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ARTICLE 1
GENERAL PROVISIONS

SECTION 1. ADOPTION. This code shall be known and may be cited as the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition, also refer to as “Code of Regulations” or “Code”.

SECTION 2. AUTHORITY. This Code of Regulations is adopted pursuant to the Home Rule Authority of the Board of County Commissioners of Johnson County, Kansas, pursuant to K. S. A. 19-101 and 19-101a, as currently enacted and from time to time amended.

SECTION 3. JURISDICTION. This Code of Regulations shall be applicable to all unincorporated areas of Johnson County, except in any unincorporated area of the County which is expressly excluded from the application and provision of the County Zoning and Subdivision Regulations. The codes, standards, or regulations adopted by a city exercising its jurisdiction over that area, if applicable, shall control and be enforced by that city, but if the city code, standards, or regulations are, for any reason, not applicable or enforceable, then the codes and standards adopted by the County shall apply.

SECTION 4. PURPOSE AND INTENT. The purpose and intent of this Code of Regulations is to establish a comprehensive set of codes and standards, designed to be compatible with one another, which will provide better building construction and greater safety to the public.

SECTION 5. SEVERABILITY. It is hereby declared to be the intention of the Board of County Commissioners that the articles, sections, paragraphs, sentences, clauses, and phrases contained in this Code of Regulations are to be severable, and should any article, section or other provision of these regulations be declared unconstitutional or otherwise ruled to be invalid by any court of competent jurisdiction in a valid judgment or decree, then such decision or ruling shall not affect the validity of the regulations as a whole or any part of them other than the specific part declared to be unconstitutional or ruled to be invalid.

SECTION 6. AMENDMENTS AND ADDITIONS. This Code of Regulations may be supplemented, or its provisions may be amended by resolution duly adopted by the Board of County Commissioners and any such amendments or additions shall be incorporated within and codified as a part of this Code of Regulations.

SECTION 7. REPEAL OF CONFLICTING REGULATIONS AND POLICIES. All previously adopted resolutions or policies of the Board of County Commissioners which enacted or imposed regulations, standards, or prohibitions which, in whole or in part, are in conflict with any provision of the Code of Regulations are hereby repealed to the extent necessary to give these regulations full force and effect, and, in the case provisions of this Code of Regulations shall be deemed applicable, shall take precedence over any other, and shall control and govern.

SECTION 8. EFFECTIVE DATE. This Code of Regulations shall be effective from and after the date of adoption by the Board of County Commissioners and publication of the adopting resolution and notice as required by law.

ARTICLE 2
INTERNATIONAL BUILDING CODE

SECTION 1. ADOPTION. The International Building Code, 2018 Edition, published by the International Code Council, including Appendix Chapters C, E, F, G, I, and J, as well as the following deletions, additions, and amendments is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Building Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "ordinance" shall mean and include the word "resolution."
- b) The term "city" shall mean and include the word "county."
- c) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d) The term "Code Official" shall mean the Johnson County Building Code Official.
- e) The term "approved certified sprinkler system" shall mean one that has been designed by an engineer who is licensed in the State of Kansas, and installed by a contractor licensed to do so by the Johnson County Contractor Licensing Program, and approved by the Building Code Official.

SECTION 3. DELETIONS. The following provisions shall be deleted and not applicable under this Code:

- a) **Section 103.2 Appointment.**
- b) **Section 113 Board of Appeals.**

SECTION 4. ADDITIONS.

- a) **Section 101.4.8 Electrical.** Add the following language to the end of Section 101.4.8: The provisions of the NFPA 70 National Electrical Code, 2017 Edition, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.
- b) **Section 105.3 Application for permit.** Add the following items 8 through 11 to the end of the Section 105.3:
 8. A permit shall not be issued until evidence is presented to the Building Code Official certifying the availability of satisfactory potable water. Applicants within areas under the jurisdiction of a duly constituted water district shall submit a connection permit or notice of intent to supply water service from the water district. Applicants from areas that are not within an area under the jurisdiction of a duly constituted water district shall submit evidence that the proposed water supply meets the required standards for health and safety.

9. A permit for construction shall not be issued until evidence is presented to the Building Code Official verifying the availability of satisfactory hydrant locations. Applicants for areas under the jurisdiction of a duly constituted water district shall submit a statement from the district verifying that the proposed fire protection system conforms to Article 10 of this Code.
 10. No building permit for any structure or building to be located within a legally created sewer district in the County in which sanitary sewage will, or may, originate shall be issued until the applicant, has applied for and received from the sewer district an outside sanitary sewer construction and connection permit as required by the rules and regulations of Johnson County Wastewater.
 11. A permit for construction shall not be issued until an entrance permit is issued by Johnson County Public Works, when required.
- c) **Section 105.3.1.1 Denial of permits.** Add the following sub-section to Section 105.3.1: The Building Code Official is authorized to deny a permit to any applicant not meeting the provisions of this Code on any open permits. The Building Code Official may also stop construction on any permit if the contractor fails to maintain oversight of a project or fails to maintain insurance as required by the Johnson County Contractor Licensing Regulation.
- d) **Section 105.3.3 Moving buildings or structures.** Add the following sub-section to Section 105.3.3: A foundation, a new single family, or a remodel permit shall be secured prior to the issuance of a permit to move a building or structure. The foundation shall be constructed prior to the building or structure being moved. All applications for permits to move buildings or structures shall include the following information:
1. The dimensions of the building or structure as to length, width, and height at its highest point when loaded for moving.
 2. A letter or electronic communication from any utility company verifying that all utilities have been disconnected, i.e., gas, electric, water, and sewer.
 3. A letter or electronic communication from any utility company having overhead lines along the proposed route indicating that they have approved the route.
 4. Approval from the Sheriff's Department and the Public Works Department for the date, time, and route of the move.
 5. A letter from the moving company indicating the day and hour when the move is to start, the length of time required for the move, and the number and type of escort vehicles.

6. A map showing the route of the move.
 7. A copy of the state highway move permit, if applicable.
 8. Copies of written notices to the owners of adjacent lots along the route who may be affected by utility disconnects including the date and time of the move.
 9. Written permission from the private property owner to trim any trees on private property necessary to provide clearance for the move along the proposed route.
 10. Written permission to trim trees in the public right-of-way necessary to provide clearance for the move along the proposed route.
 11. Sewer permit from Johnson County Wastewater, or a septic tank or holding tank permit from the Johnson County Department of Health and Environment.
 12. Letter from the appropriate water district certifying the availability of the water supply.
 13. Verification from the water district of a satisfactory fire hydrant location.
 14. Verification that the building or structure meets current adopted Codes and Standards.
 15. A plot plan showing the property or lot where the building or structure is to be moved. A legal description of the property shall be included.
- e) **Section 109.2 Schedule of permit fees.** At the end of the first paragraph of Section 109.2 add the following: The fee for each building permit shall be as set forth in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting documents for commercial plan review. The plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A. The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 109 and are in addition to the permit fees. When submitted documents are incomplete, changed so as to require additional plan review, or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate shown in Table 1-A.

Applications for which no permit is issued within 180 days following the date of application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a

period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	

f) **Section 111.3 Temporary Occupancy.** At the end of the paragraph of Section 111.3 add the following language: A 60-day temporary certificate of occupancy

may be issued for interior items and a 90-day temporary certificate of occupancy may be issued for exterior items upon request from the owner or contractor, subject to the approval of the Building Code Official. Additional time may be granted by the Building Code Official upon written request and for a fee of \$100.00.

Contemporaneously with the issuance of a Temporary Certificate of Occupancy, the Building Code Official shall provide a list of deficiencies, if any, that require correction to any building or portion thereof. The failure of the permit holder to correct the deficiencies, to the satisfaction of the Building Code Official, prior to the expiration of the Temporary Certificate of Occupancy, shall be a public offense, designated as a Class I Infraction under Article 20 of this Code.

- g) **Section 114.4 Violation Penalties.** Add a new paragraph to Section 114.4 with the following language: Violation of any provision of this Code shall be a public offense, punishable upon conviction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Unless otherwise provided, a violation of this Code shall be a Class I Infraction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above.
- h) **Section 903.4.2.1 Notification devices.** Add the following sub-section to Section 903.4.2.1: When an automatic fire sprinkler system is installed in a building, audible and visible notification appliances shall be installed throughout the building as follows:
1. Audible notification appliances shall be installed so as to be audible at 15 dBa above average sound pressure level throughout the building.
 2. Visible notification devices shall be installed in all public and common use areas, restrooms, and corridors in accordance with the spacing requirements of NFPA 72.
 3. Visible notification devices can be eliminated in normally unoccupied portions of buildings when permitted by the Building Code Official.
- i) **Section 2406.4.2.1 Doors and Fixed sidelights.** Add the following new section 2406.4.2.1 to 2018 International Building Code. Transparent glass doors and fixed adjacent transparent glass sidelights shall be marked in two areas on the glass surface thereof. One such area shall be located at least 30, but not more than 48 inches and the other at least 60, but not more than 66 inches above the ground, floor or equivalent surface below the door or sidelight.
- Exceptions:** Transparent glass doors and fixed adjacent transparent glass sidelights shall be exempt from the upper area marking requirement (60 to 66 inches above the ground, floor or equivalent surface) if they are provided

with horizontal separation bars, muntin bars or equivalent at least one and one-half inches in vertical dimension that extend across the total width of the glazed area and are located at least 40, but not more than 50 inches above the bottom of the door or sidelight.

- j) **Section 2406.4.2.1.1 Marking Dimensions.** Add the following to new Section 2406.4.2.1.1: The marking design shall be at least four inches in diameter if circular or four inches in its least dimension if elliptical or polygonal or shall be at least 12 inches in horizontal dimension if the marking is less than four inches in its least dimension. In no event shall the vertical dimension of any marking including lettering be less than one and one-half inches in height.
- k) **Section 2406.4.2.1.2 Marking Methods.** Add the following to new Section 2406.4.2.1.2:
 - 1. Chemical etching;
 - 2. Sandblasting;
 - 3. Adhesive strips not less than one and one-half inches in vertical dimension extending across at least two-thirds of the total glazed area;
 - 4. Decals;
 - 5. Paint, gilding or other opaque marking materials;
 - 6. Opaque door pulls or push bars extending across at least two-thirds of the total width of the glazed area.

SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title.** Amend Section 101.1 as follows: These regulations shall be known as the Building Code of Johnson County, Kansas hereinafter referred to as “this Code.”
- b) **Section 101.4.3 Plumbing.** Amend Section 101.4.3 as follows: The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances when connected to a water or sewage system. The provisions of the International Plumbing Code shall also apply to all aspects of a medical gas system. The provisions of the Johnson County Environmental Sanitary Code shall apply to private on-site sewage disposal systems.
- c) **Section 105.5 Expiration.** Amend Section 105.5 as follows: Any permit issued by the Building Code Official under the provisions of this Code shall expire if:
 - 1. The building or work authorized by such permit is not commenced within 180 days from the date of such permit, or
 - 2. The building or work authorized by such permit has not progressed to the

point of the next required inspection within 180 days of either the issuance of the permit, or from the date of the last inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the untimely progress has not exceeded one year. In order to renew action on a permit that has expired for a period exceeding one year, the permittee shall pay a new full permit fee. The Building Code Official is authorized to grant, in writing, one or more extensions of time. The extension shall be requested in writing and justifiable cause demonstrated.

- d) **Section 114.3 Prosecution of violation.** Amend Section 114.3 as follows: Any person failing to comply with a notice of violation or order shall be deemed guilty of a Class I Infraction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the Building Code Official may request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.
- e) **Section 903.4.1 Monitoring.** Amend Section 903.4.1 as follows: Alarm, waterflow, supervisory, and trouble signals shall be distinctly different and shall be automatically transmitted to an approved UL-listed central station as defined in NFPA 72, or when approved by the Building Code Official, shall sound an audible signal at a constantly-attended location. Any fire alarm system installed to transmit such signals shall be considered a building fire alarm system and shall be documented as a UL-certified central station service system.
- Exceptions:**
1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
 2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
- f) **Section 1202.1 General.** Amend Section 1202.1 as follows: Buildings shall be provided with natural ventilation in accordance with Section 1202.5, or mechanical ventilation in accordance with the International Mechanical Code.

If the air infiltration rate of a dwelling unit is less than 3 air changes per hour when tested with a blower door at a pressure of 0.2 inch w.c (50 Pa) in accordance with Section C402.5.1.2 of the 2018 International Energy Conservation Code,

then the dwelling unit shall be ventilated by mechanical means in accordance with Section 403 of the International Mechanical Code.

- g) **Section 1209.2.1 Floors and wall bases.** Amend Section 1209.2.1 as follows: In other than dwelling units, toilets, bathing and shower room floor finish materials shall have a smooth, hard, nonabsorbent surface and shall slope to a floor drain in compliance with the 2018 International Plumbing Code section 413. The intersections of such floors with walls shall have a smooth, hard, nonabsorbent vertical base that extends upward onto the walls not less than 4 inches (102 mm).
- h) **Section 1612.3. Establishment of flood hazard areas.** Amend Section 1612.3 as follows: To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Johnson County, Kansas and Incorporated Areas, dated August 3rd, 2009, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.
- i) **Section 2901.1 Scope.** Amend Section 2901.1 as follows: The provisions of the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1209 of the International Building Code.
- j) **Section 3103.1.2 Permit required.** Amend Section 3103.1.2 as follows: Temporary structures that cover an area in excess of 900 square feet, including connecting areas or spaces with a common means of egress or ingress which are used or intended to be used for the gathering together of fifty or more persons, shall not be erected, operated or maintained for any purpose without obtaining a permit from the Building Code Official.
- k) **Section 3307 Protection of Adjoining Property.** Amend Section 3307 as follows: Adjoining public and private property shall be protected from damage during construction, remodeling, and demolition work. Protection shall be provided for footings, foundations, party walls, chimneys, skylights, and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation. A copy of the notice shall be delivered to the Building Code Official prior to the commencing of excavation. All

construction sites shall be maintained in a good, clean, and safe condition, including, but not limited to, the following minimum requirements:

1. Construction materials shall be stored, maintained and secured so as to prevent a safety risk or danger. Accumulated construction debris shall be hauled away and disposed of at an approved land fill. Dumpsters shall be emptied or removed when full and may be used only for construction debris. Construction materials shall not be stored in a public right-a-way.
2. All mud, dirt, or debris deposited on any street, crosswalk, sidewalk, or other public property as a result of excavation, construction, or demolition shall be immediately broom cleaned to the extent possible and disposed of in an acceptable manner.
3. It shall be unlawful to intentionally place, deposit, or otherwise dispose of construction debris in any public or private sewer.
4. Airborne particles shall always be controlled at the property during work by means of a water truck and/or spraying equipment, or other water sources capable of spraying and thoroughly saturating all portions of the structure and surrounding property affected by the work. Spraying shall always be undertaken necessary to thoroughly control the creation and migration of airborne particles, including, without limitation, dust, from the subject property.
5. No person shall operate or cause to be operated any radio, media player, telecommunications device or other such object at such a volume, or in any other manner that would cause a nuisance or disturbance to any person of reasonable sensibilities.
6. Every general contractor shall be responsible for all actions of their employees, agents, and subcontractors under this subsection, and shall be responsible for all violations of the provisions of this subsection committed by such employees, agents, or subcontractors.

ARTICLE 3

INTERNATIONAL RESIDENTIAL CODE

SECTION 1. ADOPTION. The International Residential Code, 2018 Edition, published by the International Code Council, including Appendix Chapters E, G, H, J, K, O, P and Q is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Residential Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "ordinance" shall mean and include the word "resolution."
- b) The term "city" shall mean and include the word "county."
- c) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d) The term "Code Official" shall mean the Johnson County Building Code Official.
- e) The term "approved certified sprinkler system" shall mean one that has been designed by an engineer who is licensed in the State of Kansas, and installed by a contractor licensed to do so by the Johnson County Contractor Licensing Program, and approved by the County Building Code Official.

SECTION 3. DELETIONS. The following shall be deleted and not applicable under this Code:

- a) **Section R112 Board of Appeals.**
- b) **Section R302.13 Fire Protection of Floors.**
- c) **Section R309.5 Fire Sprinklers.**
- d) **Section N1103.3.5 (R403.3.5) Building Cavities (Mandatory).**
- e) **Section N1104.1 (R404.1) Lighting Equipment (Mandatory).**

SECTION 4. ADDITIONS.

- a) **Section R110.4 Temporary Occupancy.** At the end of the paragraph of Section R110.4 add the following language: A 60-day temporary certificate of occupancy may be issued for interior items and a 90-day temporary certificate of occupancy may be issued for exterior items upon request from the owner or contractor, subject to the approval of the Building Code Official. Additional time may be granted by the Building Code Official upon written request and a \$100 fee.
- b) **Section R113.4 Violation Penalties.** At the end of Section R113.4 add the following language: Violation of any provision of this Code shall be a public offense, punishable upon conviction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above. Unless otherwise provided a violation of this Code shall be a Class I Infraction.
- c) **Section R302.13 Fire Protection of The Floors.** Add the following to Section R302.13: Each designated fire district in unincorporated part of Johnson County has building information signage which shall be installed on exterior meter can of the single family dwelling unit located in any specific fire district area at time of final inspection in lieu of the fire protection of the floors.
- d) **Section R306.5 New Single Family Dwellings Toilet Facilities.** Add the following to Section R306.5: Toilet facilities shall be provided within 500 feet (measured from the property line adjacent to the street for platted subdivisions along the public right-of-way) for all new single family dwellings starting from the time of the first footing inspection until facilities are available in the dwelling. If the facilities are not located on the job site, the location of the required facilities shall be posted on the job site or other certification provided to the Building Code Official to verify the availability of toilet facilities. The facilities on the site shall be removed prior to issuance of a Temporary Certificate of Occupancy.
- e) **Section R306.6 New Single Family Dwellings Construction Site Maintenance.** Add the following to Section R306.6: All construction sites shall be maintained in a good, clean, and safe condition, including, but not limited to, the following minimum requirements:
 - 1. Construction materials shall be stored, maintained and secured so as to prevent a safety risk or danger. Accumulated construction debris shall be hauled away and disposed of at an approved land fill. Dumpsters shall be

emptied or removed when full and may be used only for construction debris. Construction materials shall not be stored in a public right-a-way.

2. All mud, dirt, or debris deposited on any street, crosswalk, sidewalk, or other public property as a result of excavation, construction, or demolition shall be immediately broom cleaned to the extent possible and disposed of in an acceptable manner.
 3. It shall be unlawful to intentionally place, deposit, or otherwise dispose of construction debris in any public or private sewer.
 4. Airborne particles shall be controlled on the property at all times during work by means of a water truck and/or spraying equipment, or other water sources capable of spraying and thoroughly saturating all portions of the structure and surrounding property affected by the work. Spraying shall be undertaken at all times necessary to thoroughly control the creation and migration of airborne particles, including, without limitation, dust, from the subject property.
 5. No person shall operate or cause to be operated any radio, media player, telecommunications device or other such object at such a volume or in any other manner that would cause a nuisance or disturbance to any person.
 6. Every general contractor shall be responsible for all actions of their employees, agents, and subcontractors under this subsection, and shall be responsible for all violations of the provisions of this subsection committed by such employees, agents, or subcontractors.
- f) **Section R309.6 Residential driveways.** Add the following to Section R309.6: Residential concrete and asphalt driveway slabs shall be a minimum of 4-inches thick. The driveway shall have a constant slope so as to avoid ponding of water. The slope shall be away from the house or building or drain by means approved by the County Engineer.
- g) **Section R401.4.3 Soils report required.** Add the following to Section R401.4.3: Foundation designs for new dwellings using the standards referenced in Subsection R404.1.3 shall submit a report from a registered design professional specifying the properties of the soil based on Table 405.1 prior to the inspection of footings, if deemed necessary by the Building Code Official.
- h) **Section R401.4.4 Johnson County Residential Foundation Guidelines.** Add the following to Section R401.4.4: Foundation designs for one-and two-family dwellings may use the approved standard design provided in the Johnson County

Residential Foundation Guidelines in lieu of the prescriptive requirements of the 2018 International Residential Code as approved by the Building Code Official.

- i) **Section R401.2.1 Design required.** Add the following to Section R401.2.1: A design in accordance with accepted engineering practices shall be provided for concrete or masonry foundation walls when any of the conditions listed below exist:
1. Walls are subject to hydrostatic pressure from ground water.
 2. Walls supporting more than 48 inches of unbalanced backfill that do not have permanent lateral support at the top and bottom.
 3. Sites containing CH, MH, OL, or OH soils as identified in Table R405.1.
 4. Foundation walls ten feet or greater in height, measured from the top of the wall to the bottom of the footing.
 5. Lots identified on the subdivision grading plan as having more than six feet of fill or having a finished slope steeper than 4 horizontal to 1 vertical before grading.
 6. Footings and foundations with existing fill soils below the footing level.
 7. Sloping lots steeper than 4 to 1 before grading.
 8. Lots where some footings will bear on soil and others will bear on a different soil type, including rock.
 9. Areas where problems have historically occurred.
 10. Stepped footing and foundation walls.
- j) **Section R403.1.1.1 Continuous footing reinforcement.** Add the following to Section R403.1.1.1: Continuous footings for basement foundation walls shall have minimum reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum 3 inches clear from the bottom of the footing.
- k) **Section R403.1.1.2 Column pads.** Add the following to Section R403.1.1.2: Column pads shall be a minimum of 24 inches by 24 inches by 8 inches deep. Reinforcement shall consist of a minimum of three No. 4 bars each way, uniformly spaced.
- l) **Section R403.1.6 Foundation Anchorage.** Add the following to Section R403.1.6:

Exceptions:

1. Walls 24 inches (610 mm) total length or shorter connecting offset braced wall panels shall be anchored to the foundation with not fewer than one anchor bolt located in the center third of the plate section and shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3(1).
2. Connection of walls 12 inches (305 mm) total length or shorter connecting offset braced wall panels to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent braced wall panels at corners as shown in Item 9 of Table R602.3(1).
3. Foundation Anchorage in accordance with Approved Johnson County Residential Foundation Guidelines.

m) **Section R506.2.5 Basement floor slab isolation.** Add the following to Section R506.2.5: Basement floor slabs shall be isolated from column pads, interior columns, and interior bearing walls to facilitate differential movement. Nonbearing walls supported on basement floor slabs shall be provided with a minimum one inch expansion joint to facilitate differential movement between the floor slab and the floor framing above. Isolation and/or an expansion joint is not required within six inches of the exterior walls

n) **Section R903.5 Hail exposure.** Add the following to Section R903.5: Hail exposure, as specified in Sections R903.5.1 and R903.5.2, shall be determined using Figure R903.5.

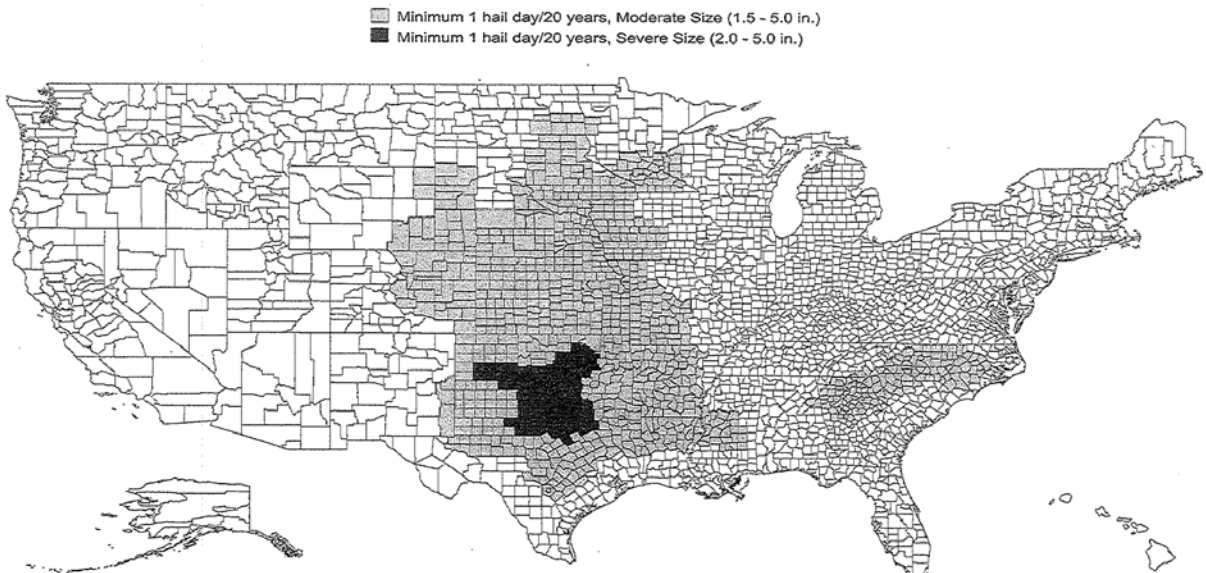


Figure R903.5

FIGURE R903.5
HAIL EXPOSURE MAP

- o) **Section R903.5.1 Moderate hail exposure.** Add the following to Section R903.5.1: One or more hail days with hail diameters larger than 1.5 inches (38 mm) in a 20-year period.
- p) **Section R903.5.2 Severe hail exposure.** Add the following to Section R903.5.2: One or more hail days with hail diameters equal to or larger than 2.0 inches (51 mm) in a 20-year period.
- q) **Section P2603.5.2 Cleanouts on building sewers.** Add the following to Section P2603.5.2: Cleanouts on building sewers shall be located as required by the appropriate authority having jurisdiction.
- r) **Section P3002.2.2 Drainage pipe in filled ground.** Add the following to Section P3002.2.2: Where a building drain is installed on filled or unstable ground, the drainage pipe shall conform to one of the standards for ABS plastic pipe, cast-iron pipe, copper or copper-alloy tubing, or PVC plastic pipe listed in Table P3002.1(2).
- s) **Section P3002.2.3 Sanitary and storm sewers.** Add the following to Section P3002.2.3: Where separate systems of sanitary drainage and storm drainage are installed on the same property, the sanitary and storm building sewers or drains shall be permitted to be laid side by side in one trench if approved by the appropriate authority having jurisdiction.
- t) **Section E3902.5 Unfinished basement receptacles.** Add the following to Section E3902.5:
 - Exceptions:**
 - 1. A receptacle supplying only a permanently installed fire alarm or burglar alarm system. Receptacles installed in accordance with this exception shall not be considered as meeting the requirement of Section E3901.9. [210.8(A)(5) Exception].
 - 2. A single receptacle supplying a permanently installed sump pump.
 - 3. A single receptacle supplied by a dedicated branch circuit that is located and identified for specific use by a cord- and plug-connected appliance such as a refrigerator or freezer.
- u) **Section E3902.16 Arc-fault circuit-interrupter protection.** Add the following to Section E3902.16:
 - Exceptions:**
 - 1. 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

2. For these purposes, a smoke alarm or carbon monoxide alarm shall not be considered an outlet and is not required to have arc-fault protection.
3. This section shall not apply where existing dwelling unit premises' wiring circuits make the application of this section impracticable, as deemed by the Building Code 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 panel board for which there is no listed device for the application of AFCI protection.

- v) **Section E3902.17 Arc-fault circuit interrupter protection for branch circuit extensions or modifications.** Add the following to Section E3902.17:

Exceptions:

1. AFCI protection shall not be required where the extension of the existing conductors is not more than 6 feet (1.8 m) in length and does not include any additional outlets or devices. [210.12(B) Exception]
2. This section will not apply where existing dwelling unit premises' wiring circuits make the application of this section impracticable, as determined by the Building Code 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 panel board for which there is no listed device for the application of AFCI protection.

SECTION 5. AMENDMENTS

- a) **Section R101.1 Title.** Amend Section R101.1 as follows: These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of Johnson County, Kansas, and shall be cited as such and will be referred to herein as "this Code."
- b) **Section R108.2 Schedule of permit fees.** Amend Section R108.2 as follows: On buildings, structures, electrical, gas, mechanical, and plumbing systems, or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the schedule in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting documents for plan review. The plan review fee shall be \$50.00, except that plan review fees for new single-

family dwellings shall be \$100.00. The plan review fee specified in this subsection is a separate fee from the permit fees specified in Section 108, and is in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A. Applications for which no permit is issued within 180 days following the date of application shall expire and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days with a written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof

Other Inspections and Fees:

1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

c) **Section R110.1 Use and Occupancy.** Amend the following to Section R110.1: A building or structure shall not be used or occupied, and a change of occupancy or change of use of a building or structure or portion thereof shall not be made, until the Building Code Official has issued a Certificate of Occupancy therefor as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid.

Exceptions:

1. Certificates of Occupancy are not required for work exempt from permits under Section R105.2.

d) **Section R301.2 Climatic and geographic design criteria.** Amend Table R301.2(1) to read:

TABLE R301.2(1)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ⁹	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Windborne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c					
20 #	115	No	No	No	A	Severe	36"	M-H	0°F	Yes	Aug. 2009	927	55°F
MANUAL J DESIGN CRITERIAⁿ													
Elevation		Latitude	Winter heating	Summer cooling	Altitude correction factor			Indoor design temperature	Design temperature cooling		Heating temperature difference		
1,100 feet		38° N	4°F	96 F	—			72°F	75°F		88°F		
Cooling temperature difference		Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range			Winter humidity	Summer humidity		—		
21°F		15	7.5	75°F	High			50%	30%		—		

- e) **Section R302.2 Townhouses.** Amend the following to Section R302.2: Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section 706 of the International Building Code, or when townhouses on both sides of the fire resistance rated wall assembly are equipped throughout with an automatic sprinkler system installed in accordance with Section P2904, the wall separating the townhouses shall meet the requirements of Sections 302.1, 302.2.1, 302.2, 302.2.3, and 302.2.4 of this Code.

Exception:

When townhouses on both sides of the fire-resistance rated wall assembly are equipped throughout with an automatic sprinkler system installed in accordance with Section P2904, a common 1-hour fire-resistance rated wall assembly tested in accordance with ASTM E 199 or UL 263 is permitted for townhouses if such walls do not contain plumbing, mechanical equipment, ducts, or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extended to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4

- f) **Section R302.3 Two-family dwellings.** Amend Section R302.3 as follows: Two-family dwellings shall be separated in accordance with the requirements for townhouses as set forth in this Code.

- g) **Section R303.4 Mechanical Ventilation.** Amend Section R303.4 as follows: If the air infiltration rate of a dwelling unit is less than 3 air changes per hour when tested with a blower door at a pressure of 0.2 inch w.c (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 M1505.4.

- h) **Section R313.2 One- and two-family dwellings automatic fire sprinkler systems.** Amend Section R313.2 as follows: An automatic residential fire sprinkler system may be installed in one- and two-family dwellings.

Exception:

An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

- i) **Section R401 Application.** Amend Section R401 as follows: 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) or the designated Johnson County flood hazard areas shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AF&PA PWF.

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 Code Official.

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.

Wood foundations in Seismic Design Category D₀, D₁ or D₂ shall be designed in accordance with accepted engineering practice.

j) **Section R404.1.3 Design required.** Amend Section R404.1.3 as follows: A design in accordance with accepted engineering practice shall be provided for concrete or masonry foundation walls when any of the conditions listed below exist. Where applicable, a standard design approved by the County may be used in lieu of a design from the design professional. For new single family dwellings where standard designs approved by the County are used, the design professional sealing the plans shall specify the use of those designs on the approved plans or through a separate report.

1. Walls are subject to hydrostatic pressure from ground water.
2. Walls supporting more than 48 inches of unbalanced backfill that do not have permanent lateral support at the top and bottom.
3. Sites containing CH, MH, OL, or OH soils as identified in Table R405.1
4. Foundation walls exceeding nine feet in height, measured from the top of the wall to the bottom of the slab.
5. Lots identified on the subdivision grading plan as having more than six feet of fill or having a finished slope steeper than 4 horizontal to 1 vertical before grading.
6. Footings and foundations with existing fill soils below the footing level.
7. Sloping lots steeper than 4 to 1 before grading.

8. Lots where some footings will bear on soil and others will bear on rock.
 9. Areas where problems have historically occurred.
 10. Stepped footing and foundation walls.
 11. Garage floor slabs supported on more than 24 inches of clean sand or gravel or eight inches of earth.
- k) **Section R602.6.1 Drilling and notching of top plate.** Amend Section R602.6.1 as follows: When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 gas) and 1 ½ inches (38 mm) wide shall be fastened across and to the plate at each side of the opening with not less than four 10d (0.148 inch diameter) nails having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. The metal tie must extend a minimum of 6 inches past the opening. See Figure R602.6.1.
- l) **Section R908.3.1.1 Roof recover not allowed.** Amend Section R908.3.1.1 as follows: A roof recover shall not be permitted where any of the following conditions occur:
1. Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
 2. Where the existing roof covering is asphalt shingle, wood shake, slate, clay, cement or asbestos-cement tile.
 3. Where the existing roof has two or more applications of any type of roof covering.
- m) **Section N1101.1 Scope.** Amend Section N1101.1 as follows: 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 auditor to meet Energy Rating Index (ERI) score of 80 or less shall be deemed to meet this Code. The energy auditor shall present national certification credentials to the Building Code Official for review and approval prior to issuance of the building permit, and no Certificate of Occupancy shall be issued for the structure until all documentation has been received and accepted that compliance is met. Failure to meet the compliant rating of 80 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.

n) **Table N1102.1.2 (R402.1.2).** Amend Table N1102.1.2 as follows:

TABLE N1102.1.2 (R402.1.2)
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT^a

CLIMATE ZONE	FENESTRATION U-FACTOR ^b	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC ^{b,c}	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^e	FLOOR R-VALUE	BASEMENT ^f WALL R-VALUE	SLAB ^g R-VALUE & DEPTH	CRAWL SPACE ^h WALL R-VALUE
1	NR	0.75	0.25	30	13	3/4	13	0	0	0
2	0.40	0.65	0.25	38	13	4/6	13	0	0	0
3	0.32	0.55	0.25	38	20 or 13 + 5 ^h	8/13	19	5/13 ^f	0	5/13
4 except Marine	0.32	0.55	0.40	49	13	8/13	19	10/13	NR	10/13
5 and Marine 4	0.30	0.55	NR	49	20 or 13 + 5 ^h	13/17	30 ^g	15/19	10, 2 ft	15/19
6	0.30	0.55	NR	49	20 + 5 ^h or 13 + 10 ^h	15/20	30 ^g	15/19	10, 4 ft	15/19
7 and 8	0.30	0.55	NR	49	20 + 5 ^h or 13 + 10 ^h	19/21	38 ^g	15/19	10, 4 ft	15/19

For SI: 1 foot = 304.8 mm.

NR = Not Required.

a. R-values are minimums. U-factors and SHGC are maximums. Where insulation is installed in a cavity that is less than the label or design thickness of the insulation, the installed R-value of the insulation shall be not 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.

Exception: In Climate Zones 1 through 3, skylights shall be permitted to be excluded from glazed fenestration SHGC requirements provided that the SHGC for such skylights does not exceed 0.30.

c. “10/13” means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation on the interior of the basement wall. “15/19” means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation on the interior of the basement wall.

Alternatively, compliance with “15/19” shall be R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home.

d. R-5 insulation shall be provided under the full slab area of a heated slab in addition to the required slab edge insulation R-value for slabs, as indicated in the table. The slab edge insulation for heated slabs shall not be required to extend below the slab.

e. There are no SHGC requirements in the Marine Zone.

f. Basement wall insulation shall not be required in warm-humid locations as defined by Figure N1101.10 and Table N1101.10.

g. Alternatively, insulation sufficient to fill the framing cavity providing not less than an R-value of R-19.

h. The first value is cavity insulation, the second value is continuous insulation. Therefore, as an example, “13+5” means R-13 cavity insulation plus R-5 continuous insulation.

i. Mass walls shall be in accordance with Section N1102.2.5. The second R-value applies where more than half of the insulation is on the interior of the mass wall.

o) **Section N1102.4.1.2 (R402.4.1.2) Testing.** Amend Section N1102.4.1.2 as follows: When required by the Building Code Official, the building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour. Testing shall be conducted in accordance with

RESNET/ICC 380, ASTM E779 or ASTM E1827 with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the Building 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 Code 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, fireplace 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 installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
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.

p) **Section N1103.2.2 (R403.2.2) Sealing (Mandatory).** Amend Section N1103.2.2 as follows: Ducts, air handlers, and filter 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 connection 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 pressures less than two inches of water column (500 Pa) pressure classification shall not require additional closure systems.

q) **Section N1103.3. (R403.3.3) Duct Testing (mandatory).** Amend Section N1103.3 as follows: When required by the Building Code Official, duct tightness shall be verified by either of the following:

1. Rough-in test: Total leakage shall be less than or equal to 4 cfm (113.3 L/min) per 100 *ft² square feet* (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (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 leakage shall be less than or equal to 3 cfm (85 L/min) per 100 square feet (9.29m²) of conditioned floor area.
2. Post construction test: Total leakage shall be less than or equal to 4 cfm (113.3L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (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

Exceptions:

1. The total leakage test is not required for ducts and air handlers located entirely within the building thermal envelope.
2. A duct air-leakage test shall not be required for ducts serving heat or energy recovery ventilators that are not integrated with ducts serving heating or cooling systems.
3. 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 area.

r) **N1103.5.3 (R403.5.3) Hot water pipe insulation (Prescriptive).** Amend section N1103.5.3 as follows: Insulation for hot water piping with a thermal resistance, R-value, of not less than R-3 shall be applied to the following:

1. Piping Located outside the condition space.
2. Piping Located under a floor slab.
3. Buried piping

s) **Section N1104.1 (R404.1) Lighting equipment (Mandatory).** Amend Section N1104.1.1 as follows: Fuel gas lighting systems shall not have continuously burning pilot lights.

- t) **Section M1505.2 Recirculation of air.** Amend Section M1505.2 as follows:
Exhaust air from bathrooms and toilet rooms shall not be recirculated within a residence or to another dwelling unit and may be exhausted into a ventilated attic with the discharge point at least six inches above insulation.
- u) **Section P2503.3 Responsibility of permittee.** Amend Section P2503.3 as follows:
The permit holder shall provide the test prescribed in Sections P2503.5 through P2503.8. Test equipment, materials and labor shall be furnished by the permittee.
Exceptions:
1. The testing of the DWV rough plumbing system shall be done in accordance with Section P2503.5.1 when required by the Building Code Official.
 2. The testing of the building sewer shall be done in accordance with Section P2503.4 when required by the Building Code Official.
- v) **Section P26021 General.** Amend Section P26021 as follows: The water-distribution system of any building or premises where plumbing fixtures are installed shall be connected to a public water supply. Where a public water-supply system is not available, or connection to the supply is not feasible, an individual water supplies are of the following types: drilled well, driven well, dug well, bored well, spring, stream, or cistern shall be provided. Surface bodies of water and land cisterns shall not be source of individual water supply unless properly treated by approved means to prevent contamination. Individual water supplies shall be constructed and installed in accordance with the applicable state and local laws. Where such laws do not address the requirements set forth in NGWA-01, individual water supplies shall comply with NGWA-01 for those requirements not addressed by state and local laws.

Sanitary drainage piping from plumbing fixtures in buildings and sanitary drainage piping systems from premises shall be connected to a public sewer. Where a public sewer is not available, the sanitary drainage piping and systems shall be connected to a private sewage disposal system in compliance with state or local requirements.
Exception: Sanitary drainage piping and systems that convey only the discharge from bathtubs, showers, lavatories, clothes washers and laundry trays shall not be required to connect to a public sewer or to a private sewage disposal system provided that the piping or systems are connected to a system in accordance with Section P2910 or P2911.

- w) **Section P2603.5.1 Sewer depth.** Amend Section P2603.5.1 as follows: Building sewers shall be installed as required by the appropriate authority having jurisdiction.
- x) **Section P2906.4.1 Separation of water service and building sewer.** Amend Section P2906.4.1 as follows: Trenching, pipe installation and backfilling shall be in accordance with Section P2604. Where the building sewer is installed within five feet of the water service, the installation shall comply with the provisions provided by the appropriate authority having jurisdiction.
Exception: The required separation distance shall not apply where a water service pipe crosses a sewer pipe, provided that the water service pipe is sleeved not less than 5 feet, horizontally from the sewer pipe centerline, on both sides of the crossing with pipe materials listed in Table P2905.4, P3002.1(1), P3002.1(2), or P3002.2.
- y) **Section E3902.2 Garage and accessory building receptacles.** Amend Section E3902.2 as follows: All 125 volt, single-phase, 15- or 20-ampere receptacles installed in garages and grade-level portions of unfinished accessory buildings used for storage or work areas shall have ground-fault circuit-interrupter protection for personnel.
Exceptions:
 1. Receptacles supplying only garage doors.
 2. Receptacles supplying only refrigerators or freezers.
- z) **Section E3902.5 Unfinished basement receptacles.** Amend Section E3902.5 as follows: All 125 volt, single-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 receptacle supplying only a sump pump.
 3. A receptacle supplying only a refrigerator or freezer.
- aa) **E3902.16 Arc-fault circuit-interrupter protection.** Amend section E3902.16 as follow: Branch circuits that supply 120-volt, single-phase, 15- and 20- ampere outlets installed in kitchens, family rooms, dining rooms, living rooms, parlors,

libraries, dens, bedrooms, sunrooms, recreations rooms, closets, hallways and similar rooms or areas shall be protected by any of the following: [210.12(A)]

1. A listed combination-type arc-fault circuit-interrupter, installed to provide protection of the entire branch circuit. [210.12(A)(1)]
2. A listed branch/feeder-type AFCI installed at the origin of the branch-circuit in combination with a listed outlet branch-circuit-type arc-fault circuit-interrupter installed at the first outlet box on the branch circuit. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit. [210.12(A)(2)]
3. A listed supplemental arc-protection circuit breaker installed at the origin of the branch circuit in combination with a listed outlet branch-circuit-type arc-fault circuit-interrupter installed at the first outlet box on the branch circuit where all of the following conditions are met:
 - 3.1. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit-interrupter.
 - 3.2. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 50 feet (15.2 m) for 14 AWG conductors and 70 feet (21.3 m) for 12 AWG conductors.
 - 3.3. The first outlet box on the branch circuit shall be marked to indicate that it is the first outlet on the circuit. [210.12(A)(3)]
4. A listed outlet branch-circuit-type arc-fault circuit-interrupter installed at the first outlet on the branch circuit in combination with a listed branch-circuit overcurrent protective device where all of the following conditions are met:
 - 4.1. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit-interrupter.
 - 4.2. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 50 feet (15.2 m) for 14 AWG conductors and 70 feet (21.3 m) for 12 AWG conductors.

- 4.3. The first outlet box on the branch circuit shall be marked to indicate that it is the first outlet on the circuit.
- 4.4. The combination of the branch-circuit overcurrent device and outlet branch-circuit AFCI shall be identified as meeting the requirements for a system combination-type AFCI and shall be listed as such.
[210.12(A)(4)]
5. Where metal outlet boxes and junction boxes and RMC, IMC, EMT, Type MC or steel-armored Type AC cables meeting the requirements of Section E3908.8, metal wireways or metal auxiliary gutters are installed for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, a listed outlet branch-circuit type AFCI installed at the first outlet shall be considered as providing protection for the remaining portion of the branch circuit. [210.12(A)(5)]
6. Where a listed metal or nonmetallic conduit or tubing or Type MC cable is encased in not less than 2 inches (50.8 mm) of concrete for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, a listed outlet branch-circuit-type AFCI installed at the first outlet shall be considered as providing protection for the remaining portion of the branch circuit. [210.12(A)(6)]

bb) Section E3902.17 Arc-fault circuit-interrupter protection for branch circuit extensions or modifications. Amend Section E3902.17 as follows: Where branch-circuit wiring is modified, replaced, or extended in any of the areas specified in Section E3902.16, 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. [210.12(D)]

Exceptions:

1. AFCI protection shall not be required where the extension of the existing conductors is not more than six feet (1.8 m) in length and does not include any additional outlets or devices. [210.12(D)]
2. This section will not apply where existing dwelling unit premises' wiring circuits make the application of this section impracticable, as determined by the Building Code Official.

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

ARTICLE 4
INTERNATIONAL FUEL GAS CODE

SECTION 1. ADOPTION. The International Fuel Gas Code, 2018 Edition, published by the International Code Council is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Fuel Gas Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "ordinance" shall mean and include the word "resolution."
- b) The term "city" shall mean and include the word "county."
- c) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d) The term "Code Official" shall mean the Johnson County Building Code Official.

SECTION 3. DELETIONS. The following provisions shall be deleted:

- a) **Section 109: (IFGC) Means of Appeal.**

SECTION 4. ADDITIONS. [None]

SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title.** Amend the paragraph to read: These regulations shall be known as the Fuel Gas Code of Johnson County, Kansas, hereinafter referred to as "this Code."
- b) **Section 106.5.3 Expiration.** Amend Section 106.5.3 as follows: Every permit issued by the Building Code Official under the provisions of this Code shall expire by limitation and become null and void if:
 1. The building or work authorized by such permit is not commenced within 180 days from the date of such permit, or;
 2. The building or work authorized by such permit has not progressed to the point of the next required inspection within 180 days of either the issuance of the permit, or from the date of the last inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the untimely progress has not exceeded one year. In order to renew action on a permit that has expired for a period exceeding one year, the permittee shall pay a new full permit fee.

- c) **Section 106.6.2 Schedule of permits fees.** Amend Section 106.6.2 as follows:
The fees for work requiring a permit shall be paid as required, in accordance with the schedule as follows in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting the documents for plan review. Said plan review fee shall be 65% of the permit fees described in Table 1-A, except that there will be no plan review fees for work to new or existing single-family dwellings. The plan review fee specified in this subsection is a separate fee from the permit fees specified in Section 106.6 and is in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

Applications for which no permit is issued within 180 days following the date of application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**
<p>*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.</p> <p>**Actual costs include administrative and overhead costs.</p> <p>The fees for all fuel gas work shall be as indicated in the following schedule.</p>	

- d) **Section 106.6.3.** Add the following to sentences 2 and 3 of Section 106.6.3:
1. Not more than 100% of the permit fee paid when no work has been done under a permit issued in accordance with this Code.
 2. Not more than 100% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
- e) **Section 108.4 Violation penalties.** Amend Section 108.4 as follows: It shall be unlawful for any person, firm or corporation to violate a provision of the Code or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair fuel gas work in violation of the approved construction documents or directive of the Building Code Official, or of a permit or certificate

issued under the provisions of this Code. Violation of any provision of this Code shall be a public offense, punishable upon conviction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above.

- f) **Section 108.5 Stop work orders.** Amend Section 108.5 as follows: Upon notice from the Building Code Official, work on any plumbing or gas system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Building Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe conditions, shall be guilty upon conviction of a public offense, Class "T" Infraction, as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition.

ARTICLE 5
INTERNATIONAL PLUMBING CODE

SECTION 1. ADOPTION. The International Plumbing Code, 2018 Edition, including Appendix Chapters C and E, published by the International Code Council is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Plumbing Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a. The term "ordinance" shall mean and include the word "resolution."
- b. The term "city" shall mean and include the word "county."
- c. The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d. The term "Code Official" shall mean the Johnson County Building Code Official.

SECTION 3. DELETIONS. The following provisions shall be deleted:

- a. **Section 103. Department of Plumbing Inspection.**
- b. **Section 312.10. Inspection and testing of backflow prevention assemblies.**
- c. **Section 312.10.1. Inspections**
- d. **Section 312.6. Gravity sewer test.**
- e. **Section 312.7. Forced sewer test.**

SECTION 4. ADDITIONS.

- a. **Section 1202.1 Nonflammable medical gases.** The following paragraph shall be added at the end of Section 1202.1:
 1. On and after January 1, 2011, no person shall install, improve, repair, maintain or inspect a medical gas piping system within a county or city unless such person: (a) is licensed under the provisions of K.S.A. 12-1508 et seq., and amendments thereto; and (b) is certified under the appropriate professional qualifications standard or standards of ASSE Series 6000. All installers shall obtain a proper permit from the county or city for which the medical gas is being installed, all inspections shall be done by a third party agency certified under the appropriate professional qualifications standard or standards of ASSE Series 6000 for medical gas systems inspectors and all documentation of the inspections and certifications of installers and inspectors shall be provided to the county or city prior to any occupancy of the building or unit of the building in which the medical gas piping has been installed until an occupancy permit is issued.

2. As used in this subsection, “medical gas piping” means the piping used solely to transport gasses used for medical purposes at a health care facility.

SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title.** Amend Section 101.1 as follows: These regulations shall be known as the International Plumbing Code of Johnson County, Kansas, hereinafter referred to as “this Code.”
- b) **Section 106.6.2 Fee Schedule.** Amend Section 106.6.2 as follows: The fees for work requiring a permit shall be paid as required, in accordance with the schedule in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting documents for plan review. The plan review fee shall be 65% of the permit fees described in Table 1-A, except that there are no plan review fees for work to new or existing single-family dwellings. The plan review fee specified in this subsection is a separate fee from the permit fees specified in Section 106.6, and is in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

Applications for which no permit is issued within 180 days following the date of application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	
The fees for all fuel gas work shall be as indicated in the following schedule.	

- c) **Section 106.6.3.** Amend sentences 2 and 3 of Section 106.6.3 as follows:
2. Not more than 100% of the permit fee paid when no work has been done under a permit issued in accordance with this Code.
 3. Not more than 100% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
- d) **Section 108 Violation penalties.** Amend Section 108 as follows: It shall be unlawful for any person, firm or corporation to violate a provision of this Code or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction

documents or directive of the Building Code Official, or of a permit or certificate issued under the provisions of this Code. Violation of any provision of this Code shall be a public offense, punishable upon conviction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above.

- e) **Section 108.5 Stop work orders.** Amend Section 108.5 as follows: Upon notice from the Code Official, work on any plumbing system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Building Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty upon conviction of a public offense, Class "I" Infraction, as provided in Article 20 of the Johnson County Code of Regulations For Buildings and Construction, 2018 Edition.
- f) **Section 305.4.1 Sewer Depth.** Amend Section 305.4.1 as follows: Building sewers that connect to private sewage disposal systems shall be installed not less than the depth required by the appropriate authority having jurisdiction. Building sewers shall be installed not less than the depth specified by the appropriate authority having jurisdiction.
- g) **Section 312.1 Required tests.** Amend Section 312.1 as follows: The permit holder shall make the applicable tests prescribed in Sections 312.2 through 312.10 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the Building Code Official when the plumbing work is ready for tests. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the permit holder and he or she shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. Plumbing system piping shall be tested with either water or by air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The code official shall require the removal of any cleanouts if necessary, to ascertain whether the pressure has reached all parts of the system.
- h) **Section 312.3 Drainage and vent air test.** Amend Section 312.3 as follows: Plastic piping may be tested using air. An air test shall be made by forcing air into the system until there is a uniform gauge pressure of 5 psi (34.5 kPa) or sufficient to balance a 10-inch (254 mm) column of mercury. This pressure shall be held for a test period of not less than 15 minutes. Any adjustments to the test pressure

required because of changes in ambient temperatures or the seating of gaskets shall be made prior to the beginning of the test period.

- i) **Section 403.2 Separate facilities.** Amend Section 403.2 as follows: Where plumbing fixtures are required, separate facilities shall be provided for each sex. Exceptions:
1. Separate facilities shall not be required for private facilities, including dwelling units and sleeping units.
 2. Separate employee facilities shall not be required in occupancies in which 15 or less people are employed.
 3. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or less.
 4. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 50 or less.
 5. Separate facilities shall not be required in business occupancies in which the maximum occupant load is 25 or less.
- j) **Section 703.1 Building sewer pipe near the water service.** Amend Section 703.1 as follows: Where the building sewer is installed within 5 feet of the water service, the installation shall comply with the provisions provided by the appropriate authority having jurisdiction

Section 703.2 Drainage pipe in filled ground. Amend Section 703.2 as follows: Where a building drain is installed on filled or unstable ground, the drainage pipe shall conform to one of the standards for ABS plastic pipe, cast-iron pipe, copper or copper-alloy tubing, or PVC plastic pipe listed in Table 702.3.

Section 703.3 Sanitary and storm sewers. Amend Section 703.3 as follows: Where separate systems of sanitary drainage and storm drainage are installed in the same property, the sanitary and storm building sewers or drains shall be permitted to be laid side by side in one trench if approved by the appropriate authority have jurisdiction.

Section 703.4 Existing building sewers and drains. Amend Section 703.4 as follows: Existing building sewers and drains shall connect with new building sewer and drainage systems only where found by examination and test to conform to the new system in quality of material. The Building Code Official shall notify the owner to make the changes necessary to conform to this Code.

Section 703.5 Cleanouts on building sewers. Amend Section 703.5 as follows:

Cleanouts on building sewers shall be located as required by the appropriate authority having jurisdiction.

- k) **Section 708.1.2 Building Sewers.** Amend Section 708.1.2 as follows: Building sewers shall be provided with cleanouts located as required by the appropriate authority having jurisdiction.
- l) **Section 903.1 Roof extension.** Amend Section 903.1 as follows: All open vent pipes that extend through a roof shall be terminated at least six inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven feet above the roof.

ARTICLE 6
INTERNATIONAL MECHANICAL CODE

SECTION 1. ADOPTION. The International Mechanical Code 2018 Edition published by the published by the International Code Council is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Mechanical Code, 2012 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "ordinance" shall mean and include the word "resolution."
- b) The term "city" shall mean and include the word "county."
- c) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d) The term "Code Official" shall mean the Johnson County Building Code Official.

SECTION 3. DELETIONS. The following provisions shall be deleted:

- a) **Section 109: Means of Appeal.**

SECTION 4. ADDITIONS.

- a) **Section 102.12 State Boiler Inspector.** Add the following subsection to the end of Section 102.12: Where permits are issued and portions of the work require inspection and approval of boilers and pressure vessels by the state of Kansas, those portions of the work shall comply with the state requirements in lieu of compliance with the technical provisions of this Code. Contact the State Boiler Inspector at the Kansas Office of The State Fire Marshal (OSFM) for complete information regarding state requirements. State approval is generally required for all boilers that require permits.

Exceptions:

- 1. Boilers serving individual dwelling units and their accessory structures.
- 2. Boilers serving apartment houses with less than five families.
- 3. Pressure vessels that do not exceed 15 cubic feet and 250 psi.

SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title:** Amend Section 101.1 as follows: These regulations shall be known as the Mechanical Code of Johnson County, Kansas, hereinafter referred to as "this Code".
- b) **Section 106.4.3 Expiration.** Amend Section 106.4.3 as follows: Any permit issued by the Building Code Official under the provisions of this Code shall expire if:
 - 1. The building or work authorized by such permit is not commenced within 180 days from the date of such permit, or

2. The building or work authorized by such permit has not progressed to the point of the next required inspection within 180 days of either the issuance of the permit, or from the date of the last inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the untimely progress has not exceeded one year. In order to renew action on a permit that has expired for a period exceeding one year, the permittee shall pay a new full permit fee.

- c. **Section 106.5.2 Fee Schedule.** Amend Section 106.5.2 as follows: The fees for work requiring a permit shall be paid as required in accordance with the schedule in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting documents for plan review. The plan review fee shall be 65% of the permit fees described in Table 1-A, except that there are no plan review fees for work to new or existing single-family dwellings. The plan review fee specified in this subsection is a separate fee from the permit fees specified in Section 106.6, and is in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

Applications for which no permit is issued within 180 days following the date of application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

- d) **Section 401.2 Ventilation required.** Amend Section 401.2 as follows: Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403. Where the air infiltration rate in a dwelling unit is less than 3 air changes per hour when tested with a blower door at a pressure of 0.2-inch water column (50 Pa) in accordance with Section R402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403. Ambulatory care facilities and Group I-2 occupancies shall be ventilated by mechanical means in accordance with Section 407.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**
<p>*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.</p> <p>**Actual costs include administrative and overhead costs. The fees for all fuel gas work shall be as indicated in the following schedule.</p>	

- d. **Section 106.5.3.** Amend sentences 2 and 3 of Section 106.5.3 as follows:
 - 2. Not more than 100% of the permit fee paid when no work has been done under a permit issued in accordance with this Code.
 - 3. Not more than 100% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
- e. **Section 108.4 Violation Penalties.** Amend Section 108.4 as follows: Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the

code official, or of a permit or certificate issued under the provisions of this Code shall be guilty of a public offense, punishable as a Class I Infraction upon conviction as provided in Article 20 of this Code of Regulations. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense, and shall be punishable as herein provided.

- f. **Section 108.5 Stop Work Orders.** Amend Section 108.5 as follows: Upon notice from the Code Official, work on any mechanical system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Building Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty upon conviction of a public offense, Class "I" Infraction, as provided in Article 20 of the Johnson County Code of Regulations For Buildings and Construction, 2018 Edition.

ARTICLE 7
INTERNATIONAL EXISTING BUILDING CODE

SECTION 1. ADOPTION. The International Existing Building, Code 2018, Edition, published by the International Code Council, including Appendix Chapters A and B, is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Existing Building Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "ordinance" shall mean and include the word "resolution."
- b) The term "city" shall mean and include the word "county."
- c) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d) The term "Code Official" shall in all instances mean the Building Code Official of Johnson County, Kansas.

SECTION 3. DELETIONS. The following provisions shall be deleted:

- a) **Section 112: Board of Appeals.**

SECTION 4. ADDITIONS.

- a) **Section 113.4 Violation Penalties.** At the end of the paragraph add the following language: Violation of any provision of this Code shall be a public offense, punishable upon conviction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above.

SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title.** Amend Section 101.1 as follows: These provisions shall be known as the Existing Building Code of Johnson County, Kansas, and shall be cited as such and will be referred to herein as "this Code."
- b) **105.5 Expiration.** Amend Section 105.5 as follows: Every permit issued by the Code Official under the provisions of this Code shall expire if:
 - 1. The building or work authorized by such permit is not commenced within 180 days from the date of such permit, or
 - 2. The building or work authorized by such permit has not progressed to the point of the next required inspection within 180 days of either the issuance of the permit, or from the date of the last inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the untimely progress has not exceeded one year. In order to renew action on a permit that has expired for a period exceeding one year, the permittee shall pay a new full permit fee. The Building Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- c) **Section 108.2 Schedule of Permit Fees.** Amend Section 108.2 as follows: On buildings, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the schedule as established by the International Building Code, as adopted.
- d) **Section 113.3 Prosecution of Violation.** Amend Section 113.3 as follows: Any person failing to comply with a notice of violation or order shall be deemed guilty of a Class 1 Infraction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the Building Code Official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

**ARTICLE 8
NATIONAL ELECTRICAL CODE**

SECTION 1. ADOPTION. The National Electrical Code, 2017 Edition, published by the National Fire Protection Association, Inc., including (i) Chapter 9- Tables; and (ii) Annex Chapters A, B, C, D, F, G, H, I, is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the National Electrical Code, 2017 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term “Code Official” shall in all instances mean the Johnson County Building Code Official.
- b) The term “ordinance” shall mean and include the word “resolution.”
- c) The term “city” shall mean and include the word “county.”
- d) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.

SECTION 3. DELETIONS. The following provisions shall be deleted:

- a) **Section 80.15. Electrical Board.**
- b) **Section 80.23 (B) (3). Penalties.**
- c) **Section 80.25 (C). Notification.**
- d) **Section 80.25 (D). Other Territories.**
- e) **Section 80.27. Inspector’s Qualifications.**
- f) **Section 80.33. Repeal of Conflicting Acts.**
- g) **Section 80.35. Effective Date.**

SECTION 4. ADDITIONS.

- a) **Section 80.19 (E). Fees.** Amend Section 80.19 (E) follows: The fees for work requiring a permit shall be paid as required, in accordance with the schedule as follows in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65% of the permit fees described in Table 1-A, except that there are no plan review fees for work to new or existing single-family dwellings. The plan review fee specified in this subsection is a separate fee from the permit fees specified in Section 80.19 (E), and is in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	
The fees for all fuel gas work shall be as indicated in the following schedule.	

- b) **Section 80.19 (G) (7).** Section 80.19 (G) (7) shall have the following paragraph added: Every permit issued by the Code Official under the provisions of this Code shall expire if:
1. The building or work authorized by such permit is not commenced within 180 days from the date of such permit, or
 2. The building or work authorized by such permit has not progressed to the point of the next required inspection within 180 days of either the issuance of the permit, or from the date of the last inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the untimely progress has not exceeded one year. In order to renew action on a permit that has expired for a period exceeding one year, the permittee shall pay a new full permit fee. The Building Code Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- c) **Section 80.23. Notice of Violations, Penalties.** A new paragraph shall be added to Section 80.23 as follows: Violation of any provision of this Code shall be a public offense, punishable upon conviction as a Class I Infraction (fine of not less than \$100.00 nor more than \$500.00) all in accordance with Article 20 of this Code of Regulations as the same may be amended from time to time. Each separate day or any portion thereof during which any violation of this Code continues, shall be deemed to constitute a separate offense, and shall be punishable as herein provided.

- d) **Section 210.8.** The following paragraph shall be added after item (2) of Section 210.8.

Exceptions:

1. Receptacles supplying only garage doors.
2. Receptacles supplying only refrigerators or freezers.

- e) **Section 210.8.** The following paragraph shall be added after item (5) of Section 210.8.

Exceptions:

1. A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit -interrupter protection.
2. A receptacle supplying only a sump pump shall not be required to have ground-fault circuit -interrupter protection.
3. A receptacle supplying only a refrigerator or freezer shall not be required to have ground-fault circuit -interrupter protection.

- f) **Section 250.52.** A new paragraph shall be added to Section 250.52: Where none of the electrodes specified in Section 250.52 is available, two or more of the electrodes specified in 250.52 (5) shall be used. They shall be connected in the manner specified in Section 250.53 to a minimum of two separate grounding electrode conductor.

SECTION 5. AMENDMENTS.

- a) **Section 80.2 Definitions. Authority Having Jurisdiction.** Amend Section 80.2 as follows: The organization, office, or individual responsible for approving equipment, materials, an installation, or a procedure. The Building Code Official is designated by the authority having jurisdiction and is responsible for administering the requirements of this Code.
- b) **Section 80.13 Authority (13).** Amend Section 80.13 as follows: Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspections and shall conduct the inspection in a timely manner.
- c) **Section 80.19 (F)(3) Inspections and Approvals.** Amend Section 80.19 (F) (3) as follows: When any portion of the electrical installation within the jurisdiction of the Building Code Official is to be hidden from view by the permanent placement of the building, the person, firm, or corporation installing the equipment shall notify the Building Code Official, and such equipment shall not be concealed until it has been approved by the Building Code Official.
- d) **Section 80.29 Liability of Damages.** Amend Section 80.29 as follows: Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling, or installing any electric equipment for damages to persons or property caused by a defect therein, nor shall the County or any of its employees be held as assuming any such liability by reason of the inspection, reinspection, or other examination authorized.
- e) **Section 210.12 (A) Arc-Fault Circuit Interrupter Protection.** Amend Section 210.12 (A) as follows: **Dwelling Units.** All 120-volt, single-phase, 15- and 20-ampere branch circuits supplying outlets or devices installed indwelling unit kitchens, family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, laundry areas, or similar rooms or areas shall be protected by any of the means described in 210.12(A)(1) through (6):
- (1) A listed combination-type arc-fault circuit interrupter, installed to provide protection of the entire branch circuit
 - (2) A listed branch/feeder-type AFCI installed at the origin of the branch-circuit in combination with a listed outlet branch-circuit type arc-fault circuit

interrupter installed at the first outlet box on the branch circuit. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.

- (3) A listed supplemental arc protection circuit breaker installed at the origin of the branch circuit in combination with a listed outlet branch-circuit type arc-fault circuit interrupter installed at the first outlet box on the branch circuit where all of the following conditions are met:
 - a. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit interrupter.
 - b. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 15.2 m (50 ft) for a 14 AWG conductor or 21.3 m (70 ft) for a 12 AWG conductor.
 - c. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.
- (4) A listed outlet branch-circuit type arc-fault circuit interrupter installed at the first outlet on the branch circuit in combination with a listed branch-circuit overcurrent protective device where all of the following conditions are met:
 - a. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit interrupter.
 - b. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 15.2 m (50 ft) for a 14 AWG conductor or 21.3 m (70 ft) for a 12 AWG conductor.
 - c. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.
 - d. The combination of the branch-circuit overcurrent device and outlet branch-circuit AFCI shall be identified as meeting the requirements for a system combination type AFCI and shall be listed as such.
- (5) If RMC, IMC, EMT, Type MC, or steel-armored Type AC cables meeting the requirements of 250.118, metal wireways, metal auxiliary gutters, and metal outlet and junction boxes are installed for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, it shall be permitted to install a listed outlet branch-circuit type AFCI at the first outlet to provide protection for the remaining portion of the branch circuit.
- (6) Where a listed metal or nonmetallic conduit or tubing or Type MC cable is encased in not less than 50 mm (2 in.) of concrete for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, it

shall be permitted to install a listed outlet branch circuit type AFCI at the first outlet to provide protection for the remaining portion of the branch circuit.

Exception: Where an individual branch circuit to a fire alarm system installed in accordance with 760.41(B) or 760.121(B) is installed in RMC, IMC, EMT, or steel-sheathed cable, Type AC or Type MC, meeting the requirements of 250.118, with metal outlet and junction boxes, AFCI protection shall be permitted to be omitted. Informational Note No. 1: For information on combination-

- f) **Section 210.12 (D) Branch Circuits Extension or Modification- Dwelling Unit and Dormitory Units. Amend Section 210.12 (D) as follows:** In any of the areas specified in 210.12 (A) or (B), where branch-circuit wiring is modified, replaced, or extended, the branch circuit shall be protected by one of the following:
1. A listed combination-type AFCI located at the origin of the branch circuit
 2. A listed outlet branch-circuit-type AFCI located at first receptacle outlet of the existing branch circuit

Exceptions:

1. AFCI protection shall not be required where the extension of the existing conductors is not more than 1.8 m (6 ft) and does not include any additional outlet or devices.
2. This section will not apply where existing dwelling unit premises wiring circuits make the application of this section impracticable, as determined by the Building Code Official.

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

- g) **Section 547.5 (E) Physical Protection.** Amend Section 547.5 (E) as follows: All electrical wiring and equipment subject to physical damage shall be protected. All electrical wiring and equipment subject to physical damage by livestock shall be protected to a minimum height of 8 feet.

ARTICLE 9
INTERNATIONAL PROPERTY MAINTENANCE CODE

SECTION 1. ADOPTION. The International Property Maintenance Code, 2018 Edition, published by International Code Council is hereby adopted.

SECTION 2. DEFINITIONS. The following words and phrases shall have the following meanings:

- a) The term "Code Official" shall in all instances mean the Building Official, or his designated representative, of Johnson County, Kansas.
- b) The term "Board of Appeals" shall in all instances mean the Board of Code Review.
- c) The term "ordinance" shall mean and include the word "resolution."
- d) The term "city" shall mean and include the word "county."
- e) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.

SECTION 3. DELETIONS. The following provisions shall be deleted and not applicable under this Code:

- a) **Section 103 Department of Property Maintenance Inspection.**
- b) **Section 106.4 Violation Penalties.**
- c) **Section 107.4 Penalties.**
- d) **Section 111 Means of Appeal.**
- e) **Section 302.4 Weeds.**
- f) **Section 304.2 Protective Treatment.**
- g) **Section 308 Rubbish and Garbage.**

SECTION 4. ADDITIONS.

- a) **Section 101.5 General.** Amend Section 101.5 as follows: The Building Code Official, or, where appropriate, the Governing Body, is authorized, subject to any adopted policies or administrative rules or regulations, to take the following actions to bring the subject property into compliance with this Code or other resolutions of the County. Those actions include, without being limited to, abatement of the violation, vacation of the premises until the violation is corrected, prohibition of occupancy of the premises until the violation is corrected, issuance of a Notice to Appear in Johnson County Codes Court,

injunctive or other relief in the District Court of Johnson County, suspension or revocation of any licenses pertaining to the premises that remain in violation, and any other necessary or appropriate actions authorized by any applicable law, resolution, statute, rule or regulation. If no public necessity is found for the immediate demolition of the structure or premises, the Building Code Official or Governing Body may take such other action, including, without limitation, causing the property to be cleaned, cleared, vacated, secured or otherwise repaired or any other action deemed necessary to promote the public health, safety or general welfare. The provisions of Article 20 shall be made applicable to this section and pursuant to those provisions and any other applicable laws, statutes, resolutions, rules or regulations, the property owner may be charged for the costs incurred by the County in taking any actions to abate or correct such unlawful conditions, including administrative fees, and a lien may be placed on the property for any such unpaid costs and fees. The Director of Planning, Development, and Codes shall designate the department, division, employee or agency of the County to enforce this Code, and such designee shall, for the purposes of this Code, be known as the “Building Code Official.” In this Code the term “Department of Property Maintenance Inspection” shall be used synonymously with the term “Building Code Official.”

- b) **Section 106.4 Violation penalties.** Add the following to Section 106.4: Violation of any provision of this Code shall be a public offense, punishable as a Class I Infraction upon conviction as provided in Article 20 of this Code of Regulations. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense, and shall be punishable as herein provided.
- c) **Section 108.1.3.1 Posting structures unfit for human occupancy.** Add the follow to Section 108.1.3.1: The Code Official shall cause any building or structure deemed unfit for human occupancy to be posted at each entrance thereto with a notice reading:

<p>SUBSTANDARD BUILDING DO NOT OCCUPY It is a public offense, a Class I Infraction, to occupy this building, or to remove or deface this notice. Building Code Official Johnson County, Kansas</p>
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SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title.** Amend Section 101.1 as follows: These regulations shall be known as the Property Maintenance Code of Johnson County, Kansas, hereinafter referred to as “this Code.”
- b) **Section 102.3 Application of Other Codes.** Amend Section 102.3 as follows: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the 2018 International

Building Code, 2018 International Residential Code, 2018 International Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, and the NFPA 70 National Electrical Code, 2017 Edition. Where the term ICC Electrical Code is used in other portions of this Code, the term shall be used synonymously with the term “NFPA 70 National Electrical Code, 2017 Edition.”

- c) **Section 103.5 Fees.** Amend Section 103.5 as follows: The fees for activities and services performed by the department in carrying out its responsibilities under this Code shall be as indicated in the International Building Code.
- d) **Section 105.4 Material and equipment reuse.** Amend Section 105.4 as follows: 105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused until a written request to do so has been submitted to, and accepted by, the Code Official. All elements must be in good repair or have been reconditioned, tested, and placed in good and proper working condition.
- e) **Section 111.1 Application for appeal.** Amend Section 111.1 as follows: Any person directly affected by a decision of the Building Code Official or a notice or order issued under this Code shall have the right to appeal to the Board of Code Review, provided that the written application for appeal is filed within the time limits set forth in Article 12 of the Johnson County Code of Regulations, 2012 Edition. All rules and regulations of the Board of Code Review shall apply. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted or the provisions of this Code do not fully apply.
- f) **Section 303.14 Insect screens.** Amend Section 303.14 as follows: During the period from March 1 to October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every swinging door shall have a self-closing device in good working condition.
- g) **Section 602.3 Heat supply.** Amend Section 602.3 as follows: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom, shall furnish heat to the occupants thereof, between October 1 to May 1, to maintain a temperature of not less than 65 degrees F (18 degrees C) in all habitable rooms, bathrooms, and toilet rooms. **Exception:** When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

- h) **Section 602.4 Occupiable work spaces.** Amend Section 602.4 as follows:
Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 1 at a temperature of not less than 65 degrees F (18 degrees C) when occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
 2. Areas in which persons are primarily engaged in vigorous physical activities.
- i) **Section 604.2 Service.** Amend Section 604.2 as follows: The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, and single-phase electrical service having a rating of not less than 100 amperes. Alternate service configurations may be approved by the Building Code Official.

ARTICLE 10
INTERNATIONAL FIRE CODE

SECTION 1. ADOPTION. The International Fire Code, 2018 Edition, published by the International Code Council, Inc., including Appendix Divisions B, C, D, E, F, G, H, I, J and referenced standards in Chapter 80, is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Fire Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "chief" and "fire code official" shall in all instances mean the Building Code Official of Johnson County, Kansas, except in those instances where the International Fire Code addresses:
 - 1. The responsibility for the prevention of fires, as otherwise mandated by another rule, regulation, or law; or
 - 2. The suppression or extinguishment of dangerous or hazardous materials; or
 - 3. The investigation of the cause, origin, and circumstances of fire and unauthorized releases of hazardous materials; in which instances the term shall mean Fire District Fire Chief.
- b) The term "ordinance" shall mean and include the word "resolution."
- c) The term "city" shall mean and include the word "county."
- d) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- e) In those instances where the fire-flow requirements and subdivision guidelines contained within this Code refer to a "hydrant", it is intended that the hydrant be supplied by a conventional water source such as a water line, and that the hydrant be located in close proximity not more than 600 feet from the residence property. If water is available from a non-conventional source, such as a pond or stream, the Code Official may make a determination that the non-conventional source provides substantially equivalent fire-flow to the residence.
- f) The term "platted subdivision" shall mean division or re-subdivision of a lot, tract or parcel of land into two or more resulting lots, tracts or parcels of land.
- g) The term "unplatted subdivision" shall mean the division of a lot, tract or parcel of land according to the County's adopted "lot-split" procedures. Unplatted subdivisions may also be lots, tracts or parcels of land that were of record in the Register of Deeds Office as of March 1, 1982.
- h) The term "access road" shall be defined as a road not less than 20 feet in width with not less than 13 feet 6 inches of unobstructed vertical clearance and built and

maintained to support the imposed loads to allow passage of fire apparatus in all weather conditions.

- i) The term "approved or certified automatic sprinkler system", "approved or certified automatic fire-extinguishing system" or "approved or certified fire alarm and detection system" shall mean one that has been designed by a fire protection engineer who is licensed in the State of Kansas, and installed by a contractor licensed to do so by the Johnson County Contractors Licensing Program.
- j) The term "alternate water source" shall mean a source for fire-flow derived from a river, lake, canal, bay, stream, pond, well, cistern, or other similar source of water that is available as suction supply for fire department use and meeting all requirements set forth by the Building Code Official. These are guidelines which are intended to apply to most situations. Minor accommodations and adjustments may be made by the Building Code Official on a case-by-case basis for good cause shown so long as there is no significant increase in the potential for a fire hazard.

SECTION 3. DELETIONS. The following provisions shall be deleted and not applicable under this code:

- a) **Section 109 Board of Appeals.**
- b) **Section 1104.25 Egress path markings.**
- c) **Table B105.1(1)**

SECTION 4. ADDITIONS.

- a) **Section 505.1.1 Secondary address numbers.** Add the following to Section 505.1.1: Multi-tenant retail shopping centers in which tenant spaces have secondary entry doors from an exterior façade of the building and have paved vehicle access adjacent to such doors shall have approved numbers or addresses placed on or adjacent to each door. Secondary address numbers shall be a minimum of four inches in height.
Exceptions:
 - 1. If more than one entry door is installed on a facade, only one door needs to be marked (entry doors defined as overhead or cargo doors and normal passage doors).
 - 2. Further exceptions may be permitted by the Building Code Official.
- b) **Section 507.1.1 Water distribution system failures.** Add the follow to Section 507.1.1: Water districts serving areas within Johnson County shall notify the Emergency Communications Center of any failure in their water distribution system, hydrant repair, main breaks, pump failures, or other interruptions of water supply that may affect water supply for fire control purposes.

- c) **Section B105.1 One-and two-family dwellings.** Appendix B. Add the following to Section B105.1:

Exceptions:

If the minimum fire flow requirements cannot be met, any new single family dwelling may instead satisfy the requirements as follows:

1. The required fire-flow and flow duration may be reduced by 50% when the residence is equipped with an automatic sprinkler system approved, in writing, by the Building Code Official; or
2. Available fire-flow of at least 500 gallons per minute for a minimum 2-hour flow duration from a hydrant and some other available alternate water source, herein defined, which will provide the equivalent of an additional 500 gallons per minute fire-flow for fire-fighting purposes; or
3. Available fire-flow of at least 500 gallons per minute for a minimum 2-hour flow duration from a hydrant or otherwise and no part of the residence to be constructed is closer than 100 feet from any other residence (or 50 feet from the property line if no other residence exists); or
4. If individual lots are 10 acres or more, the fire-flow may be reduced to 250 gallons per minute and a minimum 2-hour flow duration provided that no other residence shall be constructed closer than 100 feet from any other single family residence (or 50 feet from the property line if no other single family dwelling exists); that the applicable fire district shall verify their ability to supply the site with fire-flow of at least 250 gallons per minute; that an access road, herein defined, shall be provided for fire apparatus; and that noncombustible materials be used for roof coverings.
5. Waivers. In the event none of the conditions set forth in (1) through (4) above exist, a fire protection engineer who is licensed in State of Kansas shall design alternate systems or construction that will provide an equivalent amount of protection to the building, such as non-combustible roofing material, substantial masonry components, fire-resistant sheet rock, and other fire protection or notification systems such as third party monitored smoke detection systems.

SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title.** Amend Section 101.1 as follows: These regulations shall be known as the "Fire Code of Johnson County, Kansas," may be cited as such, and will be referred to herein as "this Code."
- b) **Section 103.1 Fire Prevention Bureau.** Amend Section 103.1 as follows: A fire prevention bureau is hereby established under the direction of the Building Code Official, which shall consist of each and every applicable Fire District Fire Chief,

or designee, in unincorporated Johnson County, Kansas. The function of this bureau shall be to assist the Building Code Official in the implementation, administration, and enforcement of this Code except when regarding;

1. The prevention of fires, as described or mandated by the appropriate Kansas statutes;
2. The suppression or extinguishment of dangerous or hazardous materials;
or
3. The investigation of the cause, origin and circumstances of fire and unauthorized releases of hazardous materials.

- c) **Section 104.1 General.** Amend Section 104.1 as follows: The Building Code Official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this Code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

The Building Code Official, with the approval of the Director of Planning, Development, and Codes, may designate a member of a fire district, the Johnson County Public Works Department or the Johnson County Planning, Development, and Codes Office, or other appropriate individual to exercise the power and perform the duties of fire prevention engineer as set forth in this Code.

The Building Code Official, with the aid of the fire prevention bureau, shall inspect, as often as may be necessary, all buildings and premises, including such other hazards or appliances as the Building Code Official may designate for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this Code, or of any other law or standard affecting fire safety.

- d) **Section 104.11.2 Obstructing Operations.** Amend Section 104.11.2 as follows: No person shall obstruct the operations of the fire district in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the fire chief or officer of the fire district in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire district. Any person who obstructs the operations of the fire district in connection with extinguishing any fire, or other emergency, or disobeys any lawful command of the applicable Fire District Fire Chief or officer of the fire district who may be in charge at such a scene, or any part thereof, or the Building Code Official, or any police officer assisting the fire district, shall be guilty of a public offense, Class I Infraction as provided in Article 20 of this Code of Regulations.

- e) **Section 105.1 General.** Amend Section 105.1 as follows: Permits shall be in accordance with Section 105. If permits are required elsewhere in this Code, the Code Official shall be permitted to waive the requirements for issuance of a permit provided public safety and welfare is maintained. Operational permits are specifically required for the following:
1. Carnivals and fairs. (105.6.4)
 2. Explosives. (105.6.14)
 3. Open burning. (105.6.32)
 4. Pyrotechnic special effects material. (105.6.40)
 5. Storage of scrap tires and tire byproducts. (105.6.46)
- f) **Section 105.6.4 Carnivals and fairs.** Amend Section 105.6.4 as follows: An operational permit is required to conduct a carnival or fair.
- g) **Section 105.6.14 Explosives, fireworks, and blasting.** Amend Section 105.6.14 as follows: An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive material, fireworks, or pyrotechnic special effects within the scope of this Code.
- h) **Section 105.6.32 Open burning.** Amend Section 105.6.32 as follows: An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Applications for open burning shall be submitted in writing to the appropriate fire district before the fire is set and shall be in such form and contain such information as required by the Building Code Official. Such applications shall contain information regarding the purpose of the proposed burning, the nature and quantities of material to be burned, the time and date when such burning will take place, the location of the burning site, and the name and phone number of the person responsible for supervision of the burning.
Exception: Fires deemed to be recreational by the appropriate Fire District Chief.
- i) **Section 105.6.40 Pyrotechnic special effects material.** Amend Section 105.6.40 as follows: An operational permit is required for use and handling of pyrotechnic special effects material.
- j) **Section 105.6.46 Storage of scrap tires and tire byproducts.** Amend Section 105.6.46 as follows: An operational permit is required to establish, conduct, or maintain storage of scrap tires and tire byproducts that exceed 2,500 cubic feet (71 m³) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.

- k) **Section 110.4 Violation penalties.** Amend Section 110.4 as follows: It shall be unlawful for any person, firm or corporation to violate any of the provisions of this Code or fail to comply therewith, or to violate or fail to comply with any Order made thereunder, or to build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder. Violation of any provision of this Code shall be a public offense, a Class I Infraction punishable upon conviction as provided in Article 20 of this Code of Regulations. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense, and shall be punishable as herein provided. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
- l) **Section 112.4 Failure to comply.** Amend Section 112.4 as follows: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this Code. Violation of any provision of this Code shall be a public offense, punishable as a Class I Infraction upon conviction, as provided in Article 20 of this Code of Regulations. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense, and shall be punishable as herein provided.
- m) **Section 501.3 Construction documents.** Amend Section 501.3 as follows:
Construction documents for proposed fire apparatus access roads, location of fire lanes, security gates across fire apparatus access and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the Building Code Official and appropriate Fire District Fire Chief for review and approval prior to construction.
- n) **Section 503.3 Marking.** Amend Section 503.3 as follows: If required, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility.

Each separate fire lane signage, which may consist of one sign or a combination of signs, shall have a cumulative minimum size of 96 square inches and contain the “No Parking” words or symbol with the words “Fire Lane” located directly beneath the “No Parking” words or symbol. Each sign or combination of signs are required to be uniformly mounted between two feet eight inches to seven feet above grade to the bottom of the sign, and so located not to obstruct pedestrian traffic. The sign or combination of signs shall be mounted within six feet of the curb or striped pavement and are required to face or run parallel with oncoming vehicular traffic. The sign or combination of signs may be mounted on the building, pole base, or any other structure provided the signage meets the setback

and minimum and maximum height requirements indicated above. The sign, or combination of signs, are required to be spaced no more than 200 feet apart. In addition, the curb, or pavement if a curb is absent, is required to be marked with a red stripe that shall run not less than six feet of each thirty-foot length of fire lane. Each separate red striped area shall contain three inches white lettering indicating "Fire Lane"; provided, however, that the presence of such lettering is not a prerequisite to the enforcement of fire lane parking violations. Furthermore, the exceeding of any standards intended to inform the public of the location of a fire lane shall not affect the enforcement of this Section.

o) **Section 505.1 Address identification.** Amend Section 505.1 as follows: New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position on the building or on any structure, mail box, sign, or monument on the property that is securely fixed to the ground to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches high with a minimum stroke width of 0.5 inch. Numbers shall be a minimum height of: four inches in Use Groups R -3 and R-4; six inches in Use Group R-3 Child Care Facilities; and eight inches in all other Use Groups. When required by the Building Code Official, the identifying numbers shall be lighted by an approved light source.

p) **Section 505.1.1 Secondary address numbers.** Amend Section 505.1.1 as follows: Multi-tenant retail shopping centers in which tenant spaces have secondary entry doors from an exterior façade of the building and have paved vehicle access adjacent to such doors shall have approved numbers or addresses placed on or adjacent to each door. Secondary address numbers shall be a minimum of four inches in height.

Exceptions:

1. If more than one entry door is installed on a façade, only one door needs to be marked (entry doors defined as overhead or cargo doors and normal passage doors).

2. Further exceptions shall be permitted by the Building Code Official.

q) **Section 505.1.2 Additional identification.** Amend Section 505.1.2 as follows: Where identification of additional exits would be of benefit to emergency response personnel, a sequential numbering system may be required by the appropriate Fire District Chief whereby the interior and exterior surfaces of each exit is marked in an approved manner.

r) **Section 506.1 Where required.** Amend Section 506.1 as follows: Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, a key box shall be installed in an approved location as required by the appropriate Fire District Fire Chief. The key box shall be an approved type listed in

accordance with UL 1037, and shall contain keys or access cards to gain necessary access as required by the appropriate Fire District Fire Chief.

- s) **Section 506.2 Key Box Maintenance.** Amend Section 506.2 as follows: The operator of the building shall immediately notify the appropriate Fire District Chief and provide the new key when a lock is changed or re-keyed. The key to such lock shall be secured in the box. The key box shall be maintained in working order by the operator/owner/occupant of the building.
- t) **Section 901.6 Inspection, testing and maintenance.** Amend Section 901.6 as follows: Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained, or removed. The inspection, testing and maintenance of fire protection systems and equipment shall be performed by a fire protection engineer who is licensed in the State of Kansas, or a contractor with National Institute for Certification in Engineering Technologies (NICET), Level II technicians in the applicable discipline (automatic sprinkler systems, fire alarm systems or inspection and testing of water-based system), licensed to do so by the Johnson County Contractor Licensing Program, and approved by the Building Code Official.
- u) **Section 903.4.2 Alarms.** Amend Section 903.4.2 as follows: An approved audio/visual device shall be connected to each automatic sprinkler system. Such sprinkler system water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building directly above the fire department connection or in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.
- v) **Section 903.4.3 Floor Control Valves.** Amend Section 903.4.3 as follows: Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor of a multi-story building.
Exception:
Automatic sprinkler systems designed in accordance with Sections 903.3.1.2 or 903.3.1.3.
- w) **Section 3103.2 Approval Required.** Amend Section 3103.2 as follows: Tents and membrane structures having an area in excess of 900 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the Building Code Official.
- x) **Section B105.1 One and two-family dwellings.** Amend Section B105.1 as follows: Any buildable lot or parcel regardless of the lot size for construction of a one and two-family dwellings shall have minimum available fire-flow of 1,000 gallons per minute (3785.4 L/min) for duration of 1 hour by providing a fire

hydrant installed maximum 600 feet from the property on an approved fire apparatus access road.

ARTICLE 11
INTERNATIONAL ENERGY CONSERVATION CODE

SECTION 1. ADOPTION. The International Energy Conservation Code, 2018 Edition, published by the International Code Council is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Energy Conservation Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "ordinance" shall mean and include the word "resolution."
- b) The term "city" shall mean and include the word "county."
- c) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d) The term "Code Official" shall mean the Johnson County Building Official.

SECTION 3. DELETIONS. The following provisions of the International Building Code, as adopted, shall be deleted and not applicable under this Code:

- a) **Section C109 Board of Appeals.**
- b) **IECC-Residential Provisions, including Chapters 1 through 5.**

SECTION 4. ADDITIONS.

- a) **Sections C104.2 Schedule of permit fees.** Add the following to Section C104.2: The fee for each building permit shall be as set forth in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting documents for plan review. The plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A. The plan review fees specified in this subsection are separate fees from the permit fees specified in Sections C107.2 or and are in addition to the permit fees. When submitted documents are incomplete, changed so as to require additional plan review, or when the project involves deferred or amended submittal items as defined in Section C103.4, an additional plan review fee may be charged at the rate shown in Table 1-A.

Applications for which no permit is issued within 180 days following the date of application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees.	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**
<p>* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.</p> <p>** Actual costs include administrative and overhead costs.</p> <p>A \$50.00 plan review fee will be assessed for residential plans.</p> <p>Commercial plan review is an additional 65% fee. (65% of building permit fee).</p>	

- b) **Section C110 Violation Penalties.** Add to following to Section C110.1:
Violation of any provision of this Code shall be a public offense, as a class I Infraction punishable upon conviction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above.
- c) **Section C110.2 Prosecution of violation.** Add the following to Section C110.2:
Any person failing to comply with a notice of violation or order shall be deemed

guilty of a Class I Infraction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the Code Official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

SECTION 5. AMENDMENTS.

- a) **Section C101.1 Title.** Amend Section C101.1 as follows: This Code shall be known as the International Energy Conservation Code of Johnson County, and shall be cited as such. It is referred to herein as “this Code.
- b) **C101.4.1 Mixed residential and commercial buildings.** Amend section C101.4.1 as follow: Where a building includes both residential building and commercial building portions, each portion shall be separately considered and meet the applicable provisions of IECC—Commercial Provisions or IRC chapter 11 Provisions.
- c) **C101.5 Compliance.** Residential buildings shall meet the provisions of IRC chapter 11 Provisions. Commercial buildings shall meet the provisions of IECC—Commercial Provisions.
- d) **C108.4 Failure to comply.** Amend the paragraph as follows: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punishable upon conviction as a class I Infraction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition.

ARTICLE 12
BOARD OF CODE REVIEW

SECTION 1. CREATION. There is hereby created and established a board to assist the County Building Code Official and the Board of County Commissioners in their responsibilities and duties, which shall be known as the Board of Code Review, hereinafter referred to “BCR.”

SECTION 2. DEFINITIONS.

- a) The term “Code Official” shall mean the Johnson County Building Code Official.

SECTION 3. POWERS AND DUTIES.

- a) The Board of Code Review shall:
1. Provide advice and counsel, and shall render interpretations or opinions to the Building Code Official, upon such person’s request, regarding the provisions of the various codes, standards, and other publications adopted by the County pursuant to this Code of Regulations.
 2. Review and provide comment to the Board of County Commissioners concerning the contents of any newly-published edition of any code, standard, or other publication adopted or proposed to be adopted by the County pursuant to this Code of Regulations; recommending to the Commissioners the advisability of adopting same, with or without any deletions, additions or amendments thereto proposed by the BCR.
 3. Perform any additional duties that the Board of County Commissioners prescribes and, in all cases, shall be subject to the jurisdiction and control of the Board of County Commissioners.
- b) The BCR shall be limited in its authority to that of an advisory board and neither its advice, counsel or opinions shall be binding upon or control the actions of the Building Code Official or the Board of County Commissioners.

SECTION 4. MEMBERSHIP:

- a) The BCR shall consist of members who are qualified by their experience and training to advise upon matters pertaining to the various codes, standards, and other publications adopted by the County pursuant to this Code of Regulations. Toward that end, membership in the BCR shall be comprised of individuals from the following crafts and professions:
1. Architecture
 2. Builders
 3. Electricians
 4. Engineering
 5. Plumbing

6. Fire Protection

7. Mechanical

- b) Membership in the BCR shall be limited to seven (7) in number. Members appointed to the BCR shall serve at the will and pleasure of the Board of County Commissioners and shall serve until their successors are appointed. Vacancies shall be filled by appointment by the Board for the unexpired term. Members appointed to the BCR shall be residents of Johnson County, Kansas, and shall not be individuals who currently hold elected office within the boundaries of the County; nor shall they be appointed or hired employees of the County or its agencies, departments or commissions; nor shall they be appointees by the Board of County Commissioners to any other position, board or commission that performs services for and on behalf of the Board.
- c) The initial appointments to the BCR shall be made for one, two, or three year terms; two appointments each to one and two year terms, and three appointments to three year terms. Thereafter, all appointments shall be made for three-year terms, provided all vacancies shall be filled for the unexpired term.
- d) The Building Code Official shall be an ex officio nonvoting member of the BCR and shall act as the secretary for the BCR. The Building Code Official, or his or her designate, shall keep a proper record of all the proceedings of the BCR.
- e) Members of the BCR shall serve without compensation for their services but may receive such traveling expenses and training as the Board of County Commissioners authorizes, which shall be paid from any funds available for such purpose.
- f) After the effective date of this Code of Regulations, the appointed members of the BCR shall initially meet at such time and place as fixed by the Building Code Official, and the members appointed shall select one of their number as chairperson and ones as vice-chairperson who shall serve one year terms in that capacity until their source has been selected. A chairperson or vice-chairperson may serve one or more consecutive terms in that capacity.

SECTION 5. REVIEW AND PROCEEDINGS AND PROCEDURES.

- a) In addition to any other duties and responsibilities exercised by the Board of Code Review under the provisions of the Article, the BCR shall be authorized to hear and determine any written request filed by any person for review and reconsideration of any decision of the Building Code Official which is discretionary in nature or which involves an interpretation of any code, standard, or other requirement adopted under this Code.
 - 1. Any person seeking review of a decision or interpretation of the Building Code Official shall, within ten days of the decision or interpretation, file a written request for review or reconsideration, on a form approved by the BCR, specifying the nature of the decision and the relief requested.

2. Upon receipt of any written request for review, the BCR shall give notice to the applicant and the Building Code Official of the time and place, not more than fourteen days thereafter, when the BCR shall meet to review and consider the request.
 3. The BCR shall, after hearing the request, issue its opinion in writing to the applicant and the Building Code Official.
 4. The Building Code Official may concur in the opinion rendered by the BCR or may submit the matter to the Board of County Commissioners for final review and decision.
- b) On any action proposed by the Building Code Official under the International Property Maintenance Code, as adopted, for the posting, repair, vacation, demolition, rehabilitation, destruction, or removal of any building or structure, the property owner may, within ten days of receipt of notice of the proposed action, request, in writing, a review and reconsideration of the decision of the Building Code Official, and the BCR shall provide a review hearing to the applicant prior to any further action being taken by the Building Code Official.
- c) Except as set forth in Section 5b, the Board of Code Review shall not have any authority over nor review any matter related to a citation, a prosecution or enforcement action issued by the Building Code Official for any alleged violation of the Code or any code or standard adopted by this Code, and all such actions shall be heard and reviewed by an appropriate court of competent jurisdiction.
- d) Within thirty days of their initial meeting, or as soon as thereafter as reasonable and practicable, the BCR shall propose and adopt, subject to the approval of the Board of County Commissioners, rules and procedures for the performance of its duties and the conduct of its responsibilities.

ARTICLE 13
INTERNATIONAL SWIMMING POOL AND SPA CODE

SECTION 1. ADOPTION. The International Swimming Pool and Spa Code, 2018 Edition, published by the International Code Council is hereby adopted.

SECTION 2. DEFINITIONS. For the purposes of the International Swimming and Spa Code, 2018 Edition, as adopted, the following words and phrases shall have the following meanings:

- a) The term "ordinance" shall mean and include the word "resolution."
- b) The term "city" shall mean and include the word "county."
- c) The term "misdemeanor", unless otherwise specifically defined or provided for herein, shall mean Class I Infraction.
- d) The term "Code Official" shall mean the Johnson County Building Code Official.

SECTION 3. DELETIONS. The following provisions shall be deleted:

- a) **Section 108: (ISPSC) Means of Appeal.**

SECTION 4. ADDITIONS. Add the following sections:

- a) **Section 109 Certificate of Occupancy.** Add Section 109 to end of chapter 1, Scope and Administration.
- b) **Section 109.1 Use and occupancy.** Add the following to Section 109.1: A swimming pool and its associated structures shall not be used or occupied, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.
- c) **Section 109.2 Section Temporary Occupancy.** Add the following to Section 109.2: Up to 90-day temporary certificate of occupancy may be issued upon request from the owner or contractor, subject to the approval of the Building Code Official. Additional time may be granted by the Building Code Official upon written request and for a fee of \$100.00.
- d) **Section 305.2 Outdoor swimming pools and spas.** Add the following to Section 305.2: Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Section 305.2.1 through 305.7.
Exception:
In one- and two- family dwellings equipped with a safety cover that is listed and labeled in accordance with ASTM F1346.

- e) **Section 305.4 Structure wall as a barrier.** Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:
1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
Exception:
 In one- and two-family dwellings, operable basement and grade level windows having a lock height less than 48 inches above the indoor finish floor and all doors, shall have an alarm that produces an audible alarm when the window or door are opened.
 2. A safety cover that is listed and labeled in accordance with ASTM F1346 is installed for the pools and spas.
 3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

SECTION 5. AMENDMENTS.

- a) **Section 101.1 Title.** Amend Section 101.1 as follows: These regulations shall be known as the Swimming Pool and Spa Code of Johnson County, Kansas, hereinafter referred to as “this Code.”
- b) **Section 105.5.3 Expiration.** Amend Section 105.5.3 as follows: Every permit issued by the Code Official under the provisions of this Code shall expire by limitation and become null and void if:
 1. The building or work authorized by such permit is not commenced within 180 days from the date of such permit, or
 2. The building or work authorized by such permit has not progressed to the point of the next required inspection within 180 days of either the issuance of the permit, or from the date of the last inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the

untimely progress has not exceeded one year. In order to renew action on a permit that has expired for a period exceeding one year, the permittee shall pay a new full permit fee.

- c) **Section 105.6.2 Schedule of permit fees.** Amend Section 105.6.2 as follows: The fees for work requiring a permit shall be paid as required, in accordance with the schedule as follows in Table 1-A. When permit fees are required, a plan review fee shall be paid at the time of submitting the documents for plan review. Said plan review fee shall be 65% of the permit fees described in Table 1-A, except that there will be no plan review fees for work to new or existing single-family dwellings. The plan review fee specified in this subsection is a separate fee from the permit fees specified in Section 106.6, and is in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

Applications for which no permit is issued within 180 days following the date of application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Code Official. The Building Code Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

TABLE 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$22.00
\$501.00 to \$2,000.00	\$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$895.00 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,995.00 for the first \$1,000,000.00 plus \$2.75 for each additional \$1000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge -two hours)	\$50.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$50.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$50.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$50.00 per hour*
5. For use of outside consultants for plan checking or inspections.	Actual costs**
<p>*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.</p> <p>**Actual costs include administrative and overhead costs.</p> <p>The fees for all fuel gas work shall be as indicated in the following schedule.</p>	

- d) **Section 105.6.3.** Add the following to sentences 2 and 3 of Section 105.6.3.
1. Not more than 100% of the permit fee paid when no work has been done under a permit issued in accordance with this Code.
 2. Not more than 100% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
- e) **Section 107.4 Violation penalties.** Amend Section 107.4 as follows: It shall be unlawful for any person, firm or corporation to violate a provision of the Code or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair fuel gas work in violation of the approved construction

documents or directive of the Building Code Official, or of a permit or certificate issued under the provisions of this Code. Violation of any provision of this Code shall be a class I Infraction punishable upon conviction as provided in Article 20 of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above.

- f) **Section 107.5 Stop work orders.** Amend Section 107.5 as follows: Upon notice from the Code Official, work on any plumbing or gas system that is being done contrary to the provisions of this Code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Building Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe conditions, shall be guilty upon conviction of a public offense, Class "I" Infraction, as provided in Article 20 of the Johnson County Code of Regulations For Buildings and Construction, 2018 Edition.

- g) **Section 305.2.5 Closely spaced horizontal members.** Amend section 305.2.5 as follow: Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 44 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1 ¾ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches (44 mm) in width.

- h) **305.2.6 Widely spaced horizontal members.** Amend section 305.2.6 as follow: Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 44 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 1 ¾ inches (44 mm).

ARTICLE 14
(RESERVED)

SECTION 1. ADOPTION.

SECTION 2. DEFINITIONS.

SECTION 3. DELETIONS.

SECTION 4. ADDITIONS.

SECTION 5. AMENDMENTS.

ARTICLE 15 BLASTING REGULATIONS

SECTION 1. GENERAL

- a) Use of explosives for blasting shall be permitted after all appropriate applications and permits have been approved. Blasting shall be done only by those experienced in the handling of explosives, and in accordance with the recommendations of the Associated General Blaster's Manual of Accident Prevention (AGCMAP) in Construction and OSHA regulations. In locations where flying rock may occur, additional soil matting shall be ready for use and/or in place before detonation. All trenching operations utilizing explosives shall be suitably backfilled to prevent any flyrock that leaves the project site. The use of these procedures does not relieve the blaster of responsibility for preventing injury to people and damage to property.

- b) The Johnson County Department of Planning, Development, and Codes will be known as the "authority having jurisdiction" regarding the storage, handling, use, and control of explosives used in construction and mining projects. The Building Code Official will issue all blasting permits. Control of the public road right-of-way remains with Public Works.

Requirements of the International Fire Code, Chapter 56, regarding explosives and blasting agents shall be considered part of these regulations. The Building Code Official may enforce other national standards such as Explosives and Blasting Procedures, Explosives Training Manual, Blasters Handbook, and the Safety Practices Manual. All explosives and related material shall be in conformity with the requirements of the authority having jurisdiction, and the specifications contained herewith, whichever is more stringent. Blasting will not be permitted within eighty feet (80') of any building.

All blasting operations shall be conducted under the direction of a Kansas certified blaster. Evidence of blaster certification shall be carried by blasters or shall be on file at the Department of Planning, Development and Codes during blasting operations. A blaster and at least one other person shall be present at the firing of a blast. Persons responsible for blasting operations at a blasting site shall, as a minimum, conform to the criteria as outlined. The blaster shall be responsible for all damage caused by blasting operations and shall be responsible for responding to all complaints. Suitable methods shall be employed to confine all materials lifted by blasting within the limits of the excavation or trench.

All blasting shall be in conformity with the requirements of the authority having jurisdiction over the right-of-way, and the specifications contained herewith, under the International Fire Code or Building Codes office, whichever is more stringent.

A blast design shall be submitted to the Building Code Official for review prior to any blasting operations. The blast design shall contain sketches of the drill patterns, delay periods, and decking and shall indicate the type and amount of explosives to be used, critical dimensions, and the location and general description of structures to be protected, as well as an outline of design factors to be used, which protect the public and meet the applicable air blast and ground vibration standards, as set forth in Section 9. The blast

design shall be prepared and signed by a certified blaster. The Building Code Official may request changes to the design submitted.

SECTION 2. PREBLASTING SURVEY. At least ten (10) days before any blasting, the surveyor shall notify, in writing, all residents or owners of dwellings and other structures located within six-hundred (600) feet of the any blasting site of the intent to conduct a preblasting survey. The Building Code Official may modify the 600 feet distance for good cause. Notification shall be by certified mail with a copy by regular mail.

The surveyor shall conduct a preblasting survey of dwellings and structures and prepare a written report of the survey. The surveyor, if requested by the Building Code Official, shall perform an updated survey of any additions, modifications, or renovations to dwellings or structures.

The surveyor shall determine the condition of the dwelling or structure and shall document any existing damage or other physical factors that could be affected by the blasting. Unless prevented by the owner or occupant of the property, the surveyor shall examine the interior as well as the exterior structure and shall document any damage by means of photographic or video-recording methods. Structures such as pipelines, cables, transmission lines, cisterns, wells and other water systems, may warrant special attention; however, the assessment of these structures can be limited to surface conditions and other readily available data. Upon written request to the Building Code Official by Johnson County Wastewater, the interior of any existing sanitary sewer-line shall be surveyed by means of a permanently recorded closed-circuit video camera prior to blasting operations and after blasting has been concluded in the area of the existing sewer-line.

The person who conducted the survey shall sign the written report of the survey. Copies of the report shall be promptly provided to the Building Code Official and the structure owner. The surveyor shall complete all surveys before any blasting. A disinterested third party, regularly engaged in performing preblast surveys, shall conduct all surveys.

The pre-blast survey shall not commence until the survey method has been reviewed and approved by the Code Official.

SECTION 3. PUBLIC NOTIFICATION. Before blasting is started, the blaster shall inform all residents within a radius of 1500 feet of the any blasting site by means of printed information sheets. The notification shall be delivered by registered mail, with a copy by regular mail or by hand delivery with a signature from the owner or occupant to evidence receipt. At a minimum, the information sheets shall include the blaster's name and contact information, approximate dates and times of blasting, source and scope of blast monitoring, explanation of warnings, and blast area control parameters.

SECTION 4. WARNING SYSTEM The blaster shall provide audible warning by siren or whistle prior to all blasts. The signal shall be audible within a range of one-thousand (1000) feet from the blast site.

SECTION 5. OVER-BLASTING. The requirements presented herein shall not relieve the blaster from responsibility to avoid disturbing earth or rock beyond indicated and specified lines and levels.

SECTION 6. NOTIFICATION. The blaster shall notify the owner or operator of all gas, water, and petroleum pipelines in any area where blasting will occur. A representative of the pipeline owner shall be allowed to be present to observe preparations and blasting.

SECTION 7. BLASTING SCHEDULE. The blaster shall conduct blasting operations between 8:30 a.m. and 4:30 p.m. as approved by the Building Code Official and announced in the blasting schedule. The Building Code Official may direct that blasting only occur during a certain hour or hours.

SECTION 8. BLASTING SIGNS, WARNINGS, AND ACCESS CONTROL.

Blasting signs shall meet the specifications of this section. The blaster shall:

- a) Conspicuously place signs reading "*Blasting Area*" along the edge of any blasting area that comes within 100 feet of any public or private road and at the point where any other road provides access to the blasting area; also, conspicuously place signs reading "*Blasting Area - Turn Off Two-Way Radios*" along the edge of any blasting area that comes within five-hundred (500) feet of any road and one-thousand (1000) feet on either end of the blasting area; and,
- b) Place conspicuous signs that state "*Warning! Explosives In Use*" at all entrances to the permit area from any road. The signs must clearly list and describe the meaning of the audible blast warning and "all-clear" signals that are in use, and must explain the marking of blasting areas and charged holes awaiting firing within the permit area; and, shall give warnings and "all-clear" signals of different character or pattern that are each within the permit area and each person who resides or regularly works within one-thousand (1000) feet of the permit area shall be notified of the meaning of the signals. Access within the blasting area shall be controlled to prevent presence of livestock or unauthorized persons during blasting. Access to and travel within the blasting area shall not be resumed until the blaster has reasonably determined that no hazards, such as imminent slides or un-detonated charges, exist.

SECTION 9. CONTROL OF ADVERSE EFFECTS. Blasting shall be conducted in a manner to prevent injury to persons, damage to public or private property, adverse impacts on any underground mine, and change in the course, channel, or availability of surface or ground water outside the permit area.

- a) **Air Overpressure.** Air overpressure due to blasting operation shall not exceed the Maximum limit of 133 dB (L) (0.013 psi) at the location of any building or structure outside the permit area. Air overpressure for buildings and other structures or for structures not defined in NFPA 495-18, such as public utilities shall be permitted to be independently established based on technical justification by engineers or qualified personnel familiar with blasting related projects, subject to the approval by The Building Code Official.

If necessary to prevent damage, the Building Code Official can specify lower maximum allowable air blast levels than those of listed in this section for use in the vicinity of a specific blasting operation.

b) Ground Vibration. At all blasting operations, the ground vibration on any axis (particle velocity) shall not exceed the limitations specified in Figure 1 at the location of any building or structure. Ground vibration limits in this article apply to dwellings, public buildings, schools, churches, commercial or institutional buildings.

All other structures in the vicinity of the blasting area, such as water towers, pipelines and other utilities, tunnels, dams, impoundments, and underground mines, shall be protected from damage by the establishment of a maximum allowable limit on the ground vibration, 1.0 inches per second. The Building Code Official may specify a more restrictive limit in the interest of the public safety, or the Building Code Official may approve a higher limit if the blaster can demonstrate that damage will not occur to buildings or structures.

A seismographic record shall be provided for each blast at locations designated by the Building Code Official.

When blasting is not monitored with a blasting seismograph, the operation shall comply with the scaled distance factor at the nearest building or structure as shown in Table 1.

Table 1: Scaled Distance Equations

Distance from Blasting Site		Scaled Distance Equation*	
ft	m	lb	kg
0-300	0-91.4	$W \text{ (lb)} = [D \text{ (ft)}/50]^2$	$W \text{ (kg)} = [D \text{ (m)}/22.6]^2$
301-1000	91.7-304.8	$W \text{ (lb)} = [D \text{ (ft)}/55]^2$	$W \text{ (kg)} = [D \text{ (m)}/24.9]^2$
≥1001	≥305.1	$W \text{ (lb)} = [D \text{ (ft)}/65]^2$	$W \text{ (kg)} = [D \text{ (m)}/29.4]^2$

(1) W equals the maximum weight of explosives in pounds (or kilograms) that can be detonated per delay interval of 8 milliseconds or longer.

(2) D equals the distance in feet (or meters) from the blast to the nearest building, not owned, leased, or contracted by the blasting operation, or on property for which the owner has not provided a written waiver to the blasting operation.

*To convert U.S. units of scaled distances (ft/lb^{1/2}) to metric units (m/kg^{1/2}), divide by a factor of 2.21.

A blaster may use the scaled-distance equation, $W = (D/D_s)^2$, to determine the allowable charge weight of explosives to be detonated in any 8-millisecond period, without seismic monitoring; where W =the maximum weight of explosives, in pounds; D =the distance, in feet, from the blasting site to the nearest protected structure; and D_s =the scaled-distance factor.

The blaster may use the ground-vibration limits in Figure 1 of this section to determine the maximum allowable ground vibration.

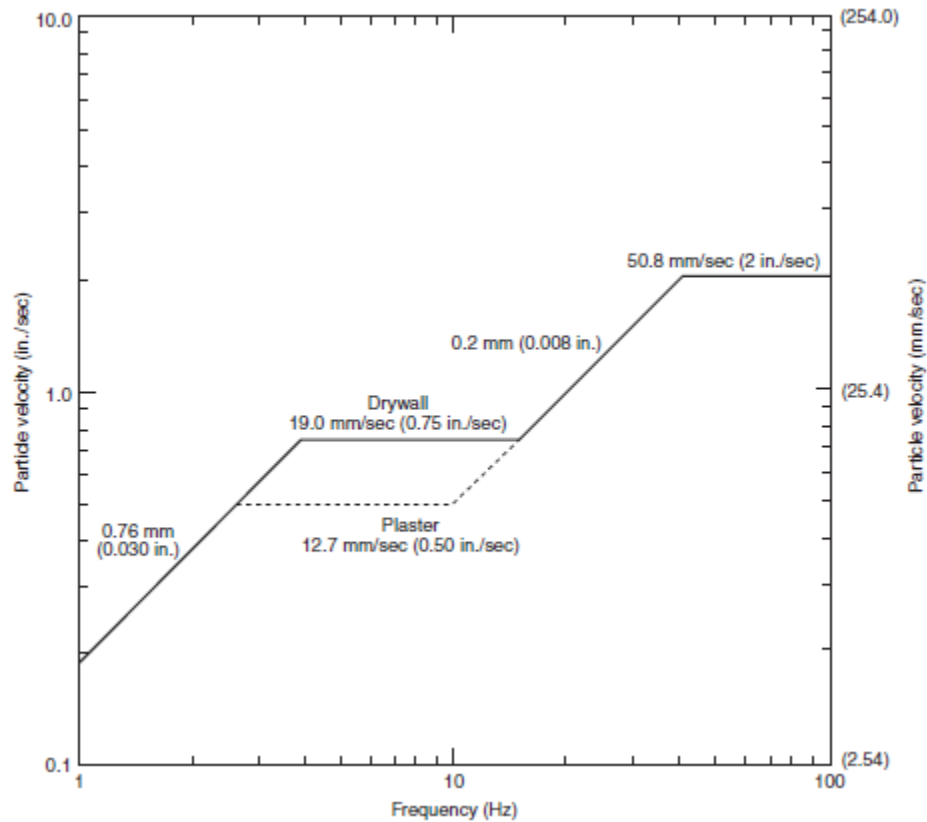


Figure 1
Frequency vs. Particle Velocity Graph

If the Figure 1 limits are used, a seismographic record including both particle velocity and vibration-frequency levels shall be provided for each blast. The Building Code Official shall approve the method for the analysis of the predominant frequency contained in the blasting records before application of this alternative-blasting criterion. The Building Code Official can reduce the maximum allowable ground vibration beyond the limits otherwise provided for in this section, if determined necessary to provide damage protection.

The blaster shall conduct seismic monitoring of all blasts at locations approved by the Building Code Official.

Blasting seismographs used to monitor ground vibration and air overpressure shall comply with ISEE “Performance Specification for Blasting Seismograph” document.

c) Flyrock. Flyrock travelling in the air or along the ground shall not be cast from the blast site in an uncontrolled manner that could result in personal injury or property damage. Flyrock shall not be propelled from the blast site onto property not contracted by the blasting operation or onto property for which the owner has not provided a written waive to the blasting operation.

SECTION 10. RECORDS OF BLASTING OPERATIONS. The blaster shall retain a record of all blasts for at least three (3) years. Upon request, copies of these records shall be made available to the Building Code Official and/or public for inspection within twenty-four (24) hours. Such records shall contain the following data:

- a) Name of the blaster conducting the blast;
- b) Location, date, and time of the blast;
- c) Name, signature, and certification number of the blaster conducting the blast;
- d) Identification, direction, and distance, in feet, from the nearest blast hole to the nearest dwelling, public building, school, church, community or institutional building outside the permit area, except those described herein;
- e) Whether conditions, including those which may cause possible adverse blasting effects;
- f) Type of material blasted;
- g) Sketches of the blast pattern including number of holes, burden, spacing, decks, and delay pattern;
- h) Diameter and depth of holes;
- i) Types of explosives used;
- j) Total weight of explosives used per hole;
- k) The maximum weight of explosives detonated in an 8-millisecond period;
- l) Initiation system;
- m) Type and length of stemming;
- n) Mats or other protections used;
- o) Seismographic and air blast records, shall include:
 1. Type of instrument, sensitivity, and calibration signal or certification of annual calibration;
 2. Exact location of instrument and the date, time and distance from the blast;
 3. Name of the person and firm taking the reading;
 4. Name of the person and firm analyzing the seismographic record; and

5. The vibration and/or air blast level recorded.

SECTION 11. BLASTER. The blaster shall be trained and be knowledgeable in the applications of all sections of the adopted blasting codes.

The blaster shall be responsible for:

- a) Explosives, including:
 1. Selection of the type of explosive to be used;
 2. Determination of the properties of explosives that will produce desired results at an acceptable level of risk;
 3. Handling, transportation, and storage.
- b) Blast designs, including:
 1. Geologic and topographic considerations;
 2. Design of a blast hole, with critical dimensions;
 3. Pattern design, field layout, and timing of blast holes;
 4. Field applications.
- c) Loading blast holes, including priming and boosting;
- d) Initiation systems and blasting machines;
- e) Blasting vibrations, air blast, and flyrock, including:
 1. Monitoring techniques;
 2. Methods to control adverse effects;
- f) Secondary blasting applications;
- g) Current federal and state rules applicable to the use of explosives;
- h) Blast records;
- i) Schedules;
- j) Pre-blasting surveys, including:
 1. Availability;
 2. Coverage;
 3. Use of in blast design.
- k) Blast-plan requirements;
- l) Certification and training;

m) Signs, warning signals, and site control;

n) Unpredictable hazards, including:

1. Lightning;
2. Stray currents;
3. Radio waves; and,
4. Misfires

The appropriate licensing authority shall license the blaster. The blaster shall be responsible for obtaining all necessary permits required for blasting operations.

SECTION 12. ENFORCEMENT, VIOLATIONS, AND PENALTIES Violation of any provision of this Code shall be a public offense, punishable as a Class I Infraction, upon conviction as provided in Article 20, of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition. Each separate day or any portion thereof, during which any violation of this Regulation occurs or continues, shall also be deemed to constitute a separate offense, and shall be punishable as provided in Article 20 designated above.

ARTICLE 16
(RESERVED)

SECTION 1. ADOPTION.

SECTION 2. DEFINITIONS.

SECTION 3. DELETIONS.

SECTION 4. ADDITIONS.

SECTION 5. AMENDMENTS.

Article 17
(RESERVED)

SECTION 1. ADOPTION.

SECTION 2. DEFINITIONS.

SECTION 3. DELETIONS.

SECTION 4. ADDITIONS.

SECTION 5. AMENDMENTS.

ARTICLE 18
(RESERVED)

SECTION 1. ADOPTION

SECTION 2. DEFINITIONS.

SECTION 3. DELETIONS.

SECTION 4. ADDITIONS.

SECTION 5. AMENDMENTS.

ARTICLE 19 ADMINISTRATION

SECTION 1. ADMINISTRATIVE RESPONSIBILITY: The County Manager shall have the primary responsibility for the administration and enforcement of this Code of Regulations for Buildings and Construction through the establishment of the Division of Building Codes, and the designation of the Building Code Official as the Johnson County Fire Marshal. The County Manager may delegate any of the administrative duties or responsibilities to any other county official as deemed advisable and may implement with the Division of Building Codes and/or Fire Marshal any administrative procedures which are reasonably required for the effective administration of the Code and which are consistent with the provisions of the Code.

SECTION 2. ADMINISTRATIVE ACTIONS AND DECISIONS: It is the intent of this Code to establish the minimum requirements and standards for buildings and construction occurring within the unincorporated area of Johnson County in order to protect the public health and safety through the administration of uniformly adopted and accepted code provisions. All administrative actions and decisions, to the extent possible required or authorized under this Code shall be made solely in accordance with the specific standards enumerated in the separate articles and codes adopted and in accordance with interpretations made or rendered under the uniform codes. Whenever, in the course of administration of this Code, it is necessary or advisable to make an administrative decision or to take an administrative action for which specific standards are not provided, then the decision or action shall be made according to the purpose and intent of this Code as determined through the Board of Code Review.

SECTION 3. INTERPRETATION OF TERMS OR WORDS: All terms and words used in this Code and not specifically defined shall be interpreted and given meaning according to their common understanding and to provide reasonable application of the purpose and intent of the Regulations. Whenever the context requires, unless otherwise specifically defined, in the application of these Regulations, then the terms and phrases used shall be interpreted in the following manner:

- a) Words appearing in the singular number shall include the plural, and those appearing in the plural shall include the singular.
- b) Words used in the present tense shall include the past tense and future tense, and words used in the future tense shall include the present and past tense.
- c) Words appearing the masculine gender shall include the feminine and neuter genders.
- d) The term "person" does and shall include the terms "firm", "partnership", "corporation", "association", governmental body", and all other legal entities, as well as an individual.
- e) The word "shall" is mandatory, while the word "may" is permissive.

- f) The term "County" or the term "City" shall mean Johnson County, Kansas, and the term "Board" shall mean the Board of County Commissioners of Johnson County, Kansas.
- g) The phrases "these Regulations" and "this Code" shall refer to the Code of Regulations for Buildings and Construction.

SECTION 4. VESTED INTERESTS. Nothing contained in this Code shall be deemed or construed to grant any vested interest to any person beyond the express limited terms of any permit, and these Regulations are expressly declared to be subject to amendment, change or modification as may be deemed necessary for the public health, safety, or welfare. Further, neither this Code nor any specific provision, decision, or action taken under the Code shall be construed or deemed as a warranty or representation of Johnson County or its employees that any building or construction practice is acceptable or of a proper or workmanlike quality, and the provisions of this Code do not waive any immunity or defense of the County under the provisions of the Kansas Tort Claims Act nor assume any responsibility or liability for any building, construction or construction practice approved or accepted under this Code.

SECTION 5. COMPATIBILITY WITH OTHER REGULATIONS. Nothing contained in this Code shall be deemed to alter or to modify the application of the Johnson County Zoning and Subdivision Regulations to any particular use of land, and all permits issued pursuant to this Code shall be subject to all appropriate and compatible zoning regulations applicable to the land upon which the activity is to be conducted, including, but not limited to, the erection, location and use of the buildings and structures. Further, any land use or activity that is permitted, allowed, or authorized by any particular zoning classification or conditional use permit granted for a particular tract of land shall not be subject to nor affected by this Code. Moreover, nothing contained in this Code shall be deemed to alter or to modify any other provision of any Federal or State law or Regulation or any Code or Resolution of the County which may apply to any specific act or activity also regulated by this Code, and the Code shall, to the extent necessary, be interpreted and applied in conjunction with any other Code or Regulation or law which may also be applicable.

ARTICLE 20
ENFORCEMENT, VIOLATIONS AND PENALTIES

SECTION 1. PROHIBITED ACTS AND CONDUCT. From and after the effective date of this Code, no person shall erect or occupy any building or structure, nor install, repair, replace, or make any improvement to a structure or its mechanical, electrical, or plumbing parts or system, nor commit any act, conduct or licensed trade work or practice, which are or may be subject to any provision of this Code of Regulations for Buildings and Construction, in the unincorporated area of Johnson County, Kansas, except as permitted and in the manner provided by these Regulations and the Codes adopted as a part of the Regulations, and any act or conduct which fails to comply with the provisions of these Regulations and the Codes adopted as a part of the Regulations shall be and hereby is declared to be unlawful as a violation of the Johnson County Code of Regulations for Buildings and Construction, 2018 Edition.

SECTION 2. VIOLATIONS AND CLASSIFICATION OF OFFENSES:

- a) The failure by any person to obtain a building permit or an occupancy permit, as required under or in violation of the provisions of the County Codes and Regulations, shall be a public offense designated as a Class I Infraction under the Code of Regulations for Buildings and Construction.
- b) The failure by any person to comply with any condition or requirement of a permit issued under the provisions of the County Codes and Regulations shall be a public offense designated as a Class I Infraction under the Code of Regulations for Buildings and Construction.
- c) The failure of any person to comply with any requirement, standard or condition contained within or as a part of the International Building Code, as adopted under Article 2 of this Code; or of The International Residential Code, as adopted under Article 3 of this Code; or of the International Fuel Gas Code, as adopted under Article 4 of this Code; or of the International Plumbing Code, as adopted under Article 5 of this Code; or of the International Mechanical Code, as adopted under Article 6 of this Code; or of the International Existing Building Code, as adopted under Article 7 of this Code; or of the National Electrical Code, and the International Administrative Code Provisions for the National Electrical Code, as adopted under Article 8 of this Code, or of the International Property Maintenance Code, as adopted under Article 9 of this Code; or of the International Fire Code, as adopted under Article 10 of this code, or of the Blasting Regulations, as adopted under Article 15 of this code, shall be a public offense designated as a Class I Infraction under the County Codes and Resolutions.
- d) The failure of any person to comply with any requirement, standard or condition contained within or as a part of the International Fire Code of Johnson County, Kansas, and its standards and regulations, as adopted under Article 10 of this Code; and the failure of any person to comply with or to violate any provision of the International Fire Code of Johnson County, Kansas, and its standards and regulations, as adopted under Article 10 of this Code; or any order of the Fire Marshal or the designated Fire District Fire Chief related to the provisions of that Code, shall be a public offense designated as a Class I Infraction under the County Codes and Resolutions.

SECTION 3. PENALTIES AND FINES: Any person who violates any provision of this Code of Regulations for Buildings and Construction shall be punishable, upon conviction, by a fine in an amount determined according to the following schedule of offenses:

- a) Upon conviction of a Class F Infraction, an amount not less than Fifty-Dollars (\$50.00) nor more than One-Hundred Dollars (\$100.00) for each violation;
- b) Upon conviction of a Class G Infraction or a Class H Infraction, or a Class I Infraction, an amount not less than One-Hundred Dollars (\$100.00) nor more than Five-Hundred Dollars (\$500.00);
- c) Upon conviction of a Class J Infraction, an amount not less than Five-Hundred Dollars (\$500.00) nor more than One-Thousand Dollars (\$1,000.00);
- d) Multiple or repeated violations of any class of violation shall be deemed a violation of the next most serious violation class and subject to a higher fine amount, as provided under the County Codes and Resolutions. Each separate day that a violation exists or occurs shall be considered a separate violation, subject upon conviction to an additional and separate fine amount.