, shall be, severally for each and every such violation and noncompliance, respectively, guilty of a violation of the Sedgwick County Code, punishable by a fine according to the fine schedule in Section 8-5 of the Sedgwick County Code, which is included immediately below, along with any Special Class Violations that are specific to the Fire Code. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects. The number of the offense in the table below corresponds with the number of convictions for that specific violation, which occurred within a 12-month period.

| <u>Class</u> | <u>1st Offense</u> | <u>2nd Offense</u> | <u>3rd Offense</u> |
|--------------------------|-------------------------------|-------------------------------|-------------------------------|
| A | \$ 5.00 | \$ 10.00 | \$ 15.00 |
| B | 15.00 | 30.00 | 45.00 |
| C | 20.00 | 40.00 | 60.00 |
| D | 30.00 | 60.00 | 90.00 |
| E | 40.00 | 80.00 | 120.00 |
| F | 50.00 | 100.00 | 150.00 |
| G | 75.00 | 150.00 | 225.00 |
| H | 150.00 | 300.00 | 450.00 |
| I | 500.00 | | |
| Special Class Violations | 1,000.00 | | |

113.3.1 Issuance of uniform complaint and notice to appear. Whenever the Code Official or a code enforcement officer authorized under this article has probable cause to believe that a person, firm, or corporation is committing or has committed a violation of any provision of the Fire Code, the Code Official or such code enforcement officer may serve upon such accused person a uniform complaint and notice to appear, or in the alternative, may sign a complaint against the accused person and cause a notice to appear to be issued according to the provisions of Section 8-2 of the Sedgwick County Code. Pursuant to K.S.A. 19-101d, prosecution for any such violation shall be conducted in the manner provided by law in Chapter 8 of the Sedgwick County Code. Writs or processes necessary for the prosecution of such violations shall be substantially in the form of writs and process as described in K.S.A. 19-4738 and as set forth by the Kansas Judicial Council. The County shall provide all necessary supplies, forms and records at its own expense.

113.3.1.1 Procedures. Procedures for prosecution of violations of the Fire Code and this article shall be pursuant to Chapter 8 of the Sedgwick County Code.

113.4.1 Classification of violations and schedule of fines. An accused person who has been convicted for violation of any provision of the Fire Code shall be deemed guilty of a violation thereof and in accordance with K.S.A. 19-4716, shall be subject to payment of a fine which shall be fixed by the Court; provided further, the maximum fine for any violation of this article shall be assessed according to the classification of violations and schedules of fines in Section 8-5 of the

Sedgwick County Code and Section 113 of the Fire Code (which includes special class violations specific to the Fire Code and that are meant to supplement the table within Section 8-5 of the Sedgwick County Code) and subject to the enhancements contained therein. Every violation of this article shall be a class I violation, except that those violations separately listed in Schedules A & B of the Fire Code Amendments shall be classified as set forth in said Schedules. Violations listed in Schedule B are special class violations, which shall carry a maximum fine of \$1,000.00 each.

113.4.2 Separate Offense. With respect to violations of the Code that are continuous with respect to time, each day the violation continues is a separate offense and shall be punishable as a separate violation. Provided, however, that if any person, firm or corporation is found guilty of a violation hereunder and it shall appear to the Court that the violation complained of as prescribed in the Fire Code is continuing, then in addition to the penalty as set forth, the Court may enter such order as it deems appropriate to cause the violation to be abated.

SECTION 116 PLAN REVIEW is hereby added, establishing a system of plan review and fees for same.

116.1 Plan review mandatory. All building plans required by law to be submitted to the Metropolitan Area Building and Construction Department (“MABCD”) for plan review shall also be submitted to Sedgwick County Fire District One, whenever the location of the project described in the building plans is within the taxing district boundaries of Sedgwick County Fire District Number One, or in a jurisdiction that has entered into a separate agreement with Sedgwick County Fire District One for the purpose of the Fire Department's service or review and determination whether the building plans are in compliance with the provisions of this Code. When building plans are not required to be submitted to the MABCD for plan review, but are required to be submitted to the Sedgwick County Fire District One by another building code enforcement agency, the building plans shall be submitted in such form and detail as approved by Sedgwick County Fire District One.

Exception: Building plans for projects other than roofed and walled structures built for permanent use are not required to be submitted to Sedgwick County Fire District One pursuant to this Section.

116.2 Applicant to state value of construction. The person, firm or corporation submitting the building plans shall state thereon, or on an attachment thereto, the value of the construction reflected on the plans, and by that person's, individual's or authorized corporate representative's signature thereon, shall certify that the value of construction so stated truly, accurately and within a reasonable degree of certainty describes the value of construction.

116.3 Plans and Specifications. Whenever plans are submitted in accordance with Section 116.1 an electronic set of all plans, engineering calculations, diagrams and other data shall be submitted. All plan designs and calculations concerning an automatic sprinkler system shall be submitted by individuals who comply with the licensing requirements of Section 901.3.1 Engineers and architects submitting plans shall be licensed by the State of Kansas to practice in their respective professions.

116.4 Information Required. All plans and specifications shall be drawn to scale when possible and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed. All plans and specifications shall show in detail that the proposed work conforms to the provisions of the Fire Code and all relevant laws, resolutions or ordinances, rules and regulations of the jurisdiction for which the work is conducted

116.5 Fee assessed. Sedgwick County Fire District One shall assess a plan review fee for the service, and the fee shall be based on the value of construction as certified pursuant to Section 116.2 and shall be twenty-five percent (25%) of the plan review fee assessed by the MABCD as established in the current Wichita/Sedgwick County Unified Building and Trade Codes. The MABCD shall remit twenty-five percent (25%) of the plan review fee it collects to the Sedgwick County Fire District One to satisfy this fee amount. Whenever another building code enforcement agency does not use the plan review fee schedule as established in the current Wichita/Sedgwick County Unified Building and Trade Codes, Sedgwick County Fire District One shall assess a plan review fee in accordance with Schedule C of the Fire Code Amendments, which shall be the result of multiplying the value of the construction by the applicable multiplier. Fees for projects outside of the taxing district for Sedgwick County Fire District One shall be assess at double of original fees with a minimum charge of \$150.00.

116.6 Payment of fee. The plan review fee shall be paid by the person, individual or corporation submitting the building plans by cash, personal check, cashier's check, debit/credit card or money order made payable to Sedgwick County Fire District One and shall be paid at the time the building plans are delivered to Sedgwick County Fire District One. The plan review fee due to the Sedgwick County Fire District One may be included in the payment of fees due to the MABCD for the purpose of presenting only one check for payment thereof. MABCD shall deposit the appropriate amount of the plan review fee into the account of Sedgwick County Fire District Number One, as payment is received.

116.7 Payment of fee required prior to plan review. The plan review required in Section 116.1 shall not be completed until the required plan review fee has been paid.

116.8 Plan review required. It shall be unlawful for a person to proceed with construction until building plans have been approved by the Sedgwick County Fire District One, whenever such plan review is required by the Fire Code.

116.9 Dishonored checks. In any case where a check issued for payment of plan review fees is returned marked "insufficient funds" or "account closed" or otherwise dishonored, the remitter of the check shall be liable for a \$30.00 return check charge, in addition to the plan review fee. The amount of the returned check, together with the service charge shall constitute a debt due the county, which may be collected by suit or otherwise. Nothing in this subsection shall be construed so as to exclude criminal prosecutions as in other cases involving dishonored checks.

SECTION 304, COMBUSTIBLE WASTE MATERIAL is hereby amended as follows:

304.3.3 Capacity exceeding 7.33 cubic feet. Containers with a capacity exceeding 7.33 cubic feet (55 gallons) shall be provided with screen/spark arrester with maximum one quarter inch openings. Containers and screens shall be constructed of noncombustible materials.

SECTION 307, OPEN BURNING AND RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES is hereby amended as follows:

307.2 Permit required. A permit shall be obtained from Sedgwick County Fire District One in accordance with Section 105.6.36 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, a bonfire, or any open burning. Application for such approval shall only be presented by and permits shall only be issued to the owner of the land upon which the fire is to be kindled, or said owner's designee. The individual that applies for a permit must be at least 18 years old. Any fire for which a permit is required by this Section must be tended to by an individual not less than 18 years old and of suitable intelligence. Instructions and stipulations indicated on the permit shall be adhered to. Permits can be obtained online or at any Sedgwick County Fire District One fire station. Any burning operation that does not fit the standard burn permit requirements must be approved by the Sedgwick County Fire Marshal's office prior to burning.

307.4 Location. Open burning shall not be conducted within 100 feet of any structure or other combustible material. Conditions which could cause the fire to spread to within 100 feet of a structure shall be eliminated prior to ignition.

Exceptions:

1. Fires in *approved* containers that are not less than 15 feet (4,572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7,620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

307.4.1 Bonfires. A bonfire shall not be conducted within 100 feet of a structure or combustible material unless the bonfire is contained in a barbecue pit. Conditions that could cause a fire to spread within 100 feet of a structure shall be eliminated prior to ignition.

307.6 Illegal Materials. Burning of any heavy smoke-producing material is strictly prohibited. Pursuant to Kansas Administrative Regulation 28-19-647(e)(2) and this Section, burning of tires, pallets, railroad or bridge lumber, any treated lumber, plastics or rubber is considered to be the burning of heavy smoke-producing material. When burning wood products, only wood which has not been painted, cleaned, stained, and is not or has not been furniture, may be burned.

SECTION 311, VACANT PREMISES is hereby amended as follows:

311.1.1 Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the current Sedgwick County Code.

SECTION 503, FIRE APPARATUS ACCESS ROADS is hereby amended as follows:

503.1 Where required. Fire apparatus access to single family, agriculture or accessory structures shall be provided and maintained in accordance with the current Sedgwick County Service Drive Code, located within Chapter 12, Article III of the Sedgwick County Code. In all other cases, fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

SECTION 507, FIRE PROTECTION WATER SUPPLIES Section 507.5.1.1 is amended and shall read as follows:

507.5.1.1 Hydrant for standpipe systems. Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 150 feet of the Fire Department connection.

Exception: The distance shall be permitted to exceed the 150 feet where approved by the Fire Code Official.

SECTION 605 FUEL-FIRED APPLIANCES is hereby amended as follows:

605.7.3 Restrictions. Use of free-standing incinerators is prohibited, except that the occupant of a single family dwelling may burn only the combustible residential trash of the occupant of such single family dwelling in a free-standing incinerator of a design that is in accordance with specifications provided by Sedgwick County Fire District One and provided further that such free-standing incinerator is located and operated at least one hundred feet (100') from any dwelling, structure, or building, whether occupied or not, and ten feet (10') from any property line. Free-standing incinerator operations shall not be conducted on a parcel of land less than 5 acres unless owner has obtained prior approval from the Fire Code Official.

605.7.4 Time of burning. Burning of residential trash shall only be conducted one hour after sunrise to one hour before sunset.

SECTION 606 COMMERCIAL KITCHEN HOODS is hereby amended as follows:

606.2 Where required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors.

Exceptions:

1. Factory-built commercial exhaust hoods that are *listed* and *labeled* in accordance with Section 304.1 of the *International Mechanical Code*, shall not be required to comply with Sections 507.1.5, 507.2.3, 507.2.8, 507.3.1, 507.3.3, 507.1.6 and 507.2.10 of the *International Mechanical Code*.
2. Factory-built commercial cooking recirculating systems that are *listed* and *labeled* in accordance with UL 710B, and installed in accordance with Section 30.1 of the *International Mechanical Code*, shall not be required to comply with Sections 507.1.5, 507.2.3, 507.2.8, 507.3.1, 507.3.3, 507.1.6 and 507.2.10 of the *International Mechanical Code*. Spaces in which such systems are located shall be considered to be kitchens and shall be ventilated in accordance with Table 403.3.1.1 of the *International Mechanical Code*. For the purpose of determining the floor area required to be ventilated, each individual appliance shall be considered as occupying not less than 100 square feet (9.3 m²).
3. Where cooking appliances are equipped with integral down-draft exhaust systems and such appliances and exhaust systems are *listed* and *labeled* for the application in accordance with NFPA 96, a hood shall not be required at or above them.
4. A Type 1 hood shall not be required for an electric cooking appliance where an approved testing agency provides documentation that the appliance effluent contains 5 mg/m³ or less of grease when tested at an exhaust flow rate of 500 cfm (0.236 m³/s) in accordance with UL 710B.

606.2.1 Domestic Cooking. Appliances used for noncommercial purposes may be permitted. These noncommercial domestic cooking appliances shall be equipped with a residential kitchen hood suppression system.

SECTION 901, FIRE PROTECTION AND LIFE SAFETY SYSTEMS is hereby amended with the editing of Section 901.7, as follows:

901.4 Fire protection and life safety systems. Fire protection and life safety systems shall be installed, repaired, operated and maintained in accordance with this code and the International Building Code. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed. Installation and alterations to fire detection, alarm and extinguishing systems shall be done in accordance with applicable standards and shall be performed by a NICET II or IMSA or approved equivalent certified Wichita/Sedgwick County Licensed Fire Protection Contractor. Required test and inspections records shall be submitted within fourteen (14) days of testing and inspection to the fire code official in such form and by such means as directed by the fire code official and Department Policy. A third party vendor may manage the records. Any data management fees charged by a third party administrator to process, store and report such documentation shall be the responsibility of the party submitting the report. Reports submitted otherwise than in accordance with this section may not be accepted by the fire code official.

901.7 Fire areas. Where *buildings*, or portions thereof, are divided into *fire areas* so as not to exceed the limits established for requiring a *fire protection system* in accordance with this chapter, such *fire areas* shall be separated by *fire walls* constructed in accordance with Section 706, *fire barriers* constructed in accordance with Section 707, or *horizontal assemblies* constructed in accordance with Section 711, or a combination thereof having a *fire-resistance rating* of not less than that determined in accordance with Section 707.3.10.

Exception: Building constructed prior to the adoption of the 2000 Edition of the *International Building Code* (April 2, 2002) and any building containing Group S-1 and F-1 Occupancies constructed prior to the adoption of the 2012 Edition of the *International Building Code* (May 1, 2016) may have a nonconforming fire area increased by not more than 25 percent of the fire area limitations, for the occupancy classification, as specified under Section 903.2 of the *International Building Code*. All *additions* to the *fire area* shall be considered as accumulative and subject to the limitations of the construction type.

SECTION 902.1.3 ENVIRONMENT, is hereby amended as follows:

902.1.3 Environment. Automatic sprinkler riser rooms and fire pump rooms shall be maintained at a temperature of not less than 40°F (4°C). Heating units shall be permanently installed (non-switched). Exterior riser rooms shall have low-temperature detection connected to the fire alarm system.

SECTION 903, AUTOMATIC SPRINKLER SYSTEMS is further amended with the editing of Sections 903.2.1.2, 903.2.8, 903.2.11.1.1, 903.2.11.3 and 903.3.7, which shall read as follows:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-02 occupancy to and including the level of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464 m²).
2. The fire area has an occupant load of 100 or more.

Exception: The *fire area occupant load* may go to 299 people if a 3rd exit in accordance with Section 1007.1.2 and Section 1016.2 and a manual *fire alarm system* that activates an occupant notification system in accordance with Section 907.5 is added that is approved by the *fire code official* or the *building official* or the plans examiner reviewing the project.

3. The fire area is located on a floor other than a level of discharge serving such occupancies.

903.2.4.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet (232 m²) in area that generate finely divided combustible waste or use finely divided combustible materials.

Exception: A room or the aggregate area of rooms containing woodworking operations within a fire area, as defined by the International Building and Fire Codes, where the area is 2,500 square feet (232 m²) or less. Walls which define rooms containing a wood working operation shall be of non-combustible construction. All doors shall have self-closing devices and any windows shall be fixed closed. All openings shall be maintained closed.

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.

Exceptions:

1. One-or two-family dwelling unit.
2. Dwelling units in three-and four-family dwellings separated from each other by wall and/or floor assemblies having not less than a 2-hour fire-resistance rating. Fire resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against an exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing. The roof shall be a minimum of class C roof covering, and the roof decking or sheathing is of non-combustible materials or approved fire-retardant-treated wood for a distance of 4 feet (1,219 mm) on each side of the walls or walls. There shall be no penetrations through this area of the roof deck or sheathing. Where buildings, or portions thereof, are arranged above or below adjacent units, and automatic sprinkler system shall be provided throughout all units.

903.2.9 Group S-1 An automatic sprinkler system shall be provided throughout all *buildings* containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 12,000 square feet (1,115 m²).

Exception: A Group II or III aircraft hangar, as defined by NFPA 409, used of storage of aircraft only when the fire area exceeds 18,000 square feet (1,672 m²). See Section 412.3.6.2 for fire area allowances for ancillary uses.

2. A Group S-1 *fire area* is located more than three stories *above grade plane*.

3. The combined area of all Group S-1 *fire areas* on all floors, including any *mezzanines*, exceeds 24,000 square feet (2,230 m²).
4. A Group S-1 *fire area* used for the storage of *commercial motor vehicles* where the *fire area* exceeds 5,000 square feet (464 m²).
5. A Group S-1 *fire area* used for the storage of lithium-ion or lithium metal powered vehicles where the *fire area* exceeds 500 square feet (46.4 m²).

SECTION 903.2.10 GROUP S-2 PARKING GARAGES, with the editing of sections 903.2.11.1.1, 903.11.1.3, is amended to read as follows:

903.2.10 Group S-2 parking garages. An *automatic sprinkler system* shall be provided throughout *buildings* classified as parking garages where any of the following conditions exists:

1. Where the *fire area* of the enclosed parking garage in accordance with Section 406.6 exceeds 12,000 square feet (1,115 m²).
2. Where the enclosed parking garage in accordance with Section 406.6 is located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

903.2.11.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm) in width and 48 inches (1,219 mm) in height. Such openings shall be accessible to the Fire Department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

903.2.11.3 Buildings 55 feet or more in height an *automatic sprinkler system* shall be installed throughout *buildings* that have one or more *stories* with an *occupant load* of 30 or more located 55 feet (16,764 mm) or more above the lowest level of fire department vehicle access, measured to the finish floor.

Exceptions:

1. Open parking structures.
2. Occupancies in Group F-2.

SECTION 907.5.1 ALARM ACTIVATION AND ANNUNCIATION is amended to read as follows:

907.5.1 Alarm activation and annunciation. Upon activation, fire alarm systems and/or dedicated function sprinkler monitoring systems shall initiate occupant notification and shall

annunciate at the fire alarm control unit, or where allowed elsewhere by Section 907, at a constantly attended location.

SECTION 910.2.1 GROUP F-1 AND S-1, is amended to read as follows:

910.2.1 Group F-1 and S-1 Smoke and heat vents installed in accordance with Section 910.3 or a mechanical smoke removal system installed in accordance with Section 910.4 shall be install in *buildings* and portions there of used as Group F-1 or S-1 occupancy having more than 50,000 square feet (4,645 m²) of undivided area. In occupied portions of a *building* equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed.

Exception:

1. Group S-1 aircraft repair hangars.
2. Areas completely separated by non-combustible partitions so that no one area exceeds 50,000 square feet (4,645 m²). Openings shall be provided with approved automatic or self-closing devices to enclosure of the opening.

SECTION 912, FIRE DEPARTMENT CONNECTION is hereby created with the editing of section 912.2.1.1, 902.2, 912.2.1, 912.2.3, 912.5, 912.5.1 and shall read as follows:

912.2.1.1 Horn/Strobe Device. A horn/strobe device shall be installed directly above the Fire Department connection and shall activate in conjunction with the fire alarm system.

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the *buildings* for other fire apparatus. The location of fire department connections shall be located within 150 feet (45,900 mm) of a fire hydrant or shall be *approved* by the *fire code official*. The required hydrant shall be no closer than 40 feet (1,020 mm) to the structure.

912.2.1 Visible location. Fire department connections shall be located on the street side of *buildings* or facing approved fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise *approved* by the *fire code official*. In addition, a horn/strobe device shall be installed directly above the fire department connection and shall activate in conjunction with the fire alarm system to indicate water flow.

912.2.3 Fire Department Connection. The fire department connection shall be a 30 degree, five inch Storz connection.

912.5 Signs. A metal sign with raised letters not less than 4 inch (101.6 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: "AUTOMATIC SPRINKLERS," "STANDPIPES," "TEST CONNECTION," "STANDPIPE AND AUTOSPKR" or "AUTOSPKR AND STANDPIPE," or a combination thereof as applicable.

912.5.1 Lettering. Each fire department connection (FDC) shall be designated by a sign with letters not less than 4 inch (101.6 mm) in height. For manual standpipe systems, the sign shall also indicate that the system is manual and that it is either wet or dry.

SECTION 1008.2, ILLUMINATION REQUIRED is amended to read as follows:

1008.2 Illumination required. The *means of egress* serving a room or space shall be illuminated at all times that the room or space is occupied.

Exceptions:

1. Occupancies in Group U.
2. Self-service storage units ~~400~~-100 square feet (~~37.2~~ 9.3 m²) or less in area and accessed directly from the exterior of the *building*.
3. Aisle access ways in Group A.
4. *Dwelling units* and *sleeping units* in Groups R-1, R-2 and R-3.
5. *Sleeping units* of Group I occupancies.

SECTION 1008.3.2, ILLUMINATION LEVEL UNDER EMERGENCY POWER is amended to read as follows:

1008.3.2 Illumination level under emergency power. Emergency lighting *facilities* shall be arranged to provide initial illumination that is not less than an average of 1 foot-candle (11 lux) and a minimum at any point of 0.1 foot-candle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 foot-candle (6 lux) average and a minimum at any point of 0.06 foot-candle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. In Group I-2 occupancies, failure of single lamp in a luminaire shall not reduce the illumination level to less than 0.2 foot-candle (2.2 lux).

Exception: Emergency lighting *facilities* shall be arranged at intervals not to exceed 50 feet (15,240 mm) on center or 25 feet (7,620 mm) in any one direction along the path or egress. Obstructions or changes in direction or exit travel shall be considered the conclusion of the emergency light *facility*.

SECTION 1009.1 ACCESSIBLE MEANS OF EGRESS REQUIRED, is amended to read as follows:

1009.1 Accessible means of egress required. *Accessible means of egress* shall comply with this section. Accessible spaces shall be provided with not less than one *accessible means of egress*. Where more than one means of egress is required by Section 1006.2 or 1006.3 from any accessible space, each accessible portion of the space shall be served by not less than two *accessible means of egress*.

Exceptions:

1. One *accessible means of egress* is required from an *accessible mezzanine* level in accordance with Section 1009.3, 1009.4 or 1009.5, unless *accessible means of egress* is not required by Americans with Disabilities Act Accessibility Guidelines Sec. 206.2.3 or 206.2.4.
2. In assembly areas with ramped *aisles* or stepped *aisles*, one *accessible means of egress* is permitted where the *common path of egress travel* is accessible and meets the requirements in Section 1030.8.
3. At least one *accessible means of egress* shall connect each story and mezzanine in multi-story *buildings* and *facilities* per Americans with Disabilities Act Accessibility Guidelines Sec. 206.2.3.
4. At least one *accessible means of egress* shall connect accessible *building* or *facility* entrances will all accessible spaces and elements within the *building* or *facility* which are otherwise connected by a circulation path unless exempted by Americans with Disabilities Act Accessibility Sec. 206.2.3 Exceptions 1 through 7 per Americans Disabilities Act Accessibility Guidelines Sec. 206.2.4 including the exceptions.

SECTION 1009.2.2 DOORS, is amended to read as follows:

1009.2.2 Doors. Where doors are part of an *accessible route* to provide access to an exit, *area of refuge* or exterior area of assisted rescue, maneuvering clearance shall be provided at such doors as required by Americans with Disabilities Act Accessibility Guidelines Sec. 404.2.4 in the direction of egress. Where doors lead to an *area of refuge* or exterior area for assisted

rescue and reentry to the floor is possible, door maneuvering clearances shall be provided on both sides of the door.

Exception: Maneuvering clearances are not required a doors to exit stairways for levels above and below the *level of exit discharge* where the exit enclosure does not include an *area of refuge*.

SECTION 1010.1.1 SIZE OF DOORS, is amended to read as follows:

1010.1.1 Size of doors. The required capacity of each door opening shall be sufficient for the occupant load thereof and shall provide a minimum clear opening width of 32 inches (813 mm). The clear opening width of doorways with swinging doors shall be measured between the face of the door and the frame stop, with the door open 90 degrees (1.57 rad). Where this section requires a minimum clear opening width of 32 inches (813 mm) and a door opening includes two door leaves without a mullion, one leaf shall provide a minimum clear opening width of 32 inches (813 mm). In Group I-2, doors serving as means of egress doors where used for the movement of beds shall provide a minimum clear opening width of 41 ½ inches (1,054 mm). The minimum clear opening height of doors shall be not less than 80 inches (2,032 mm).

Exceptions:

1. In Group R-2 and R-3 *dwelling* and *sleeping units* that are not required to be an *Accessible unit*, *Type A unit* or *Type unit*, the minimum width shall not apply to door openings that are not part of the required *means of egress*.
2. In Group I-3, door openings to resident sleeping units that are not required to be an Accessible unit shall have a minimum clear opening width of ~~28~~ 32 inches (~~711~~ 813 mm).
3. Door openings to storage closets less than 10 square feet (0.93 m²) in area shall not be limited by the minimum clear opening width.
4. Door openings within a *dwelling unit* or *sleeping unit* shall have a minimum clear opening height of 78 inches (1,881 mm).
5. In *dwelling* and *sleeping units* that are not required to be *Accessible*, *Type A* or *Type B units*, exterior door openings other than the required exit door shall have a minimum clear opening height of 76 inches (1,930 mm).
6. In Groups I-1, R-2, R-3 and R-4, in *dwelling* and *sleeping units* that are not required to be *Accessible*, *Type A* or *Type B units*, the minimum clear opening widths shall not apply to interior egress doors.
7. Door openings required to be accessible with *Type B units* intended for user passage shall have a minimum clear opening width of ~~31.75~~ 32 inches (~~806~~ 813 mm).

8. Doors serving sauna compartments, toilet compartments or dressing, fitting or changing compartments that are not required to be accessible shall have a minimum clear opening width of 20 inches (508 mm).

SECTION 1013.1 WHERE REQUIRED, is amended to read as follows:

1013.1 Where required. Exits and *exit access* doors shall be marked by an *approved* exit sign readily visible from any direction of egress travel. The path of egress travel to *exits* and within *exits* shall be marked by readily visible exit signs to clearly indicate the direction of egress travel in cases where the exit or the path of egress travel is not immediately visible to the occupants. Intervening means of egress doors within *exits* shall be marked by exit signs. Exit sign placement shall be such that any point in an *exit access* corridor or *exit passageway* is within 100 feet (30,480) or the *listed* viewing distance of the sign, whichever is less, from the nearest visible *exit* sign. Exit signs required at doors shall not be located more than 12 feet (3,658 mm) above the finish floor, nor more than 2 feet (610 mm) from either edge of door.

Exceptions:

1. Exit signs are not required in rooms or areas that require only one *exit* or *exit access*.
2. Main exterior exit doors or gates that are obviously and clearly identifiable as *exits* need not have exit signs where *approved* by the *building official*.
3. Exit signs are not required in occupancies in Group U and individual *sleeping units* or *dwelling units* in Group R-1, R-2 or R-3.
4. Exit signs are not required in dayrooms, sleeping rooms or *dormitories* in occupancies in Group I-3.
5. In occupancies in Groups A-4 and A-5, exit signs are not required on the seating side of vomitories or openings into seating areas where exit signs are provided in the concourse that are readily apparent from the vomitories. Egress lighting to identify each vomitory or opening within the seating area in an emergency.

SECTION 1015.2 WHERE REQUIRED, is amended to read as follows:

1015.2 Where required. *Guards* shall be located along open-sided walking surfaces, such as mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side and at the perimeter of occupiable roofs. *Guards* shall be adequate in strength and attachment in accordance with Section 1607.9.

Exceptions: *Guards* are not required for the following locations:

1. On the loading side of loading docks or piers.
2. On the audience side of *stages* and raised *platforms*, including *stairs* leading up to the *stage* and raised *platforms*.
3. On raised *stage* and *platform* floor areas, such as runways, *ramps* and side *stages* used for entertainment or presentations.
4. At vertical openings in the performance area of *stages* and *platforms*.
5. At elevated walking surfaces appurtenant to *stages* and *platforms* for access to and utilization of special lighting or equipment.
6. Along vehicle service pits not accessible to the public.
7. In assembly seating areas at cross *aisles* in accordance with Section 1030.17.2.
8. On the loading side of station platforms on fixed guideway transit or passenger rail systems.
9. Portions of an *occupiable roof* located less than 30 inches (762 mm) measured vertically to adjacent unoccupiable roof areas where *approved guards* are present at the perimeter of the roof.
10. At portions of an *occupiable roof* where an *approved* barrier is provided.
11. At window wells a protective cover designed to meet the amended roof live load requirements of Chapter 16 of the International Building Code may be substituted for *guards*. The window well covers shall be provided with an emergency egress hatch located above the ladder or *stairway*, with the minimum egress opening maintained. The force required to open the egress hatched shall not exceed 30 pounds (133.45 N). Window well covers and gates shall be constructed of materials approved for exterior use.

SECTION 1020.2 CONSTRUCTION, is amended to read as follows:

1020.2 Construction. *Corridors* shall be fire-resistance rated in accordance with Table 1020.2. The *corridor* walls required to be fire-resistance rated shall comply with Section 708 for *fire partitions*.

Exceptions:

1. A *fire-resistance rating* is not required for *corridors* in an occupancy in Group E where each room that is used for instruction has not less than one door opening directly to the exterior and rooms for assembly purposes have not less than one-half of the required means of egress doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.
2. A *fire-resistance rating* is not required for *corridors* contained within a *dwelling unit* or *sleeping unit* in an occupancy in Groups I-1 and R.
3. A *fire-resistance rating* is not required for *corridors* in *open parking garages*.

4. A *fire-resistance rating* is not required for corridors in an occupancy in Group B that is a space requiring only single *means of egress* complying with Section 1006.2.
5. *Corridors* adjacent to the *exterior walls* of *buildings* shall be permitted to have unprotected openings on unrated *exterior walls* where unrated wall are permitted by Table 705.5 and unprotected openings are permitted by Table 705.9.
6. A *fire-resistance rating* is not required for *corridors* not exceeding 20 feet (6,096 mm) in length, when they provide direct, obvious and unobstructed means of travel to an *exit* or until egress is provided from the building, provide that all openings, except the entrance to the corridor, are protected with self-closing doors of non-combustible construction or solid wood core, not less than 1 inch (335 mm) in thickness or fixed glazing. Use of rolling or sliding doors shall not be permitted, unless equipped with a closing device which operates with the actuation of an approved listed smoke detector.

SECTION 5006, HAZARDOUS MATERIALS-UNATTENDED PARKING OF VEHICLES, is hereby created, and shall read as follows:

5006.1 Unattended Parking. No operator of a commercial delivery vehicle such as a box van, bob tail, truck trailer or tank truck containing products classified by federal, state or local regulatory agencies as hazardous materials, including but not limited to explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, oxidizers, organic peroxides, pyrophoric material, unstable reactive materials, water reactive materials, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, health and biomedical hazards and irritating materials, shall park or leave such vehicle unattended on any street, highway, avenue or alley within five hundred feet (500') of any residential area, apartment or hotel complex or educational, hospital or health care facility at any time, or at any other place that would, in the opinion of the Chief of the Fire Department, present a life or property hazard

EXCEPTIONS: This shall not prohibit parking or absence of the operator, (1) in connection with loading or unloading, (2) for meals during the day or night if the street is well lit at the place of parking, and (3) for the purpose of securing assistance in case of emergency.

SECTION 5601.1.3, FIREWORKS- GENERAL, is hereby deleted in its entirety and a new Section 5601.1.3, 5601.2.4, 5601.4 are hereby adopted, which shall read as follows:

Section 5601.1.3 Fireworks. No person shall possess, manufacture, store, offer or expose for retail sale, use, discharge, explode, or handle fireworks.

Exceptions:

1. Storage and handling of fireworks as permitted by Sections 5604 and 5609.
2. Manufacture, assembly and testing of fireworks as allowed by 5605.
3. The use of fireworks for display as permitted by the 2024 International Fire Code, Section 5608.
4. The possession, storage, sale, handling and usage of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, for consumer fireworks.
5. The “Section 5610, Specific Exceptions” included within this Article.

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000.00 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property, which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The Code Official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement. Said bond or certificate of insurance shall name as additional insureds the Board of County Commissioners of Sedgwick County, Kansas, Sedgwick County Fire District One, their agents, officers, and employees. Any display on property not owned by Sedgwick County shall also include that facility, location, and/or property owner as an additional insured.

5601.4 Qualifications. Persons in charge of magazines, blasting, fireworks display, or pyrotechnic special effect operations shall provide proof of licensure by the State of Kansas and comply with NFPA 495 (Kansas edition), shall not be under the influence of alcohol or drugs which impair sensory or motor skills, shall be at least 21 years of age, and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.

SECTION 5608, FIREWORKS DISPLAY is hereby amended as follows:

5608.2.1 Outdoor Displays. A permit for an outdoor pyrotechnic display shall be granted only to a licensed pyrotechnic operator. Permit applications shall be submitted only by a licensed pyrotechnic operator, and shall be made no less than 10 days prior to the scheduled date of the display. Applications submitted less than 10 days prior to the scheduled date of display may be accepted at the discretion of the Code Official. No permit shall be submitted more than 60 days

prior to the scheduled date of the display unless a signed contract for such display is in the applicant's possession and presented at the time of application. In addition to the requirements of Section 403, the permit application shall include a diagram of the grounds on which the display is to be held showing the point which the fireworks are to be discharged; the locations of buildings, highways and other lines of communication; the lines behind which the audience is to be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. No permit shall be transferable. Permits shall be issued by Sedgwick County Fire District One. The permit fee to engage in a public display of fireworks shall be \$100.00 per event, except that the permit fee shall increase by \$25.00 for each day the application is submitted less than the 10 days as set forth above.

***SECTION 5608.2 INDOOR DISPLAYS** is further amended by adding new Sections 5608.2.3 and 5608.2.4, which shall read as follows:*

5608.2.3 Indoor Displays. A permit for an indoor pyrotechnic display shall be granted only to a licensed pyrotechnic operator. Permit applications shall be made not less than 10 days prior to the scheduled use or date of the display. Applications submitted less than 10 days prior to the scheduled date of display may be accepted at the discretion of the Code Official. No permit shall be submitted more than 60 days prior to the scheduled date of a use or display unless a signed contract for such display is in the applicant's possession and presented at the time of application. The permit application shall include a diagram of the location and a plan for the use of the pyrotechnic material. At the time of the permit application, the Code Official shall be consulted regarding requirements for standby fire personnel. After the permit has been issued, possession, storage and use of pyrotechnic material for the purpose indicated in the plan at the location shown shall be lawful for that purpose only. No permit shall be transferable. Permits shall be issued by the Sedgwick County Fire District One. The permit fee to engage in an indoor pyrotechnic display shall be \$100.00 per event, except that the permit fee shall increase by \$25.00 for each day the application is submitted less than the 10 days as set forth above.

5608.2.4 Fireworks display permits. All fireworks display permits are required to be in the possession of the licensed pyrotechnic operator of the display at the time of the display, and are not transferable to any other person or location.

***Section 5610, CONSUMER FIREWORKS,** is hereby adopted, with the editing of Sections 5610.1, 5610.2, 5610.3, 5610.4, 5610.5, 5610.6, 5610.7, 5610.8, 5610.9, 5610.9.1 and 5610.10 which shall read as follows:*

5610.1 Sale of Fireworks Prohibited. Retail sale of fireworks, Consumer Fireworks (1.4G) within the confines of the unincorporated area of Sedgwick County, Kansas is prohibited. This shall not apply to municipalities within the confines of Sedgwick County that have authorized such sales by ordinance.

5610.2 Retail display and sale. Fireworks displayed for retail sale, where allowed by applicable municipal ordinances, shall be provided with a minimum of one (1) pressurized-water portable fire extinguisher complying with Section 906 shall be located not more than fifteen (15)

feet (4,572 mm) and not less than ten (10) feet (3,048 mm) from the hazard. "No Smoking" signs complying with Section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for retail sale.

5610.3 Distributors. A distributor of fireworks shall not sell, or otherwise exchange by any means, fireworks within the county, except to a person who exhibits a current fireworks display permit granted by Sedgwick County Fire District One for a supervised public display of fireworks or to a person who exhibits a current fireworks display permit granted by a municipality located within the county for a fireworks display within that municipality if such fireworks display permit is required by that municipality.

5610.4 Business Operations. Persons, corporations, partnerships or other entities engaged in the business of manufacture, storage and sale at wholesale of fireworks shall be permitted to manufacture, to possess, to store and to offer for bona fide sale at wholesale to a bona fide purchaser at wholesale who is regularly engaged in the business of selling fireworks, any fireworks, provided that it shall be the duty of such person, corporation, partnership or other entity engaged in the business of manufacture, storage or sale at wholesale of fireworks to ascertain with reasonable certainty that the purchaser of such fireworks is a bona fide purchaser at wholesale and is regularly engaged in the business of selling fireworks. Such determination shall be ascertained after requiring and recording the name and address of the purchaser, proof of the purchaser's state sales tax number and a list of outlets at which the purchaser will sell such fireworks at retail.

5610.5 Unlawful Acts. It shall be unlawful for any person to use, utilize or occupy any structure, building, part thereof or appurtenance thereto, to manufacture, store, offer for sale at wholesale, expose for sale at wholesale or sell at wholesale any fireworks without a permit for such use, utilization or occupancy issued by Sedgwick County Fire District One. No such permit shall be issued unless and until each structure, building, part thereof or appurtenance thereto shall have been inspected by Sedgwick County Fire District One and each are determined to be suitable for such occupancy pursuant to the I.F.C. Each structure, building, part thereof or appurtenance thereto shall be required to have a permit. Permits issued in accordance with this provision or its predecessor provision shall be valid for one (1) year from the date of issuance, at which time said permit(s) shall expire and such structure, building, part thereof or appurtenance thereto shall again be subject to passing such inspection before a new permit may be issued and such use, utilization or occupancy continued. No such permit shall be issued prior to payment by the owner or occupant of such premises of a permit fee in accordance with Table 108.2.1 Application for a permit shall be made at least fourteen (14) days prior to time it is required hereunder.

5610.6 Illegal discharge. A person shall not, at any time, ignite or discharge fireworks within 1,000 feet of any hospital, sanitarium, infirmary, retirement or nursing home, wildlife reserves, parks or zoo; into, under or on a car, vehicle, motorcycle, or other means of transportation, whether moving or standing still; or on a public road or the right-of-way adjoining a public roadway. Fireworks shall not be discharged within 100 feet of any facility where fireworks are stored.

5610.7 Illegal possession of fireworks. No person shall possess Consumer Fireworks (1.4G) except as provided for during the time period established in Section 5610, Exceptions.

5610.8 Seizure of fireworks. Fireworks which are illegally offered, used, discharged, possessed or transported in violation of the provisions of this code shall be subject to seizure by the Fire Marshal or designee, and/or any Sedgwick County Sheriff Officer. Seizure of said fireworks is at the discretion of the Fire Marshal, the Fire Marshal's designee, and/or any Sedgwick County Sheriff Officer.

5610.9 Disposition of seized fireworks. Fireworks seized under this section may be disposed of by summary destruction at any time subsequent to 15 days from the seizure of the fireworks, unless a petition is filed by the owner thereof under Section 5610.9.1.

5610.9.1 Petition by owner for possession.

1. Any person whose fireworks are seized under the provisions of this code may, within 10 days after the seizure, submit a written petition to the Sedgwick County Court by filing the petition with the County Court Clerk, upon the grounds that the fireworks were illegally or erroneously seized. Upon the filing of the petition, the County Court Clerk shall set a hearing date on the regular court calendar and notify any involved local fire or law enforcement agency. The proper filing of the petition shall stay the disposal of the fireworks until the County Court enters a final order, unless a timely appeal is taken thereafter, then disposal shall not occur until a final judgment is rendered.
2. If any petition filed requests a hearing, the County Court Judge shall hear the person on the scheduled court date. The County Court Clerk shall give written notice of the hearing to the petitioner by regular US mail. The hearing shall be held in accordance with the Sedgwick County Code and K.S.A. 19-4723. The Court shall rule upon the petition after completion of the hearing.
3. If the petitioner fails to appear at the date and time set for the hearing, the fireworks seized shall be forthwith disposed of in the manner determined by the Fire Marshal or designee.
4. The County Court may order the fireworks seized under these regulations disposed of, or, if illegally or erroneously seized, returned to the petitioner.
5. The judgment of the County Court may be appealed to the District Court in the same manner as allowed by K.S.A. 19-4737.

5610.10 Specific Exceptions: *Possession and proper discharge allowed.*

1. Beginning 8:00 a.m. (0800) on June 27th and ending 12:00 a.m. (0000), midnight, July 5th, the possession of Consumer Fireworks (1.4G) shall be allowed, unless otherwise restricted by this code.
2. Beginning at 8:00 a.m. (0800) and ending at 12:00 a.m. (0000), midnight, on July 1, 2, 3 and 4th, the discharge of Consumer Fireworks (1.4G) shall be allowed, unless otherwise restricted by the code. In the event the Fourth of July Federal Holiday falls on July 5th of any particular year, the discharge of Consumer Fireworks (1.4G) shall be allowed one additional day, beginning at 8:00 a.m. (0800) and ending 12:00 a.m. (0000), midnight on July 5th.
3. Discharge of Consumer Fireworks (1.4G) is allowed on private or residential property located within the unincorporated area of Sedgwick County during the dates and time established herein, and only with permission of any person or entity having an ownership interest therein. An adult residing on the property or having an ownership interest therein shall supervise the use, explosion and/or discharge of fireworks on such property.
4. Discharge, explosion or use of fireworks of any kind shall not be allowed upon any public road, street, highway, avenue or alley or in any public park or public place within unincorporated Sedgwick County, unless expressly approved in writing by the Sedgwick County Board of County Commissioners. Discharge, explosion or use of fireworks on any property owned by Sedgwick County shall not be allowed, unless expressly approved in writing by the Sedgwick County Board of County Commissioners.

SECTION B105, FIRE-FLOW REQUIREMENTS FOR BUILDINGS (APPENDIX B)
is hereby amended as follows:

Section B.105.1 is hereby deleted in its entirety.

B.105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.1 (1) and B105.2 (2).

SECTION C102, LOCATION (APPENDIX C) is hereby amended as follows:

C102.1 Number of Fire hydrant. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1

Exception: In those areas not served by a municipal or rural water supply system, alternate means of fire protection may be considered by the Code Official.

SECTION D101, GENERAL (APPENDIX D) is hereby amended as follows:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code. Access to single-family residences, agriculture or accessory structures shall be in compliance with the current Sedgwick County Service Drive Code, located within Chapter 12, Article III of the Sedgwick County Code.

SECTION D107, ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS (APPENDIX D) is hereby amended by deleting exception 1, editing D107.1 and D107.2 and creating D107.3 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 60 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 60 dwelling units accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-third of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

D107.3 Other. To further clarify and memorialize mutually agreed upon conditions, the following items shall apply to one- and two-family residential developments:

1. Emergency or secondary means of access shall be put into GIS
2. Curb cuts shall be provided on both street connections
3. Signage shall be installed and maintained per D103.6
4. Access shall be inspected by SCFD 1 annually
5. Access may allow bicycle or pedestrian overlay
6. Access may allow for contingent dedication for future full use road if desired by neighborhood or HOA.
7. Mid-block bump outs are approved for movement of apparatus on longer than normal cul-de-sacs
8. Back to back cul-de-sacs may be approved which allows access both directions
9. 199 dwelling units may be allowed before a second full movement access point is required.
10. Temporary access is allowed as long as it is maintained to access standards for width, height and surface. Temporary access must be reviewed and approved every 12 months
11. Alley's shall be considered separate from Streets and access
12. Structures within 150 feet of a paved surface street shall be issued permits for building

Schedule A
(to Sedgwick County Fire Code, 2024 Edition)
 Adopted by Resolution No. _____-24

CLASSIFICATION OF VIOLATIONS

| Section | Description of Violation | Class |
|----------------|---|--------------|
| 105.3.1 | Use permit after expiration | H |
| 105.3.5 | Fail to post required permit | H |
| 110.2 | Fail to have required equipment tested | H |
| 304.1 | Allow combustible waste to accumulate which creates a fire hazard | H |
| 304.1.4 | Allow combustible waste storage underneath seats | H |
| 307.2 | Permit required. Fail to obtain burn permit | H |
| 307.4 | Burn at an unapproved location. 100' from structures or 10' from property lines | H |
| 307.5 | Attendance. Leave fire unattended | H |
| 310.4 | Remove or tamper with no smoking sign | H |
| 310.5 | Fail to comply with no smoking sign | H |
| 311.2.1 | Fail to secure and protect vacant premises | H |
| 505.1 | Fail to properly identify building address (4' x 1/2" numbers) | H |
| 605.7.1 | Residential incinerators. (approved type only) | H |
| 605.7.2 | Spark arrestor. (approved type only) | H |
| 605.7.3 | Restrictions. Distance from structures 100', property lines 10' and minimum of five acres to conduct the operation. | H |
| 605.7.4 | Time of burning. (one hour after sunrise until one hour before sunset) | H |
| 603.4 | Working space and clearance around electrical panels. | H |
| 603.6 | Extension cords and flexible cords shall not be a substitute for permanent wiring | H |
| 603.2 | Unapproved conditions. Open junction boxes and open wire-splices shall be prohibited | H |
| 906.2 | Annual servicing. Maintain portable fire extinguishers | H |
| 906.7 | Portable fire extinguishers shall be installed on the hangers or brackets supplied | H |

Schedule B
(to Sedgwick County Fire Code, 2024 Edition)
 Adopted by Resolution No. _____-24

CLASSIFICATION OF VIOLATIONS

***The violations listed below are special class violations. Violations of these code sections shall carry a fine of \$1,000.00 each.**

| Section | Description of Violation | Class |
|----------------|--|--------------|
| 102.3 | Change use of building | * |
| 104.4 | Deny right of entry | * |
| 104.11 | Fail to comply with fire department authority | * |
| 104.11.2 | Obstruct firefighting operations | * |
| 104.11.3 | Render system or device inoperable during an emergency | * |
| 105.3.3 | Occupancy prohibited before approval | * |
| 110.5 | Render portable or fixed fire extinguishing system, device or fire warning system inoperable or inaccessible | * |
| 110.6 | Allow a building or portion thereof to be overcrowded beyond the approved capacity | * |
| 115.1 | Fail to comply with notice on unsafe building | * |
| 115.1.1 | Allow unsafe condition to remain | * |
| 115.2 | Fail to evacuate building or structure as directed | * |
| 115.6 | Fail to abate unsafe condition | * |
| 114.4 | Fail to comply with work stop order | * |
| 305.4 | Cause the burning of combustible material in a manner to endanger the safety of persons or property | * |
| 307.1.1 | Burning during a burn ban | * |
| 308.1.7 | Aerial luminaries | * |
| 401.3.1 | Fail to report unwanted fire emergency to the fire department | * |
| 401.3.2 | Fail to notify fire department of a fire alarm activation | * |
| 401.3.3 | Delay notification by written or verbal directive | * |
| 401.5 | Making a false report | * |
| 403.2.3 | Fail to provide fire watch personnel | * |
| 407.3 | Fail to properly identify hazardous materials | * |
| 907.2.12 | Fail to provide required fire detection in an amusement building | * |
| 914.7.1 | Fail to provide required automatic sprinklers in an amusement building | * |
| 907.2.12 | Fail to provided required fire alarm in an amusement building | * |
| 3105.2 | Fail to contact the fire department prior to the operation of an amusement building | * |
| 3108.4 | Allow an open flame device or temporary heater in an amusement building | * |
| 314.3 | Use Visquene plastic or other black plastic sheeting in an amusement building | * |
| 1203.2 | Fail to maintain emergency and standby power systems | * |

| | | |
|-------------------|---|---|
| 901.6 | Fail to maintain fire detection, alarm, or extinguishing system in an operative condition at all times | * |
| 901.7 | Fail to notify fire department of a fire systems being out of service | * |
| 901.8 | Removal of or tampering. Hydrants, detection, alarms, suppression systems. | * |
| 901.8.1 | Remove, tamper or otherwise disturb any lock, gate, barricade, sign, tag or seal installed by or at the direction of the fire department | * |
| 903.4 | Fail to electronically supervise sprinkler system, pump, tank, or water flow device in an approved manner | * |
| Chapter 10 | MEANS OF EGRESS—Chapter 10. All violations occurring within Chapter 10, shall be considered <i>Special Class Violations</i> . | * |
| Part IV | Special Occupancies and Operations—Chapters 20 through 36. All violations occurring within chapters 20 – 36, shall be considered <i>Special Class Violations</i> . | * |
| Part V | HAZARDOUS MATERIALS-- Chapters 50 through 67. All violations occurring within chapters 50 – 67, shall be considered <i>Special Class Violations</i> . | * |

Schedule C
(to Sedgwick County Fire Code, 2024 Edition)
 Adopted by Resolution No. _____-24

The plan review fee required by Section 114.5 of this resolution shall be determined by multiplying the value of the construction by the applicable multiplier as set forth in the below schedule. (Plan Review fees double for projects located outside of Sedgwick County Fire District 1 taxing district boundaries minimum \$150).

SCFD PLAN REVIEW FEE SCHEDULE

| Valuation | | | Multiplier |
|------------------|----|----------------|------------|
| \$0.00 | to | \$50,000.00 | 0.0015* |
| \$50,001.00 | to | \$100,000.00 | 0.0012 |
| \$100,001.00 | to | \$150,000.00 | 0.00098 |
| \$150,001.00 | to | \$200,000.00 | 0.000975 |
| \$200,001.00 | to | \$300,000.00 | 0.00082 |
| \$300,001.00 | to | \$400,000.00 | 0.000785 |
| \$400,001.00 | to | \$500,000.00 | 0.00075 |
| \$500,001.00 | to | \$600,000.00 | 0.00072 |
| \$600,001.00 | to | \$700,000.00 | 0.0007 |
| \$700,001.00 | to | \$800,000.00 | 0.00068 |
| \$800,001.00 | to | \$900,000.00 | 0.00067 |
| \$900,001.00 | to | \$1,000,000.00 | 0.00065 |
| \$1,000,001.00 | to | \$2,000,000.00 | 0.00063 |
| \$2,000,000.00 + | | | 0.0006 |

*minimum charge \$50.00