

ORDINANCE NO. 1610

AN ORDINANCE RELATING TO BUILDING CODES; AMENDING AND REPEALING SECTIONS OF CHAPTER 15, ARTICLE 5, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF FAIRWAY, KANSAS RELATING TO THE ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE BY REFERENCE.

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

SECTION 1. That existing Section 15-880 of the Code of the City of Fairway, Kansas, is hereby amended to read as follows:

15-880. Adoption of Residential Code.

A. **General incorporation of Residential Code.** There is hereby incorporated by reference the International Residential Code (IRC), 2012 Edition, prepared and published by the International Code Council, Inc. including appendices A, B, C, G, and J, but excluding its other appendices. Provided that, parts or portions thereof shall be omitted, amended, replaced or supplemented as specified by the following subsection B. At least one (1) copy of this Code shall be marked or stamped "Official copy as incorporated by Ordinance No. 1610," with all sections or portions thereof intended to be omitted, amended, replaced, or supplemented clearly marked to show any such omission, amendment, replacement, or supplementation, and to which shall be attached a copy of the incorporating ordinance, and filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours. Provided that, no official copy filed with the City Clerk shall be removed from city hall. All departments of the City charged with the enforcement of this Code shall be supplied, at the expense of the City, such number of official copies of this Code similarly marked as may be deemed expedient by the governing body. Should any provision of this Code conflict with any other provision of the Code of the City of Fairway, Kansas, then the more restrictive of the two provisions shall take precedence.

B. **Amendment to Residential Code as Published.** The following provisions of the International Residential Code (IRC), 2012 Edition, shall be omitted, amended, replaced or supplemented as follows:

1. Section R101.1 of the International Residential Code, 2012 Edition, Title is hereby amended by replacing the words "[NAME OF JURISDICTION]" with the words "the City of Fairway, Kansas."
2. Section R103.2 of the International Residential Code, 2012 Edition, Appointment, is hereby amended to read as follows:

R103.2 Appointment.

The *building official* shall be the Building Inspector appointed by the Mayor by and with the consent of the City Council.

3. Section 105.2 of the International Residential Code, 2012 Edition, Work exempt from permit, is hereby amended to read as follows:

R105.2 Work exempt from permit.

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

Buildings:

1. Painting, papering, tiling, carpeting, flooring, cabinets, counter tops, and similar finish work.
2. Prefabricated swimming pools that are less than 24 inches (610mm) deep, are not greater than 5,000 gallons (18,925 L) and are installed entirely above ground.
3. Swings and other playground equipment.
4. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
5. Patching holes in plaster or gypsum board and the repair or replacement of damaged and/or deteriorated trim or moldings provided the dimensions remain the same.
6. Repair or replacement of non-fire rated windows and doors provided that any replacement is the same size and shape as the original and no modification is made in any structural member of the structure.
7. Retaining walls constructed of pre-cast wall blocks, railroad ties, landscape timbers or other similar material not exceeding 2 feet in height measured from the bottom of the first course of such material which may be buried.
8. Repair of fences provided that no change is made in the location, height or material of the fence.

Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of general use switches in the same location.

4. Replacement of *luminaire* (lighting fixtures) but not the *lighting outlet* therefor.
5. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
6. Electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
7. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical *equipment* to *approved* permanently installed receptacles.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling unit.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any part that does not alter its approval of *equipment* or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe

becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. In-kind replacement of toilets, sinks, faucets, and tubs.
4. Section R105.3 of the International Residential Code, 2012 Edition, Application for permit, is replaced with the provisions found in Section 15-853 of the Code of Ordinances of the City of Fairway, Kansas. . Sections R105.3.1 Action on application, R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas, and R105.3.2 Time limitation of application, remain unchanged.
5. Section R105.5 of the International Residential Code, 2012 Edition, Expiration, is replaced with the provisions found in Section 15-852(1) of the Code of Ordinances of the City of Fairway, Kansas.
6. Section R108.2 of the International Residential Code, 2012 Edition, Schedule of permit fees, is hereby amended as to read as follows:

R108.2 Schedule of permit fees.

The Schedule of Permit Fees shall be established by the Governing Body by resolution.

7. Section R109.5 of the International Residential Code, 2012 Edition, Refunds, is hereby amended to read as follows:

R108.5 Refunds.

The code official shall authorize the refunding of the full amount of any fee that was erroneously paid or collected.

8. Section R110.1 of the International Residential Code, 2012 Edition, Use and occupancy, is hereby amended as follows:

R110.1 Use and occupancy.

No new residential building or structure shall be used or occupied until the *building official* has issued a certificate of satisfactory completion or an Inspection Notice indicating satisfactory final inspection and satisfactory occupancy. No remodel for which a permit is required shall be considered complete until the *building official* has issued a certificate of satisfactory completion or an Inspection Notice indicating satisfactory final inspection and satisfactory occupancy.

9. Sections R110.2 Change in use, R110.3 Certificate issued, R110.4 Temporary occupancy, and R110.5 Revocation, of the International Residential Code, 2012 Edition, are hereby omitted in full:

10. Section R112.1 of the International Residential Code, 2012 Edition, Board of appeals, is hereby amended to read as follows:

R112.1 Board of appeals.

In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be the Board of Zoning Appeals of the City of Fairway Kansas.

11. Section R112.3 of the International Residential Code, 2012 Edition, Qualifications, is hereby omitted in full:

12. Table R301.2 (1) of the International Residential Code, 2012 Edition, Climatic and Geographic Design Criteria, is hereby amended to read as follows:

Climatic and Geographic Design Criteria

a. Ground Snow Load:	20 lbs per sq. ft
b. Wind Speed:	90 MPH
c. Topographic Effects:	No
d. Seismic Design Criteria:	A
e. Weathering:	Severe
f. Frost Depth Line:	36 Inches
g. Termite Damage:	Moderate to Heavy
h. Decay:	Slight to Moderate
i. Winter Design Temperature:	Six Degrees Fahrenheit
j. Ice Barrier Underlayment Required:	No
k. Flood Hazards:	Latest Adopted FIRM and FBFM documents
l. Air Freezing Index:	1,000
m. Mean Annual Temperature:	54.7 degrees Fahrenheit

13. Section R303.4 of the International Residential Code, 2012 Edition, Mechanical ventilation, is hereby amended to read as follows:

R303.4 Mechanical ventilation

Where the air infiltration rate of a dwelling unit is less than three (3) air changes per hour when tested with a blower at a pressure of 0.2 inch wick (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be

provided with whole-house mechanical ventilation in accordance with Section M1507.3.

14. Section R309.5 of the International Residential Code, 2012 Edition, Fire Sprinklers, is hereby omitted in its entirety.
15. Section R313 of the International Residential Code, 2012 Edition, Automatic Fire Sprinkler Systems, including all subsections, is hereby omitted in its entirety.
16. Section R315.3 of the International Residential Code, 2012 Edition, Where required in existing dwellings, is hereby amended to read as follows:

R315.3 Where required in existing dwellings.

Where work requiring a *permit* occurs in existing *dwellings* that have attached garages or in existing dwellings within which fuel-fired *appliances* exist, carbon monoxide alarms shall be provided in accordance with Section R315.1

Exception: Work involving only exterior items such as roofs, siding, windows, decks, etc. are exempt from the requirements of this section.

17. Section R401.1 of the International Residential Code, 2012 Edition, Application, is hereby amended to read as follows:

R401.1 Application.

The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AF&PA PWF.

Exception: The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.
2. When interior *basement* and foundation walls are constructed at intervals not exceeding 50 feet (15 240 mm).
3. Foundation designs for one and two family dwellings may use the approved standards and designs provided in the Johnson County Residential Foundation Guidelines in lieu of the prescriptive requirements of Chapter 4 of this Code as approved by the *building official*.

18. Section R403.1.1 of the International Residential Code, 2012 Edition, Minimum size, is hereby amended to read as follows:

R403.1.1 Minimum size.

The minimum size for all residential concrete footings shall be 8 inches in depth and 16 inches in width. Steel shall be a minimum of ½ inch in size with two (2) bars running parallel in the footing. Single story trench footings are to be a minimum of 12 inches in width. Footing projections shall be at least 2 inches and shall not exceed the thickness of the footing. Consistent with table R401.4.1 IRC, the minimum bearing pressure value shall be 1,500 psf unless a geotechnical report is provided that would allow a higher load bearing value. Footings for all structures three stories or more shall be designed by a licensed Kansas engineer.

19. Section R501.3 of the International Residential Code, 2012 Edition, Fire protection of floors, is hereby amended to read as follows:

R501.3 Fire protection of floors.

Floor assemblies not required elsewhere in this code to be fire resistance rated shall be provided with a ½ inch (12.7 mm) gypsum wallboard membrane, 5/8 inch (16 mm) wood structural panel membrane or equivalent on the underside of the floor framing member for open web-type floor truss systems and I-joist systems.

Exceptions:

1. Floor systems located directly over a space protected by an automatic sprinkler system in accordance with Section P2904 NFPA 13D or other approved systems.
2. Floor systems located directly over a crawlspace not intended for storage and without fuel fired appliances.
3. The aggregate area of the unprotected portions shall not exceed 80 square feet.

20. Section R507.4 of the International Residential Code Section, 2012 Edition, Alternate design, is hereby added to read as follows:

R507.4 Alternate design.

In lieu of the requirements of this Section R507, Decks, the construction of decks and balconies may use the approved standards and designs provided in the latest edition of the Johnson County Building Officials Deck Design publication.

21. Section R602.6.1 of the International Residential Code, 2012 Edition, Drilling and notching of top plate, is hereby added to read as follows:

R602.6.1 Drilling and notching of top plate.

When piping or ductwork is placed in or partly in an exterior wall or interior load bearing wall, necessitating cutting, drilling or notching of the top plate by more than fifty percent (50%) of its width, a galvanized metal tie not less than 0.054 inch thick (16 ga) and one and one-half inches (1 ½”) at each side shall be fastened across and to the top plate at each side of the opening with not less than four 10d (0.148 inch diameter) nails having a minimum length of one and one-half inches (1 ½”) at each side or equivalent. The metal tie must extend a minimum a minimum of six inches (6”) past the opening. See Figure R602.6.1.

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

22. Section R907.3 of the International Residential Code, 2012 Edition, Recovering versus replacement, is hereby amended to read as follows:

R907.3 Recovering versus replacement.

New roof coverings shall not be installed without first removing all existing layers of roof coverings to the roof decking.

Exception: Where the existing roof assembly includes an ice barrier membrane that is adhered to the roof deck, the existing ice barrier membrane shall be permitted to remain and be covered by an additional layer of ice barrier membrane in accordance with Section R905.

23. Section N1101.1 of the International Residential Code, 2012 Edition, Scope, is hereby amended to read as follows:

N1101.1 Scope.

This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

As an alternative to the provisions of Chapter 11 of this code, structures validated by an accepted certified energy code auditor to meet a HERS rating score of 85 or less shall be deemed to meet this Code. The energy auditor shall present their national certification credentials for review and approval by the *building official* prior to issuance of the permit.

Failure to meet with the compliance rating of 85 or less shall result in a “notice” to the owner that the structure has failed to comply with this Code. Such “notice” shall be signed by the contractor and the owner.

24. Table N1102.1.1 (R402.1.1) of the International Residential Code, 2012 Edition is hereby amended as follows:

Climate Zone:	4
Fenestration U-Factor:	0.35
Skylight U-Factor *b:	0.55
Glazed Fenestration SHGC:	0.4
Ceiling R-Value *f:	49
Wood Frame Wall R-Value:	13
Mass Wall R-Value:	8/13
Floor R-Value:	19
Basement Wall R-Value *e:	10/ 13
Slab R-Value & Depth *d:	NR
Crawl Space Wall R-Value *e:	10/13

- a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.
- b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- c. "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls.
- d. R-5 shall be added to the required slab edge R-values for heated slabs.
- e. No change.
- f. No change.
- g. No change
- h. Refers to wall cavity insulation minimum standards only.
- i. The second R-value applies when more than half the insulation is on the interior of the mass wall.
- j. Loose-fill insulation shall be installed at the rate recommended by the manufacturer's statement "so many bags per 1000 sq. ft." Where the pitch of the roof restricts the minimum thickness at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the "minimum thickness" can be achieved. An alternative is to install high density batts around the perimeter edge per 1102.2.

Section N1102.2.8 (R402.2.8) of the International Residential Code, 2012 Edition, Basement walls, is hereby amended to read as follows:

N1102.2.8 (R402.2.8) Basement walls.

Walls associated with finished space in conditioned basements shall be insulated from the top of the basement wall down to 10 feet (3048 mm) below grade or to the basement floor, whichever is less. Walls associated with

unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Sections N1102.1.1 and N1102.2.7

25. Section N1102.4.1.2 (R1102.4.1.2) of the International Residential Code, 2012 Edition, Testing, is hereby amended to read as follows:

N1102.4.1.2 (R1102.4.1.2) Testing.

The building or dwelling unit shall be tested as having an air leakage rate not exceeding 5 air changes per hour. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the Code Official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *building official*. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During Testing

1. Exterior windows and doors, fireplaces and stove doors shall be closed, but not sealed beyond the intended weather stripping or other infiltration control measures;
2. Dampers, including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if not installed at the time of the test, shall be opened;
4. Exterior doors for continuous ventilation;
5. Heating and cooling systems, if installed at the time of the test shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

26. Section N1103.2.2 (R1103.2.2) of the International Residential Code, 2012 Edition, Sealing (Mandatory), is hereby amended to read as follows:

N1103.2.2 (R1103.2.2) Sealing (Mandatory).

Ducts, air handlers and filters boxes shall be sealed. Joints and seams shall comply with Section M1601.4.1 of this code.

Exceptions:

1. Air impermeable spray foam products shall be permitted to be applied without additional joint seals.

2. Where a duct connections is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. Continuously welded and locking type longitudinal joints and seams in ducts operating at static pressure classification shall not require additional closure systems.

Duct tightness shall be verified by either of the following:

1. Post construction test: Total leakage shall be less than or equal to 4 cfm per 100 square feet of the conditioned floor area when tested at a pressure differential of 0.1 inches wg (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.
2. Rough-in test: Total leakage shall be less than or equal to 4 cfm per 100 square feet of conditioned floor area when tested at a pressure differential of 0.1 inches wg (25 Pa) across the system, including the manufacturer's air handler enclosure. All registers shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total air leakage shall be less than or equal to 3 cfm per 100 square feet of conditioned floor area.

Exceptions:

1. The total leakage test is not required for ducts and air handlers located entirely within the building thermal envelope.
2. On the post-construction test it is permissible to test for "leakage to the outdoors" versus a "total leakage." Leakage to the outdoors shall be less than or equal to 8 cfm per 100 square feet of conditioned floor space.

N1103.2.2.1 (R403.2.2.1) Sealed air handler.

Air handlers shall have a manufacturer's designation for an air leakage of no more than 2 percent of the design air flow rate when tested in accordance with ASHRAE 193.

27. Section N1103.2.3 (R403.2.3) of the International Residential Code, 2012 Edition, Building cavities (Mandatory) is hereby omitted in its entirety.
28. Section N1103.4.2 (R403.4.2) of the International Residential Code, 2012 Edition, Hot water pipe insulation (Prescriptive), is hereby omitted in its entirety.

29. Section N1104.1 (R404.1) of the International Residential Code, 2012 Edition, Lighting equipment (Mandatory), is hereby amended to read as follows:

N1104.1 (R404.1) Lighting equipment (Mandatory).

Fuel gas lighting systems shall not have continuously burning pilot lights.

30. Section P2503.4 of the International Residential Code, 2012 Edition, Building sewer testing, is hereby amended to read as follows:

P2503.4 Building sewer testing.

The *building sewer* shall be tested by insertion of a test plug at the point of connection with the public sewer and filling the *building sewer* with water, testing with not less than a ten (10') foot head of water and be able to maintain such pressure for fifteen (15) minutes or by air, maintain five (5) PSI for fifteen (15) minutes. This testing will be required when ordered by the *building official*.

31. Section P2503.5 of the International Residential Code, 2012 Edition, DWV systems testing, is hereby amended to read as follows:

P2503.5 DWV system testing.

Rough and finished plumbing installations shall be tested in accordance with Sections P2503.5.1 and P2503.5.2. This testing will be required when ordered by the *building official*.

(Sections P2503.5.1 Rough plumbing and P2503.5.2 Finished plumbing remain unchanged.)

32. Section P2903.4 of the International Residential Code, 2012 Edition, Thermal expansion control, including all subsections, is hereby amended to read as follows:

P2903.4 Thermal expansion control.

A means for controlling increased pressure caused by thermal expansion shall be installed in each dwelling unit. A thermal expansion tank shall be the means by which to control thermal expansion. At the time a water heater is new or replaced, a thermal expansion tank shall be installed.

Exception: In cases where a thermal expansion tank is not feasible, the *building official* shall determine an approved method of thermal expansion control.

33. Section P3114.1 of the International Residential Code, 2012 Edition, General, is hereby amended to read as follows:

P3114.1 General.

Vent systems using *air admittance* valves shall comply with this section. Individual and branch type air admittance valves shall conform to ASSE 1051. Stack-type air admittance valves shall conform to ASSE 1050. The use of air admittance valves shall only be done so by the approval of the *building official*.

34. Section E3601.8 of the International Residential Code, 2012 Edition, Underground Wires Required, is hereby added to read as follows:

(A) E3601.8 Underground wires required.Purpose. The Governing Body finds that suspended power lines are susceptible to being pulled from their support systems during severe weather or as a result of an accident, and that the resulting power outages and potential for contact with live power lines is dangerous to the health, safety and welfare of the citizens and guests of the City. Therefore, the Governing Body desires to regulate the placement of electrical service drop conductors and/or service entrance conductors connecting a structure to the facilities of a utility services provider to reduce the incidence of downed power lines by requiring the underground placement of these facilities in certain circumstances.

(B) Generally. Every person shall place all or any portion of service drop conductors and/or service entrance conductors connecting a structure to the facilities of a utility services provider underground in subsurface conduits, pipes or any other suitable and acceptable method or type of underground installation meeting any and all existing technical and safety standards, based upon the International Residential Code (IRC) and the National Electrical Code (NEC), when hereinafter installing or replacing these service drop conductors and/or service entrance conductors connecting a structure to the facilities of a utility services provider in the following situations:

- (1) As part of new construction of a structure; or
- (2) Construction of an expansion greater than fifty percent (50%) of the square footage of the existing structure; or
- (3) Repair, renovation, reconstruction or restoration of an existing structure is required due to damage caused by fire, accident, acts of nature or similar occurrences, except in circumstances where, as determined in the full discretion of the building official, the spirit and intent of this section can be met without the placement of service drop conductors and/or service entrance conductors underground.

(C) Temporary relief.

(1) The building official may grant temporary relief from the application of these requirements to permit the temporary installation, erection, construction or maintenance of poles, service drop conductors and/or service entrance conductors connecting a structure to the facilities of a utility services and other overhead structures for the provision of temporary electrical power or communication services, provided that, the relief shall be granted only where reasonably required for emergency, building construction or other temporary purposes for a time period not to exceed one (1) year in duration.

(2) Written requests for the extension of the one-year period shall be submitted to the building official for consideration. Upon review and comment from the Director of Public Works or City Engineer, the building official may approve, or approve with conditions, the request for an extension unless it is determined that due diligence would have allowed the person requesting the extension to complete the undergrounding, as required herein, within the initial one (1) year period.

(D) Permanent relief. Permanent relief from the requirements of 3601.8 (B) may be granted by the building official when it is determined, in the sole discretion of the building official, that the specific characteristics of the site make it impractical to comply.

(E) Effect of undergrounding on building permit fees. For purposes of establishing the total fee for a building permit, as set forth in the fee schedule established by ordinance, the cost of initially placing service drop conductors and/or service entrance conductors connecting a structure to the facilities of a utility services, underground, shall not be included in calculating the project cost. In the circumstance where the initial placement of service drop conductors and/or service entrance conductors connecting a structure to the facilities of a utility services, underground, is the sole work to be undertaken in the project, the City shall waive the building permit fee for electrical work as set forth in the fee schedule established by the City Council.

35. Section E3902.2 of the International Residential Code, 2012 Edition, Garage and accessory building receptacles, is hereby amended to read as follows:

E3902.2 Garage and accessory building receptacles.

All 125-volt single phase 15 or 20 ampere receptacles installed in garages grade level portions of accessory buildings used for storage or work areas shall have ground fault circuit interrupter protection for personnel.

Exceptions:

1. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.

2. A single receptacle supplying a dedicated branch circuit that is located and identified for specific use by a cord and plug appliance such as a refrigerator, freezer, central vacuum system or a sump pump system.

36. Section E3902.5 of the International Residential Code, 2012 Edition, Unfinished basement receptacles is hereby amended to read as follows:

E3902.5 Unfinished basement receptacles.

All 125-volt shingle phase 15 and 20 ampere receptacles installed in unfinished basements shall have ground fault circuit interrupter protection for personnel. For purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.

Exceptions:

1. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A single receptacle supplying a permanently installed sump.
3. A single receptacle supplied by a dedicated branch circuit that is located and identified for a specific use by a cord- and plug-connected appliance such as a refrigerator, freezer, a central vacuum system or a sump pump system.

37. Section E3902.12 of the International Residential Code, 2012 Edition, Arc- fault circuit interrupter Protection, is hereby amended to read as follows:

E3902.12 Arc-fault circuit-interrupter protection.

All branch circuits that supply 120-volt single phase 15 and 20 ampere outlets installed in libraries, dens, bedrooms, closets and similar rooms or areas shall be protected by a combination type arc-fault circuit interrupter installed to provide protection of the branch circuit. Other rooms, such as family rooms, dining rooms, living rooms, parlors, sunrooms, recreation rooms, hallways and similar rooms or areas are exempt from this requirement. For these purposes a smoke alarm shall not be considered an outlet and shall not be on an arc-fault circuit. Isolated circuits serving smoke detectors and/or carbon monoxide detectors shall be exempt from arc-fault protection. Smoke Detectors shall not be included in a branch circuit protected by an arc-fault circuit interrupter.

Exceptions:

1. Where an outlet branch circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch

circuit, the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal outlet and junction boxes and RMC, IMC, EMT, type MC, or steel armored type AC cables meeting the requirements of Section E3908.8.

2. Where an outlet branch circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal or nonmetallic conduit or tubing that is encased in not less than 2 inches of concrete.

3. AFCI protection is not required for an individual branch circuit supplying only a fire alarm system where the branch circuit is wired with metal outlet and junction boxes and RMC, IMC, EMT, or steel-sheathed armored cable, Type AC or Type MC, meeting the requirements of Section E3908.8.

38. Section E3902.13 of the International Residential Code, 2012 Edition, Arc-Fault Circuit Interrupter Protection for Branch Circuits is hereby amended to read as follows:

E3902.13 Arc-fault circuit interrupter protection for branch circuit extensions or modifications.

Where branch-circuit wiring is modified, replaced, or extended in any of the areas specified in Section E3902.12 the branch circuit shall be protected by one of the following:

1. A combination-type AFCI located at the origin of the branch circuit
2. An outlet branch-circuit type AFCI located at the first receptacle outlet of the existing branch circuit.

Exception:

This section will not apply where existing dwelling unit premises wiring circuits make the application of this section impracticable, as deemed by the *building official*.

Informational Note: Two examples of the application of this exception are where the existing dwelling unit has a multi-wire branch circuit or utilizes a listed panelboard for which there is no listed device for the application of AFCI protection.

SECTION 2. That existing section 15-880 of the Code of the City of Fairway, Kansas is hereby repealed

SECTION 3. That the repeal of any ordinance or parts of an ordinance by this Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding under or by virtue of the repealed ordinance.

SECTION 4. That Section 1 of this Ordinance shall be codified in the Code of Ordinances of the City of Fairway, Kansas.

SECTION 5. This ordinance shall take effect upon its publication in the official City newspaper.

PASSED by the City Council this 14th day of December, 2015. APPROVED by the Mayor.

ATTEST

Jerry Wiley
Mayor

Kathy Axelson
City Administrator/City Clerk

APPROVED AS TO FORM

Stephen P. Chinn
City Attorney