

**ORDINANCE NO. 2910-2023**

AN ORDINANCE AMENDING AND DELETING CERTAIN SECTIONS OF THE RESIDENTIAL BUILDING CODE OF THE CITY OF GARDEN CITY, KANSAS IN ORDER TO ESTABLISH MINIMUM REQUIREMENTS FOR THE SAFEGUARDING OF PUBLIC SAFETY, HEALTH, AND GENERAL WELFARE THROUGH AFFORDABILITY, STRUCTURAL STRENGTH, MEANS OF EGRESS FACILITIES, STABILITY, SANITATION, LIGHT AND VENTILATION, ENERGY CONSERVATION AND SAFETY TO LIFE AND PROPERTY FROM FIRE AND OTHER HAZARDS ATTRIBUTED TO THE BUILT ENVIRONMENT, AND TO PROVIDE SAFETY TO FIRE FIGHTERS AND EMERGENCY RESPONDERS DURING EMERGENCY OPERATIONS; AMENDING CODE SECTION 18-23; REPEALING EXISTING CODE SECTION 18-23; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:

**SECTION 1.** That Section 18-23 of the Code of Ordinances is hereby amended to read as follows:

Section 18-23. Amendments and deletions to Residential Building Code.

The following sections of the Residential Building Code adopted and incorporated by reference in this Article are hereby amended or deleted as follows:

**Section R101.1 Title.** Amended to read as follows: These provisions shall be known as the Residential Building Code for One- and Two-Family Dwellings of the City of Garden City, Kansas, and shall be cited as such and will be referred to herein as “this code”.

**Section R105.2 Work exempt from permit.** Subsections 1, 2, 5 and 10. Deleted

**Table R301.2 (1).** Amended to read as follows:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD <sup>o</sup>	WIND DESIGN				SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDER-LAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	Speed <sup>d</sup> (mph)	Topographic effects <sup>k</sup>	Special wind region <sup>l</sup>	Wind-borne debris zone <sup>m</sup>		Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>					
20	115	NO	NO	NO	A	SEVERE	32"	MODERATE TO HEAVY	5°	NO	01/25/78 09/03/97	500-1000	55°

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index “negligible,” “moderate” or “severe” for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 971/2-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- l. In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

**Section R302.2 Townhouses.** Amended to read as follows:

- (a) Townhouse units shall be separated by walls that are constructed in accordance with Section R302.2.1, Double Walls, or Section R302.2.2, Common Walls.

**Section R302.2.1 Double walls.** Amended to read as follows:

- (a) Double walls separating townhouse units shall be separated by two (2) 1-hour fire-resistance-rated wall assemblies tested in accordance with ASTM E119, UL 263, or Section 703.3 of the *International Building Code*.
- (b) Any double wall separating a townhouse unit that is installed pursuant to subsection (a) and that is located in a concealed and accessible floor, floor-ceiling, or *attic* space shall be permanently identified with a sign or stenciling, which shall comply with each of the following requirements:
  - (1) Any such sign or stenciling shall be located within 14 feet (4572 mm) of the end of each wall and at intervals not exceeding 30 feet (9144 mm) measured horizontally along the wall; and

- (2) Any such sign or stenciling shall include lettering that is not less than 3 inches (76 mm) in height with a minimum 3/8-inch (9.5 mm) stroke, that is in a color that contrasts with the color of the background behind the lettering, and that includes the same or substantially the same language as follows: "FIRE WALL – PROTECT ALL OPENINGS".

**Section R302.2.2 Common walls.** Amended to read as follows:

- (a) Common walls separating townhouse units shall comply with each of the following requirements:
  - (1) Each common wall shall be assigned a fire-resistance rating as follows:
    - (A) For common walls separating townhouse units that are installed with a fire sprinkler system in accordance with Section P2904, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263, or Section 703.3 of the *International Building Code*.
    - (B) For common walls separating townhouse units that are not installed with a fire sprinkler system in accordance with Section P2904, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263, or Section 703.3 of the *International Building Code*.
  - (2) Each common wall shall be constructed without plumbing or mechanical equipment, ducts, or vents in the cavity of the common wall.
  - (3) Each common wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing.
  - (4) Electrical installations shall be in accordance with Chapters 34 through 43 of this Code.
  - (5) Penetrations of the membrane of common walls for electrical outlet boxes shall be in accordance with Section R302.4.
  - (6) Any common wall that is located in a concealed and accessible floor, floor-ceiling, or *attic* space shall be permanently identified with a sign or stenciling, which shall comply with each of the following requirements:
    - (A) Any such sign or stenciling shall be located within 14 feet (4572 mm) of the end of each wall and at intervals not exceeding 30 feet (9144 mm) measured horizontally along the wall; and
    - (B) Any such sign or stenciling shall include lettering that is not less than 3 inches (76 mm) in height with a minimum 3/8-inch (9.5 mm) stroke, that is in a color that contrasts with the color of the background behind the lettering, and that includes the same or substantially the same language as follows: "FIRE WALL – PROTECT ALL OPENINGS".

**Section R302.13 Fire protection of floors.** Deleted

**Section R302.3 Two-family dwellings.** Amended to read as follows:

- (a) *Dwelling units* in two-family dwellings shall be separated from each other by wall assemblies and floor assemblies, which shall comply with each of the following requirements:
- (1) Each wall assembly and floor assembly shall be tested in accordance with ASTM E119, UL 263, or Section 703.3 of the *International Building Code* to have a fire-resistance rating of not less than 1-hour;
    - (A) **Exception:** A wall or floor assembly may have a fire-resistance rating of not less than ½ hour if the assembly is installed in a dwelling unit equipped with an automatic sprinkler system that conforms with NFPA 13.
  - (2) Each wall assembly, floor assembly, and floor/ceiling assembly shall extend to and be tight against an *exterior wall*;
    - (A) **Exception:** A wall assembly need not be required to extend through an attic space if: (i) the ceiling is protected by not less than 5/8 of an inch (15.9 mm) of Type X gypsum board; (ii) the attic draft stop that complies with Section R.302.12.1 is installed above and along the wall assembly separating the dwelling units; and (iii) the structural framing supporting the ceiling is protected by not less than ½ of an inch (12.7 mm) of gypsum board or its equivalent.
  - (3) Any wall assembly shall extend from the foundation to the underside of the roof sheathing; and
    - (A) **Exception:** A wall assembly need not be required to extend through an attic space if: (i) the ceiling is protected by not less than 5/8 of an inch (15.9 mm) of Type X gypsum board; (ii) the attic draft stop that complies with Section R.302.12.1 is installed above and along the wall assembly separating the dwelling units; and (iii) the structural framing supporting the ceiling is protected by not less than ½ of an inch (12.7 mm) of gypsum board or its equivalent.
  - (4) Any wall assembly that is located in a concealed and accessible floor, floor-ceiling, or *attic* space shall be permanently identified with a sign or stenciling, which shall comply with each of the following requirements:
    - (A) Any such sign or stenciling shall be located within 14 feet (4572 mm) of the end of each wall assembly and at intervals not exceeding 30 feet (9144 mm) measured horizontally along the wall; and
    - (B) Any such sign or stenciling shall include lettering that is not less than 3 inches (76 mm) in height with a minimum 3/8-inch (9.5 mm) stroke, that is in a color that contrasts with the color of the background behind the lettering, and that includes the same or substantially the same language as follows: "FIRE WALL – PROTECT ALL OPENINGS".

**Section R313.1 Townhouse automatic fire sprinkler systems.** Amended to read as follows:

- (a) The installation of an automatic residential fire sprinkler system shall not be required for *townhouses*, but shall be optional at the discretion of the owner or the owner's agent. Nothing in this subsection shall be construed to remove or limit the requirement for townhouse units to be separated by double walls or common walls pursuant to Section R302.2.

**Section R313.1.1 Design and installation.**

- (a) Automatic residential fire sprinkler systems for *townhouses* shall be designed and installed in accordance with Section P2904 or NFPA 13D.

**Section R313.2 One- and two-family dwellings automatic fire sprinkler systems.**  
Amended to read as follows:

- (a) The installation of an automatic residential fire sprinkler system shall not be required for one- and two-family *dwellings*, but shall be optional at the discretion of the owner or the owner's agent. Nothing in this subsection shall be construed to remove or limit the requirement for two-family dwelling units to be separated by wall assemblies and floor assemblies pursuant to Section R302.3.

**Section R313.2.1 Design and installation.**

- (a) In the event that the owner or the owner's agent elects to install an automatic residential fire sprinkler system in a one- and two-family dwelling, any such system shall be designed and installed in accordance with Section P2904 or NFPA 13D.

**Section R314.4 Interconnection.** Amended to read as follows: Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual *dwelling unit*. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. Exception: Interconnection of smoke alarms in existing areas shall not be required where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

**Section 405.1 Concrete and masonry foundations.** Deleted

**Section N1102.4.1.2 Testing.** Deleted

**Section N1103.3.3 Duct testing.** Deleted

**Section P2603.5.1 Sewer depth.** Deleted

**Section P2904.1.1 Required sprinkler locations.** Amended to read as follows: For any dwelling unit installed with or required to be installed with an automatic residential fire sprinkler system, the sprinklers shall be installed to protect all areas of a *dwelling unit*.

**Section P3103.1 Roof extensions.** Amended to read as follows: All open vent pipes that extend through a roof shall be terminated at least six inches (6") above the roof or four inches (4") above the anticipated snow accumulation.

**Section G2414.5 Metallic tubing.** Deleted

**Section G2414.5.3 Copper or copper-alloy tubing.** Deleted

**Amend Section G2415.12 Minimum burial depth.** Amended to read as follows: Underground *pipng systems* shall be installed a minimum depth of twenty-four inches (24") below grade. Dielectric unions shall be used prior to entering a structure.

**Section G2415.12.1 Individual outside appliances.** Deleted

**Section G2415.13 Trenches.** Amended to read as follows: The trench shall be graded so that the pipe has a firm, substantially continuous bearing on the bottom of the trench. The trench for the service line shall contain no other lines. A multiple dwelling shall require one service line for each unit, and no service line shall be extended from one building to another, nor from one part of a building to another.

**Section G2417.4.1 Test pressure measurement.** Amended to read as follows: This inspection shall be made after all gas piping authorized by the permit has been installed and before any such piping has been covered or concealed, or any fixture or appliance has been attached thereto. This inspection shall require that the lines be pressured with a pressure of twelve inches (12") of mercury or twenty (20) pounds of air, thirty (30) pounds of air if CSST is used, and the same shall have stood for at least fifteen (15) minutes with no noticeable loss in pressure prior to the inspection. For welded piping, and for piping carrying gas at pressures in excess of fourteen inches (14") (356 mm) water column pressure, the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa) and shall be continued for a length of time satisfactory to the administrative authority, but in no case for less than thirty (30) minutes. A tag denoting the pressure at which the system was pressurized to shall be left adjacent to the gauge. All necessary apparatus for conducting tests shall be furnished by the permit holder.

**Section G2417.4.2 Test duration.** Deleted

**Section E3601.6.2 Service disconnect location.** Amended to read as follows: The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors, not to exceed three feet (3') of wire from the meter. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

**Section E3902.7 Sink receptacles.** Amended to read as follows: 125-volt, single-phase, 15- and 20-ampere receptacles that are located within 6 feet (1,829 mm) of the top inside edge of the bowl of the sink shall have ground-fault circuit-interrupter protection for personnel; *provided, however, that* any non-accessible kitchen receptacle designated for a refrigerator shall not be required to be ground-fault circuit-interrupter protected. [210.8(A)(7)]

**SECTION 2.** That Section 18-23 of the Code of Ordinances of the City of Garden City, Kansas, are hereby repealed, to be replaced as specified herein.

**SECTION 3.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**SECTION 4.** That this ordinance shall be in full force and effect from and after December 1, 2023, and following its publication, in the Garden City Telegram, the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, this 14<sup>th</sup> day of November, 2023.

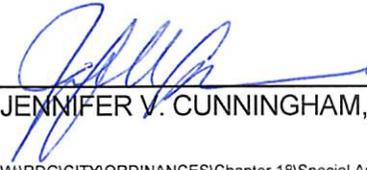
  
DEBORAH OYLER, Mayor

ATTEST:

  
CELYN N. HURTADO, City Clerk



APPROVED AS TO FORM AND CONTENT:



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JENNIFER V. CUNNINGHAM, City Attorney

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