

ORDINANCE NO. ####

AN ORDINANCE AMENDING THE WESTWOOD CITY CODE, AS AMENDED, BY REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 4 ARTICLE 2 OF THE CODE OF THE CITY OF WESTWOOD, KANSAS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:

SECTION ONE: That Chapter 4 Article 2 of the Code of the City of Westwood, Kansas, be repealed and replaced in its entirety as follows:

ARTICLE 1. BUILDING CODE

- 4-201. INCORPORATING THE 2024 EDITION OF THE INTERNATIONAL BUILDING CODE. There is hereby incorporated by reference for the purpose of regulating building and construction practices and to provide for the public safety and welfare within the corporate limits of the City of Westwood, Kansas, that certain document known as the "International Building Code," 2024 Edition, including Appendices E and P, as published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than two (2) copies of the International Building Code shall be marked or stamped "Official Copy as incorporated by ordinance No.####," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or changes and to which shall be attached a copy of this ordinance and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. One such copy, however, may be in electronic form, provided that any changes or amendments are attached to or recorded in such electronic format so as to be readily understood. (Ordinance ####)
- 4-202. REVISED, AMENDED, OR DELETED SECTIONS OF THE 2024 EDITION OF THE INTERNATIONAL BUILDING CODE: The following sections of the International Building Code shall be revised, amended, or deleted:
- (a) Section 101.1, entitled "Title," shall be amended to read "These regulations shall be known as the Building Code of the City of Westwood, Kansas, hereinafter referred to as "this code.""
 - (b) Section 101.4.4, entitled "Property maintenance," shall be amended such that: "International Property Maintenance Code" shall be replaced with "City Code of Westwood" as shall any other references in this code.
 - (c) Section 101.4.8 shall be added to read: "101.4.8 Electrical. The provisions of the National Electrical Code, as amended, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto."
 - (d) Section 101.4.9 shall be added to read "101.4.9 Swimming Pools and Spas. The provisions of the International Swimming Pool & Spa Code shall apply to the installation of swimming pools, hot tubs, spas, and fixed in-place wading pools, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
 - (e) Section 103.1 shall be added to read: "103.1 Creation of enforcement agency. The City of Westwood Building Department is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code."

(f) Section 105.1.3 is hereby added to read as follows: "105.1.3 COUNTY LICENSE REQUIRED. All persons undertaking work which requires a permit as provided in Section 105, or seeking to obtain that permit from the City, are required to have a currently valid contractor's license from the Johnson County Contractor's Licensing Program. That County license shall have been issued by the County in accordance with the provisions of the Johnson County Contractors Licensing Program and the Contractor Licensing Regulations adopted by the Board of County Commissioners by Resolution 058-01 on August 9, 2001, and any regulations subsequently adopted by the Contractor Licensing Review Board as authorized by said County Licensing Regulations, as said Resolution and regulations may be amended from time to time by said Boards.

Exception: The owner of a single family dwelling shall be allowed to secure a permit to construct, alter or repair said dwelling provided the following conditions are met: (1) the homeowner currently occupies the dwelling or will occupy the dwelling once the construction has been completed; and (2) the homeowner undertakes the work himself/herself, without compensation and no person shall be employed to assist the homeowner in any way on such work except a builder or building contractor licensed by Johnson County. The Building Official may waive the provisions of this Section where it can be established that no license exists for the installation, alteration, or repair of a certain type of work requiring a permit, or due to other unique circumstances.

(g) Section 105.2, entitled "Work exempt from permit," shall be revised to and amended to delete the following exemptions from the permit requirement under "Building:"

- (1) One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15 square meters).
- (2) Fences not over 6 feet (1829 mm) high.
- (3) Oil derricks.
- (4) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- (5) Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.

(h) Section 105.2, entitled "Work exempt from permit," shall also be revised and amended for exemption 9 under "Building," to read "Prefabricated swimming pools which are less than 12 inches deep."

(i) Section 105.3.2, "Time limit of application," shall be amended to read as follows: "An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension or extensions shall be requested in writing and justifiable cause demonstrated."

(j) Section 109.3, entitled "Permit Valuations," shall be amended to add the following sentence at the end of said provision: "Alternatively, building permit fees may be set and established administratively by the City according to the schedule as established by the City and as amended."

(k) Section 109.4, entitled "Work commencing before permit issuance" shall be amended to read; "Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits, shall be subject to a fee equal to one half of the permit fee, in addition to required fees.

(l) Section 113.1, entitled "General," shall be amended to read as set out in section 4-104 of the City Code.

(m) Section 114.4, entitled "Violation penalties," shall be amended to add the following at the end of said provision: "In addition to any administrative remedies or other legal or equitable remedies provided, any persons violating the provisions of this code shall, upon conviction

thereof, be fined in a sum not to exceed \$500.00, or be imprisoned not to exceed six months or be both so fined and imprisoned. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the city ordinances is committed, continued or permitted by any such person."

(n) Section 115.2, entitled "Issuance" shall be amended by adding to the first sentence, "or by posting the notice on the property in a conspicuous place."

(o) Section 423.6, entitled "Group R Occupancies." shall be added and shall read as follows: "All Group R-1, R-2, R-3, R-4, occupancies of any occupant load shall have a storm protection area constructed in accordance with ICC 500 or shall have a basement. Sub-surface areas located beneath concrete stoops with or without doors are considered equivalent to a basement. Such areas shall be provided with ventilation in accordance with applicable code requirements.

Exception: Storm shelters are not required for existing buildings or for repairs, alterations or additions for existing buildings when the area of work is less than 50% of the building area.

(p) Section 903.3.7. entitled "Fire Department Connections," shall be amended by adding to the first sentence, "and the location of fire department connections shall be approved by the *Fire Code Official*."

(q) Section 1010.7 entitled "Physical security." shall be added and shall read as follows:

1010.7.1 Purpose. The purpose of this Section is to establish minimum standards that incorporate physical security to make dwelling units resistant to unlawful entry.

1010.7.1.1 Scope. The provisions of this Section shall apply to all new structures and to additions made to existing buildings.

1010.7.2 Doors. Except for vehicular access doors, all exterior swinging doors of residential buildings and attached garages, including the doors leading from the garage area into the dwelling unit, shall comply with Sections 1010.7.2.1 through 1010.7.2.5 for the type of door installed. When approved by the code official, doors into individual dwelling units that are inside of buildings with exterior doors meeting the requirements of Sections 1010.7.2 through 1010.7.4.6 and meeting the lighting requirements in Sections 1010.7.6 through 1010.7.6.2, are exempt from the requirements of Section 1010.7.

1010.7.2.1 Wood doors. Where installed, exterior wood doors shall be of solid core construction such as high-density particleboard, solid wood, or wood block core with a minimum thickness of one and three-fourths inches (1 3/4") at any point. Doors with panel inserts shall be solid wood. The panels shall be a minimum of one inch (1") thick. The tapered portion of the panel that inserts into the groove of the door shall be a minimum of one-quarter inch (1/4") thick. The groove shall be a dado groove or applied molding construction. The groove shall be a minimum of one-half inch (1/2") in depth.

1010.7.2.2 Steel doors. Where installed, exterior steel doors shall be a minimum thickness of 24 gauge.

1010.7.2.3 Fiberglass doors. Fiberglass doors shall have a minimum skin thickness of one-sixteenth inch (1/16") and have reinforcement material at the location of the deadbolt.

1010.7.2.4 Double doors. Where installed, the inactive leaf of an exterior double door shall be provided with flush bolts having an engagement of not less than one inch into the head and threshold of the doorframe.

1010.7.2.5 Sliding doors. Where installed, exterior sliding doors shall comply with all of the following requirements:

1. Sliding door assemblies shall be installed to prevent the removal of the panels and the glazing from the exterior with the installation of shims or screws in the upper track.

2. All sliding glass doors shall be equipped with a secondary locking device consisting of a metal pin or a surface mounted bolt assembly. Metal pins shall be installed at the intersection of the

inner and outer panels of the inside door and shall not penetrate the frame's exterior surface.

The surface mounted bolt assembly shall be installed at the base of the door.

1010.7.3 Door frames. The exterior door frames shall be installed prior to a rough-in inspection. Door frames shall comply with Sections 1010.7.3.1 through 1010.7.3.3 for the type of assembly installed.

1010.7.3.1 Wood frames. Wood door frames shall comply with all of the following requirements:

1. All exterior door frames shall be set in frame openings constructed of double studding or equivalent construction, including garage doors, but excluding overhead doors. Door frames, including those with sidelights shall be reinforced in accordance with ASTM F476-14 Grade 40.
2. In wood framing, horizontal blocking shall be placed between studs at the door lock height for three (3) stud spaces or equivalent bracing on each side of the door opening.

1010.7.3.2 Steel frames. All exterior door frames shall be constructed of 18 gauge or heavier steel, and reinforced at the hinges and strikes. All steel frames shall be anchored to the wall in accordance with manufacturer specifications. Supporting wall structures shall consist of double studding or framing of equivalent strength. Frames shall be installed to eliminate tolerances inside the rough opening.

1010.7.3.3 Door jambs.

1. Door jambs shall be installed with solid backing in a manner so no void exists between the strike side of the jamb and the frame opening for a vertical distance of twelve inches (12") each side of the strike. Filler material shall consist of a solid wood block.
2. Door stops on wooden jambs for in-swinging doors shall be of one-piece construction. Jambs for all doors shall be constructed or protected so as to prevent violation of the strike.

1010.7.4 Door hardware. Exterior door hardware shall comply with Sections 1010.7.4.1 through 1010.7.4.6.

1010.7.4.1 Hinges. Hinges for exterior swinging doors shall comply with the following:

1. At least two (2) screws, three inches (3") in length, penetrating at least one inch (1") into wall structure shall be used. Solid wood fillers or shims shall be used to eliminate any space between the wall structure and door frame behind each hinge.
2. Hinges for out-swinging doors shall be equipped with mechanical interlock to preclude the removal of the door from the exterior.

1010.7.4.2 Strike plates. Exterior door strike plates shall be a minimum of 18 gauge metal with four offset screw holes. Strike plates shall be attached to wood with not less than three inch (3") screws, which shall have a minimum of one inch (1") penetration into the nearest stud. Note: For side lighted units, refer to Section 1010.7.4.6.

1010.7.4.3 Escutcheon plates. All exterior doors shall have escutcheon plates or wrap-around door channels installed around the lock protecting the door's edge.

1010.7.4.4 Locks. Exterior doors shall be provided with a locking device complying with one of the following: Single Cylinder Deadbolt shall have a minimum projection of one inch (1"). The deadbolt shall penetrate at least three-fourths inch (3/4") into the strike receiving the projected bolt. The cylinder shall have a twist-resistant, tapered hardened steel cylinder guard. The cylinder shall have a minimum of five (5) pin tumblers, shall be connected to the inner portion of the lock by solid metal connecting screws at least one-fourth inch (1/4") in diameter and two and one-fourth inches (2-1/4") in length. Bolt assembly (bolt housing) unit shall be of single piece construction. All deadbolts shall meet ANSI grade 2 specifications.

1010.7.4.5 Entry vision and glazing. All main or front entry doors to dwelling units shall be arranged so that the occupant has a view of the area immediately outside the door without opening the door. The view may be provided by a door viewer having a field of view of not less

than 180 degrees through windows or through view ports.

1010.7.4.6 Side lighted entry doors. Side light door units shall have framing of double stud construction or equivalent construction complying with Sections 1010.7.3.1, 1010.7.3.2 and 1010.7.3.3. The door frame that separates the door opening from the side light, whether on the latch side or the hinge side, shall be double stud construction or equivalent construction complying with Sections 1010.7.3.1 and 1010.7.3.2. Double stud construction or construction of equivalent strength shall exist between the glazing unit of the side light and wall structure of the dwelling.

1010.7.5 Street numbers. Street numbers shall comply with Section 505 of the *International Fire Code*.

1010.7.6 Exterior lighting. Exterior lighting shall comply with Sections 1010.7.6.1 through 1010.7.6.2.

1010.7.6.1 Front and street side exterior lighting. All front and street side door entrances should be protected with a minimum of one light outlet having a minimum of sixty (60) watts of lighting (or energy efficient equivalent), installed so that the light source is not readily accessible.

1010.7.6.2 Rear exterior lighting. Homes with windows or doors near ground level below eight feet (8') on the rear side of the house shall be equipped with a minimum of one light outlet having 100 watt lighting (or energy efficient equivalent) and shall be of the flood light type. Those fixtures placed below eight feet (8') shall be fixtures manufactured such that the light source is not readily accessible.

1010.7.7 Alternate materials and methods of construction. The provisions of this Section are not intended to prevent the use of any material or method of construction not specifically prescribed by this Section, provided any such alternate has been approved by the enforcing authority, nor is it the intention of this Section to exclude any sound method of structural design or analysis not specifically provided for in this Section. The materials, methods of construction, and structural design limitations provided for in this Section shall be used, unless the enforcing authority grants an exception. The enforcing authority is authorized to approve any such alternate provided they find the proposed design, materials, and methods of work to be at least equivalent to those prescribed in this Section in quality, strength, effectiveness, burglary resistance, durability, and safety.

(q) Section 1210.2.1 titled "Floors and wall bases" shall be amended to include the following phrase at the end of the first sentence "and shall be equipped with a floor drain as outlined in Section 413 of the International Plumbing Code as adopted."

(r) Section 1612.3, entitled "Establishment of flood hazard area," shall be deleted, and in lieu thereof, shall be inserted the following: "To establish flood hazard areas, the City of Westwood may adopt a flood hazard map and supporting data. If and when the city undertakes such a task, such shall comply with the requirements of Section 1612.3 and shall be incorporated into the city's code requirements."

(s) Section 2701.1, entitled "Scope," is hereby changed to read; "This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this Code. Electrical components, equipment and systems shall be designed and constructed in accordance with the National Electrical Code."

(t) Section 3001.7 entitled "State Elevator Compliance" shall be added and shall read as follows: "All elevators shall comply with permitting and all other requirements outlined by the Office of the Kansas State Fire Marshal."