

RESOLUTION NO. 203-2024

Date Adopted: October 9, 2024

Date Published: \_\_\_\_\_

Effective Date: January 1, 2025, except any fire protection segment shall become effective on January 1, 2025 or such date thereafter when the Kansas State Fire Marshal has approved such fire protection segments

**A RESOLUTION AMENDING ARTICLE 2 OF THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE THROUGH THE ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE, 2024 EDITION, WITH LOCAL AMENDMENTS.**

**WHEREAS**, the Board of County Commissioners is authorized by K.S.A. 19-101 *et seq.*, K.S.A. 12-3303, and K.S.A. 12-1558 to officially adopt, incorporate, and promulgate by resolution codes, rules and regulations for general contractors, building contractors and residential contractors within the confines of the unincorporated areas of Sedgwick County and those second- and third-class cities that have adopted those codes, rules, and regulations by action of their governing bodies and have entered into agreements with Sedgwick County related thereto; and

**WHEREAS**, effective January 1, 2013, Sedgwick County and the City of Wichita consolidated code enforcement from their respective jurisdictions within the Metropolitan Area Building and Construction Department ("MABCD") in Sedgwick County Resolution No. 135-2012 and City of Wichita Ordinance No. 49-333; and

**WHEREAS**, Sedgwick County, Kansas, and the City of Wichita, Kansas, have hereby adopted the Wichita-Sedgwick County Unified Building and Trade Code ("UBTC") within Resolution No. 175-2012 and Ordinance No. 49-412; and

**WHEREAS**, the Board of County Commissioners of Sedgwick County, Kansas wish to adopt and incorporate the 2024 International Existing Building Code, published by the International Code Council, with amendments noted within this Resolution, within Article 2 of the UBTC.

**NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AMENDS ARTICLE 2 OF THE WICHITA-SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE AS FOLLOWS:**

**SECTION 1.**

Article 2, Section 3 of the Wichita/Sedgwick County Unified Building and Trade Code is hereby amended to read as follows:

**ARTICLE 2, SECTION 3 – INTERNATIONAL EXISTING BUILDING CODE**

**Section 2.3.010. – Adoption of the International Existing Building Code.**

The International Existing Building Code, as published by the International Code Council, Inc., 2024 Edition is hereby adopted and incorporated herein by reference, subject to such amendments thereto as are set forth hereinafter.

**Section 2.3.020. – Section 101.4.2 amended.**

Section 101.4.2 of the International Existing Building Code, is amended to read as follows:

**[A] 101.4.2 Buildings previously occupied.**

The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, or as is deemed necessary by the *code official* for the general safety and welfare of the occupants and the public.

**Section 2.3.030. – Section 103.3 amended.**

Section 103.3 of the International Existing Building Code, is amended to read as follows:

**[A] 103.3 Deputies.**

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy *code official*, other related technical officers, inspectors, plan examiner(s) and other employees having powers as delegated by the *code official*.

**Section. 2.3.040. – Section 105.1.1 and 105.1.2 deleted.**

Section 105.1.1 and 105.1.2 of the International Existing Building Code, are deleted.

**Section. 2.3.050. – Section 105.2 amended.**

Section 105.2 of the International Existing Building Code, is amended to read as follows:

**[A] 105.2 Work exempt from permit.**

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

**Building:**

1. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Temporary motion picture, television, and theater stage sets and scenery.
4. Fabric awnings supported by an exterior wall that do not project more than 36 inches (915 mm) from the exterior wall and do not required additional support.
5. Non-fixed and movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
- 6(a). Within the Wichita Jurisdiction, one-story detached accessory structures classified as Groups S or U occupancies are exempt from the requirement to obtain a building permit provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>), there are no utilities and a location permit is obtained from the MABCD prior to installation. For Wichita Jurisdiction location permits, the owner or authorized agent shall submit a site plan and MABCD staff will complete a preconstruction assessment of the site plan to ensure that the proposed location for the structure is not impermissibly located in a floodplain, floodway, easement, setback, or protrude onto a neighboring property. Lacking the presence of any of those conditions, MABCD staff will authorize the construction of the structure. After construction of the structure, MABCD staff will complete a post-construction inspection to ensure the structure has been constructed in the location identified on the location permit and is anchored as described below.
- 6(b). Within the Sedgwick County Jurisdiction, one-story detached accessory structures classified as Group S or U occupancies are exempt from the requirement to obtain a building permit provided the floor area does not exceed 400 square feet (37.16 m<sup>2</sup>), there are no utilities and a location permit is obtained from the MABCD prior to installation. For Sedgwick County Jurisdiction location permits, the owner or authorized agent shall submit a site plan and MABCD staff will complete a preconstruction assessment of the site plan to ensure that the proposed location for the structure is not impermissibly located in a floodplain, floodway, easement, setback, or protrude onto a neighboring property. Lacking the presence of any of those conditions, MABCD staff will complete a post construction inspection to ensure, on tracts of less than 20 acres, the structure has been constructed in the location identified on the location permit and is anchored as described below.
- 6(c). Playhouses or tree houses having single or multi-level floors with or without roofs. All detached accessory structures within both the Wichita Jurisdiction and the Sedgwick Jurisdiction greater than 25 (2.32 m<sup>2</sup>) but equal to or less than 400 (37.16 m<sup>2</sup>) square feet shall be tied down to the earth using anchoring methods described in "Non Vehicular Storage Structure Anchoring Standards" of the City of Wichita; or be attached to a permit concrete foundation per R403.1.6. Exception to Location Permit Requirement (applicable within the Wichita Jurisdiction and the Sedgwick County Jurisdiction): Non-fixed and movable storage cabinets equipped with doors that conceal the contents within and have a footprint not exceed 25

square feet (2.32 m<sup>2</sup>), shall not require the issuance of a location permit. Location permits are not required in second-and third-class cities that contract with Sedgwick County, which are otherwise considered to be part of the Sedgwick County Jurisdiction.

- 7(a). Concrete or masonry fences not over 30 inches (762 mm) in height measured from the lowest point of the adjoining grade and other fences not over 8 feet (1524 mm) high, unless the fence encloses an outdoor seating area.
- 7(b). Concrete or masonry monument sign bases not over 4 feet (1219 mm) in height measured from the lowest point of the adjoining grade. The sign size and content requires separate approval and permit.
8. Oil derricks.
9. Retaining walls that are not over 30 inches (30 inches (762 mm) in height measured from the lowest point of the adjoining grade to the top of the wall, unless support a surcharge or impounding Class I, II, or IIIA liquids.
10. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
11. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
12. Swings and other playground equipment.
13. Interior platforms not over 200 square feet (19 m<sup>2</sup>) in area, nor more than 30 inches (762 mm) above the adjacent floor, within Type III and V construction only.
14. Exterior decks, curb ramps [maximum 6 inches (153 mm) vertical rise], stoops and porches not more 30 inches (762 mm) above grade without overhead structures and not over any basement or story below.
15. Emergency board-up or securing of a building and installing temporary bracing after a fire, storm, vehicle damage or other disaster, which cause the building to be open or unsafe. The building owner or his/her agent may cause such work to be done provided the MABCD is notified on the following business day.
16. *Repair* or replacement roofing and/or siding materials not exceeding 400 square feet (37 m<sup>2</sup>) within any 12-month period.
17. Repair or replacement of interior gypsum wallboard on non-fire-resistance walls or ceilings when the total area does not exceed 250 square feet (22.5 m<sup>2</sup>) within any 12-month period and provided that no framing, electrical, mechanical or plumbing changes are made.
18. Paved areas not used for the purpose of parking or storage of vehicles and/or equipment or storage.
19. Replacement of windows or doors or replacement of roof skylights or equipment with the same size or smaller unit(s) that does not involve the removal, cutting, alteration or replacement of any building structural member, including but not limited to studs, headers, girders, beams, joists, rafters, cripples, jacks or other supportive framing members. The framing used to infill existing openings for the purposed of installing smaller unit(s) shall be exempt from permit requirements. Placement of smaller windows or doors shall not reduce the minimum size requirements of escape and rescue openings, or egress door(s), or fire department access required by this code. The replacement door or window shall not be of a lower fire rating than the original assembly, unless a lower fire rating is allowed by this code.

20. Modifications, *repair* or replacement of an existing non-fire-resistance, non-structural, non-loading bearing interior wall, ceiling or soffit, including framing of, where the total area does not exceed 250 square feet (22.5m<sup>2</sup>) within any 12-month period, and provided that there is no restriction to Americans with Disabilities Act ("ADA") compliance or egress paths. If the modification includes fire-suppression system, plumbing or electrical modifications, those scopes will be required to pull a trade permit.

**Electrical:**

1. **Repairs and maintenance:** Minor *repair* work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for power supply, the installations of towers and antennas.
3. **Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work, and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided that such *repairs* do not involve or require the replacement of rearrangement of valves, pipes or fixtures.

**Section. 2.3.060. – Section 105.2.1 amended.**

Section 105.2.1 of the International Existing Building Code, is amended to read as follows:

**[A] 105.2.1 Emergency repairs.**

Where *repairs* must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the *code official*.

**Section. 2.3.070. – Section 105.2.2 amended.**

Section 105.2.2 of the International Existing Building Code, is amended to read as follows:

**[A] 105.2.2 Repairs.**

Application or notice to the *code official* is not required for *repairs* to structures and items listed in Section 105.2 provided that such *repairs* do not include any of the following:

1. The removal or cutting of any structural beam or load-bearing support.
2. The removal or change of any required means of egress or rearrangement of parts of a
3. structure affecting the egress requirements.
4. Any *addition to, alteration of, replacement or relocation* of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, or electrical wiring.
5. Mechanical or other work affecting public health or general safety.

**Section. 2.3.080. – Section 105.3 deleted.**

Section 105.3 of the International Existing Building Code, is deleted.

**Section. 2.3.090. – Section 105.3.2 amended.**

Section 105.3.2 of the International Existing Building Code, is amended to read as follows:

**[A] 105.3.2 Time limitation of application.**

An application for a permit for any proposed work shall be deemed to have been abandoned when the code used for the project design is no longer in effect, unless such application has been pursued in good faith or a permit has been issued; except that the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extensions shall be requested in writing and justifiable cause demonstrated.

**Section. 2.3.100. – Section 105.5 amended.**

Section 105.5 of the International Existing Building Code, is amended to read as follows:

**[A] 105.5 Expiration.**

Every permit issued shall become expired unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work shall be considered to have been suspended or abandoned if it has been more than 180 days since the last requested inspection. Before work can be recommenced, the permit must be reinstated. The fee for the re-instatement shall be one-half the amount required for a new permit for such work provided that no changes have been made or will be made to the original plans and specifications for such work, and that such suspension or abandonment has not exceeded one year. In order to resume work after suspension or abandonment for period of one year, a new permit shall be required. The *code official* is authorized to grant, 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.

**Section. 2.3.110. –Section 105.7 amended.**

Section 105.7 of the International Existing Building Code, is amended to read as follows:

**[A] 105.7 Placement of permit.**

Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or has made available on inspection record card such as to allow the *code official* to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained and made available by the permit holder until final approval has been granted by the *code official*.

**Section. 2.3.120. – Section 108.2 amended.**

Section 108.2 of the International Existing Building Code, is amended to read as follows:

**[A] 108.2 Schedule of permit fees.**

Where a permit is required, a fee for each permit shall be paid as required, in accordance with the schedule as established by Article 1, Section 2 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.130. – Section 108.5.1 created.**

Section 108.5.1 of the International Existing Building Code, is created to read as follows:

**[A] 108.5.1 Plan review fees.**

When submittal documents are required by Section 106 of the *International Existing Building Code*, a plan review fee shall be paid at the time of submitting the documents for plan review. When submitted for a project within the MABCD jurisdiction, said plan review fee shall be 60 percent of the building permit fee as shown in Tables B and C in Article 1, Section 2 of the Wichita-Sedgwick County Unified Building and Trade Code. The plan review fees specified in this section are separate fees set forth in Section 108.2 of the *International Existing Building Code* and are in addition to the building permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.3.4 of the *International Existing Building Code*, an additional plan review fee shall be charged at the rate shown in Table D in Article 1, Section 2 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.140. – Section 108.6 amended.**

Section 108.6 of the International Existing Building Code, is amended to read as follows:

**[A] 108.6 Refunds.**

The *code official* may authorize a refund of any fee paid hereunder, which was erroneously paid or collected, except for a Plan Review Fee where the process of reviewing the submittal documents has commenced. The *code official* may authorize refund of not more than 80 percent of the Building Permit Fee when only no work has been done under a permit issued in accordance with this Code, and no more than 180 days has passed since the issuance of said permit.

**Section. 2.3.150. – Section 109.3.11 amended.**

Section 109.3.11 of the International Existing Building Code, is amended to read as follows:

**[A] 109.3.11 Final inspection.**

The final inspection shall be made after work required by the building permit is completed. If landscaping is required by the building permit, the landscaping shall be installed by the holder of the building permit, property owner, or their duly authorized agent. A letter of credit or bond in the amount of 125 percent of the cost of the landscaping shall be submitted to the MABCD before the final inspection approval will be issued to the contractor. The building shall not be occupied prior to obtaining final inspection approval.

**Section. 2.3.160. – Section 110.2 amended.**

Section 110.2 of the International Existing Building Code, is amended to read as follows:

**[A] 110.2 Certificate issued.**



After the *code official* inspects the structure and does not find violations of the provisions of this code or other laws that are enforced by the department, the *code official* shall issue a certificate of occupancy that contains the following:

1. The permit number.
2. The address of the structure.
3. The occupancy in accordance with the provisions of the *International Building Code*.
4. The type of construction as defined in the *International Building Code*.

**Section. 2.3.170. – Section 112 amended.**

Section 112 of the International Existing Building Code, is amended to read as follows:

**SECTION 112  
MEANS OF APPEALS**

**See Article 1, Section 5 of the Wichita-Sedgwick County Unified Building and Trade Code – Board of Appeals – General Rules and Regulations**

**Section. 2.3.180. – Section 116.4 amended.**

Section 116.4 of the International Existing Building Code, is amended to read as follows:

**[A] 116.4 Emergency repairs.**

For the purposes of this section, the *code official* shall order the owner or owner's authorized agent to employ the necessary labor and materials to perform the required work as expeditiously as possible.

**Section. 2.3.190. – Section 302.3 amended.**

Section 302.3 of the International Existing Building Code, is amended to read as follows:

**302.2 Additional codes.**

*Alterations, repairs, additions and changes of occupancy* to, or relocation of, existing buildings and structures shall comply with the provisions for *alterations, repairs, additions and changes of occupancy* or relocation, respectively, in this code and the *International Fire Code*, as amended by the applicable jurisdiction, Articles 3, 4 and 5 of the Wichita-Sedgwick County Unified Building and Trade Code, and the *International Residential Code*. Where provisions of the other codes conflict with provisions of this code, the provisions of this code shall take precedence.

**Section. 2.3.200. – Section 303.2 amended.**

Section 303.2 of the International Existing Building, is amended to read as follows:

**303.2 Addition to a Group E occupancy.**

Where an *addition* is added to an existing Group E occupancy located in an area where the shelter design wind speed for tornados is 250 mph (402.3 km/h) in accordance with Figure 304.2(1) of ICC 500 and the occupant load in the *addition* is 50 or more, the *addition* shall have a storm shelter constructed in accordance with ICC 500.

**Exceptions:**

1. Group E day care *facilities*.
2. Group E occupancies accessory to places of religious worship.
3. *Additions* meeting the requirements for shelter design in ICC 500.
4. Existing buildings or storm shelters meeting the structural requirements of Chapter 3 of the 2008 ICC NSSA Standard for the Design and Construction of Storm Shelters (ICC 500 2008). The above shall be verified by a registered design professional (structural engineer) licensed in the State of Kansas.

**Section. 2.3.210. – Section 304.2 amended.**

Section 304.2 of the International Existing Building, is amended to read as follows:

**[BS] 304.2 Snow loads on adjacent buildings.**

Where an *alteration* or *addition* changes the potential snow drift effects on an adjacent building, Section 7.12 of ASCE 7 shall apply.

**Section. 2.3.220. – Section 306.3 amended.**

Section 306.3 of the International Existing Building Code, is amended to read as follows:

**306.3 Design.**

Buildings and *facilities* shall be designed and constructed and constructed to be accessible in accordance with this code and the *alteration* and *existing building* provisions in the current guidelines of the Americans with Disabilities Act ("ADA"), as applicable.

**Section. 2.3.230. – Section 306.7 amended.**

Section 306.7 of the International Existing Building Code, is amended to read as follows:

**306.7 Alterations.**

A facility that is altered shall comply with the applicable provisions in the current guidelines of the Americans with Disabilities Act (“ADA”) and the provisions of Sections 306.7.1 through 306.7.18, unless *technically infeasible*. Where compliance with this section is *technically infeasible*, the *alteration* shall provide access to the maximum extent technically feasible.

**Section. 2.3.240. – Section 306.7.1 amended.**

Section 306.7.1 of the International Existing Building Code, is amended to read as follows:

**306.7.1 Alterations affecting an area containing a primary function.**

Where an *alteration* affects the accessibility to, or contains an area of *primary function*, the route to the *primary function* area shall be accessible. Toilet facilities and drinking fountains serving the area of *primary function*, including the route from the area of primary function to these facilities, shall be accessible. Priority shall be given to the improvements affecting the accessible route to the primary function area.

**Exceptions:**

1. The cumulative costs of providing the accessible route, toilet facilities and drinking fountains are not required to exceed 20 percent of the costs of the *alterations* affecting the area of *primary function*.
2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets and signs.
3. This provision does not apply to *alterations* limited solely to mechanical systems, electrical systems, installation or *alteration* of fire protection systems and abatement of hazardous materials.
4. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of a *facility*.

**Section. 2.3.250. – Sections 306.7.3 and 306.7.4 deleted.**

Sections 306.7.3 and 306.7.4 of the International Existing Building Code, are deleted.

**Section. 2.3.260. – Section 306.7.5 amended.**

Section 306.7.5 of the International Existing Building Code, is amended to read as follows:

**306.7.5 Entrances.**

Where an *alteration* includes *alterations* to an entrance that is not accessible, and the *facility* has an accessible entrance, the altered entrance is not required to be accessible unless required by Section 306.7.1. Signs complying with the current guidelines of the Americans with Disabilities Act ("ADA") shall be provided.

**Section. 2.3.270. – Section 306.7.10 amended.**

Section 306.7.10 of the International Existing Building Code, is amended to read as follows:

**306.7.10 Stairways and escalators in existing buildings.**

Where an escalator or stairway is added where none existed previously and major structural modifications are necessary for installation, an accessible route complying with the current guidelines of the Americans with Disabilities Act ("ADA") is required between levels served by such escalator or stairway.

**Section. 2.3.280. – Sections 306.7.11, 306.7.11.1, 306.11.2, and 306.7.11.3 deleted.**

Sections 306.7.11, 306.7.11.1, 306.7.11.2, and 306.7.11.3 of the International Existing Building Code, are deleted.

**Section. 2.3.290. – Section 306.7.12 amended.**

Section 306.7.12 of the International Existing Building Code, is amended to read as follows:

**306.7.12 Toilet rooms.**

Where it is *technically infeasible* to alter existing toilet rooms to be accessible, one accessible single-user toilet room or one accessible family or assisted-use toilet room constructed in accordance with the current guidelines of the Americans with Disabilities Act ("ADA") is permitted. This toilet room shall be located on the same floor and in the same area as the existing toilet rooms. At the inaccessible toilet rooms, directional signs indicating the location of the nearest such toilet room shall be provided. These directional signs shall include the International Symbol of Accessibility, and sign characters shall meet the visual character requirements in accordance with the current guidelines of the Americans with Disabilities Act ("ADA").

**Section. 2.3.300. – Section 306.7.13 amended.**

Section 306.7.13 of the International Existing Building Code, is amended to read as follows:

**306.7.13 Bathing rooms.**

Where it is *technically infeasible* to alter existing bathing rooms to be accessible, one accessible single-user bathing room or one accessible family or assisted-use bathing room constructed in accordance with the current guidelines of the Americans with Disabilities Act (“ADA”) is permitted. This accessible bathing room shall be located on the same floor and in the same area as the existing bathing rooms. At the inaccessible bathing rooms, directional signs indicating the location of the nearest such bathing room shall be provided. These directional signs shall include the International Symbol of Accessibility, and sign characters shall meet the visual character requirements in accordance with the current guidelines of the Americans with Disabilities Act (“ADA”).

**Section. 2.3.310. – Section 306.7.14 amended.**

Section 306.7.14 of the International Existing Building Code, is amended to read as follows:

**306.7.14 Additional toilet facilities.**

In assembly occupancy, where additional toilet fixtures are added, not fewer than one accessible family or assisted-use toilet room shall be provided where required by Section 1110.2.1 of the *International Building Code*.

**Section. 2.3.320. – Sections 306.7.15 and 306.7.17 deleted.**

Sections 306.7.15 and 306.7.17 of the International Existing Building Code, are deleted.

**Section. 2.3.330. – Section 306.7.18.3 amended.**

Section 306.7.18.3 of the International Existing Building Code, is amended to read as follows:

**306.7.18.3 Entrances.**

Where an entrance cannot be made accessible in accordance with Section 306.7.5, an accessible entrance that is unlocked while the building is occupied shall be provided; or, a locked accessible entrance with a notification system or remote monitoring shall be provided.

Signs complying with the current guidelines of the Americans with Disabilities Act (“ADA”) shall be provided at the public entrances and the accessible entrance.

**Section. 2.3.340. – Section 306.7.18.4 amended.**

Section 306.7.18.4 of the International Existing Building Code, is amended to read as follows:

**306.7.18.4 Toilet facilities.**

Where toilet rooms are provided, not fewer than one accessible single-user toilet room or one accessible family or assisted-use toilet room complying with the current guidelines of the Americans with Disabilities Act (“ADA”) shall be provided.

**Section. 2.3.350. – Section 306.7.18.5 amended.**

Section 306.7.18.5 of the International Existing Building Code, is amended to read as follows:

**306.7.18.5 Bathing facilities.**

Where bathing rooms are provided, not fewer than one accessible single-user bathing room or one accessible family or assisted-use bathing rooms comply with the current guidelines of the Americans with Disabilities Act (“ADA”) shall be provided.

**Section. 2.3.360. – Sections 306.7.18.6 and 306.7.18.7 deleted.**

Sections 306.7.18.6 and 306.7.18.7 of the International Existing Building Code, are deleted.

**Section. 2.3.370. – Section 401.3 amended.**

Section 401.3 of the International Existing Building Code, is amended to read as follows:

**[BS] 401.3 Flood hazard areas.**

In *flood hazard areas*, repairs that constitute *substantial improvement* shall require that the building comply with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.380. – Section 405.1.2 created.**

Section 405.1.2 of the International Existing Building Code, is created to read as follows:

**[BS] 405.1.2 Repairs for substantial structural damage.**

*Repairs for substantial structural damage* that is caused by a load not defined or required by Chapter 16 of the *International Building Code* (such as fire, explosion, deterioration, impact, debris, etc.), loads applied to a structure that exceed 150 percent of the code defined design load, or combination thereof may be repaired as less than *substantial structural damage* per Section 405.2.3 provided all of the following occur:

1. The damaged area is less than 75 percent of the roof or any floor's occupied area, the lateral system of the building in any one direction is damaged less than 75 percent, and the damage to the overall structure is less than 50 percent of the composite building.
2. The damage area has not caused deflection in floor or roof framing that, if repaired to its pre-damage state, will exceed the serviceability requirements noted in Section 1604.3 of the *International Building Code*.
3. A registered design professional shall establish that the damaged construction, if repaired to its pre-damage state, along with existing construction to remain is not determined as to be an unsafe condition.

**Section. 2.3.390. – Section 405.2.6 amended.**

Section 405.2.6 of the International Existing Building Code, is amended to read as follows:

**[BS] 405.2.6 Flood hazard areas.**

In *flood hazard* areas, buildings that have sustained *substantial damage* shall be brought into compliance with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.400. – Section 408.1 amended.**

Section 408.1 of the International Existing Building Code, is amended to read as follows:

**408.1 Materials.**

Plumbing materials and supplies shall not be used for *repairs* that are prohibited in the Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.410. – Section 502.2 amended.**

Section 502.2 of the International Existing Building Code, is amended to read as follows:

**[BS] 502.2 Flood hazard areas.**

Buildings and structures in *flood hazard* areas shall comply with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.420. – Section 502.6 deleted.**

Section 502.6 of the International Existing Building Code, is deleted.

**Section. 2.3.430. – Section 503.2 amended.**

Section 503.2 of the International Existing Building Code, is amended to read as follows:

**[BS] 503.2 Flood hazard areas.**

Buildings and structures in *flood hazard areas* shall comply with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.440. – Section 503.18 deleted.**

Section 503.18 of the International Existing Building Code, is deleted.

**Section. 2.3.450. – Section 504.1.3 amended.**

Section 504.1.3 of the International Existing Building Code, is amended to read as follows:

**[BE] 504.1.3 New fire escapes.**

New fire escapes for existing buildings shall be permitted only where exterior stairways cannot be utilized because of lot lines limiting stairway size or because of sidewalks, alleys or roads at grade level. New fire escapes shall not incorporate ladders or access by windows. Occupants shall have unobstructed access to the fire escape without having to pass through a room subject to locking.

**Section. 2.3.460. – Section 504.3 amended.**

Section 504.3 of the International Existing Building Code, is amended to read as follows:



**[BE] 504.3 Construction.**

The fire escape shall be designed to support a live load of 100 pounds per square foot (4788 Pa) and shall be constructed of steel or other approved noncombustible materials. Fire escapes constructed of wood not less than nominal 2 inches (51 mm) thick are permitted on buildings of Type V construction. Walkways and railings located over or supported by combustible roofs in buildings of Type III and IV construction are permitted to be of wood not less than nominal 2 inches (51 mm) thick. Fire escapes shall extend to the roof or provide an approved gooseneck ladder between top floor landing and the roof in buildings four or more stories in height having roofs with a slope not exceeding 4 units vertical in 12 units horizontal (33.3 percent slope). Such ladders shall be designed and connected to the building to withstand a horizontal force of 100 pounds per lineal foot (141459 N/m). Each rung shall support a concentrated load of 500 pounds (2224 N) placed anywhere on the rung to produce the maximum stress conditions. All ladders shall be at least 15 inches (381 mm) in clear width, be located within 12 inches (305 mm) of the building and shall be placed flatwise to the face of the building. Ladder rungs shall be at least ¾-inch (19 mm) in diameter and shall be located 10 inches to 12 inches (254 mm to 305 mm) on center. Openings for roof access ladders through cornices and similar projects shall have minimum dimensions of 30 inches by 33 inches (762 mm by 838 mm). The fire escape shall have a clearance from electrical service conductors as required by the *National Electrical Code*.

**Section. 2.3.470. – Section 504.4 amended.**

Section 504.4 of the International Existing Building Code, is amended to read as follows:

**[BE] 504.4 Dimensions.**

Stairways shall be not less than 22 inches (559 mm) wide with risers no more than, and treads not less than, 8 inches (203 mm) and landings at the foot of stairways not less than 40 inches (1016 mm) wide by 36 inches (914 mm) long, located not more than 8 inches (203 mm) below the door. The openings in the treads of the stairways and the floor of the landings shall be no greater than 5/8-inch (16 mm) in width. The guards at the stairways shall be not less than 36 inches (914 mm) high with not more than 4 inches (102 mm) between intermediate rails. The top rail of the guard at the stairways shall have an outside diameter of at least 1 ¼ inches (32 mm) and not greater than 2 inches (51 mm). The guards at the landings shall not be less than 42 inches (1066 mm) high with not more than 4 inches (102 mm) between intermediate rails.

**Exception:** Any modifications to an existing guard on a stairway or landing of an existing fire escape shall be approved by the *code official* or a duly authorized representative.

**Section. 2.3.480. – Section 506.6 deleted.**

Section 506.6 of the International Existing Building Code, is deleted.

**Section. 2.3.490. – Section 507.3 deleted.**

Section 507.3 of the International Existing Building Code, is deleted.

**Section. 2.3.500. – Section 601.2 amended.**

Section 601.2 of the International Existing Building Code, is amended to read as follows:

**601.2 Work area.**

The *work area*, as defined in Chapter 2, shall be identified on the construction documents. The architect of record shall specify the percentage of area, by floor, that constitutes *work area*. Reconfiguration of floor area shall be the removal, relocation or construction of new walls or building elements within a tenant area of building. *Work area* calculations shall include the rooms or spaces and areas directly adjacent to where reconfiguration is planned.

**Exception:** The area of the entire room or space does not need to be included within the work area calculation where the following conditions are met:

1. The area within 10 feet (3049 mm) of the reconfiguration (perimeter calculation) is less than 25 percent of the room or space, and
2. The occupancy of the area has not changed, and
3. The reconfiguration does not affect the existing exits from the room or space.

**Section. 2.3.510. – Section 701.3 amended.**

Section 701.3 of the International Existing Building Code, is amended to read as follows:

**[BS] 701.3 Flood hazard areas.**

In *flood hazard areas*, alterations shall comply with Chapter 27.04 of the Code of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.520. – Section 702.7 amended.**

Section 702.7 of the International Existing Building Code, is amended to read as follows:

**702.7 Materials and methods.**

New work shall comply with the materials and methods requirements in the *International Building Code* and Article 3, 4, 5 of the Wichita-Sedgwick County Unified Building and Trade Code, as applicable, that specify material standards, detail of installation and connection, joints, penetrations and continuity of any element, component or system in the building.

**Exception:** Where building separation is required by the adopted electrical code to allow for multiple electrical services, a fire wall may be constructed in accordance with the provisions of a two-hour fire barrier per the *International Building Code*. If the fire wall coincides with that of a required fire barrier then the most restrictive requirement shall apply. For allowable area purposes, the building is considered as one structure with no benefit derived from the fire wall.

**Section. 2.3.530. – Section 708.1 deleted.**

Section 708.1 of the International Existing Building Code, is deleted.

**Section. 2.3.540. – Section 804.5.1.2.2 amended.**

Section 804.5.1.2.2 of the International Existing Building Code, is amended to read as follows:

**804.5.1.2.2 Construction.**

The fire escape shall be design to support a live load of 100 pounds per square foot (4788 Pa) and shall be constructed of steel or other approved noncombustible materials. Fire escapes constructed of wood not less than nominal 2 inches (51 mm) thick are permitted on buildings of Type V construction. Walkways and railings located over or supported by combustible roofs in buildings of Type III and IV construction are permitted to be of wood not less than nominal 2 inches (51 mm) thick. Fire escapes shall extend to the roof or provide an approved gooseneck ladder between top floor landing and the roof in buildings four or more stories in height having roofs with a slope not exceeding 4 units vertical in 12 units horizontal (33.3 percent slope). Such ladders shall be designed and connected to the building to withstand a horizontal force of 100 pounds per lineal foot (141459 N/m). Each rung shall support a concentrated load of 500 pounds (2224 N) placed anywhere on the rung to produce the maximum stress conditions. All ladders shall be at least 15 inches (381 mm) in clear width, be located within 12 inches (305 mm) of the building and shall be placed flatwise to the face of the building. Ladder rungs shall be at least ¾-inch (19 mm) in diameter and shall be located 10 inches to 12 inches (254 mm to 305 mm) on center. Openings for roof access ladders through cornices and similar projects shall have minimum dimensions of 30 inches by 33 inches (762 mm by 838 mm). The fire escape shall have a clearance from electrical service conductors as required by the *National Electrical Code*.

**Section. 2.3.550. – Section 804.5.1.2.3 amended.**

Section 804.5.1.2.3 of the International Existing Building Code, is amended to read as follows:

**804.5.1.2.3 Dimensions.**

Stairways shall be not less than 22 inches (559 mm) wide with risers not more than, and treads not less than, 8 inches (203mm). Landings at the foot of stairways shall not be less than 40 inches (1016 mm) wide by 36 inches (914 mm) long and located not more than 8 inches (203 mm) below the door. The openings in the treads of the stairways and the floor of the landings shall be no greater than 5/8-inch (16 mm) in width. The guards at the stairways shall be not less than 36 inches (914 mm) high with not more than 4 inches (102 mm) between intermediate rails. The top rail of the guard at the stairways shall have an outside diameter of at least 1 ¼ inches (32 mm) and not greater than 2 inches (51 mm). The guards at the landings shall not be less than 42 inches (1066 mm) high with not more than 4 inches (102 mm) between intermediate rails.

**Exception:** Any modifications to an existing guard on a stairway or landing of an existing fire escape shall be approved by the *code official* or a duly authorized representative.

**Section. 2.3.560. – Section 804.6.4 amended.**

Section 804.6.4 of the International Existing Building Code, is amended to read as follows:

**804.6.4 Panic and fire exit hardware.**

In any *work area*, and in the egress path from any *work area* to the exit discharge, in buildings or portions thereof of Group A assembly occupancies with an occupant load greater than 49, all required exit doors equipped with latching devices shall be equipped with *approved* or fire exit hardware in accordance with Section 1010.2.9 of the *International Building Code*.

**Section. 2.3.570. – Section 804.11 amended.**

Section 804.11 of the International Existing Building Code, is amended to read as follows:

**804.11 Stairways.**

Stairways shall comply with all of the following requirements:

1. Newly constructed stairways shall comply with the requirements of Section 1011 of the *International Building Code*.
2. Existing winding or spiral stairways in any *work area* may serve as part of the means of egress from a building, including single exit buildings complying with 804.5.1.1, for a maximum occupant load of 10, provided that a complying handrail is located at the stairways outside perimeter. A winding or spiral stairway may not be the principal means of egress when used

- in conjunction with a fire escape as second means of egress. Means of egress width shall comply with Section 1011 of the *International Building Code*. Circular stairways complying with Section 1011 of the *International Building Code* shall be acceptable as means of egress.
3. An alteration or the replacement of an existing stairway shall not be required to comply with the requirements of a new stairway as outlined in Section 1011 of the *International Building Code* where the existing space and construction will not allow a reduction in pitch or slope.
  4. The largest tread run within any flight of stairway shall not exceed the smallest by more than 3/8-inch (9.5 mm), nor be less than 10 inches (254 mm) in width. The greatest riser height within any flight of stairway shall not exceed the smallest by more than 3/8-inch (9.5 mm), nor be less than 4 inches (102 mm) in height. The maximum riser height shall not exceed 7 1/2 inches (191 mm) in height.

**Exceptions:**

1. In Group R-3 occupancies, stairways may have a minimum tread run of 9 inches (229 mm) and a maximum riser of 8 inches (203 mm) in height.
2. Existing stairways serving an occupant load of 10 or less may have a minimum tread run of 9 inches (229 mm) in width and a maximum riser of 8 inches (203 mm) in height.
3. Existing stairways serving an occupant load of 10 or less may have a minimum width of 30 inches (763 mm). Stairways serving an occupant load of 11 or more, but not more than 50, may be 36 inches (915 mm) in width. Stairways serving occupant load of over 50 shall comply with Section 1011 of the *International Building Code*.

**Section. 2.3.580. – Section 806.1 amended.**

Section 806.1 of the International Existing Building Code, is amended to read as follows:

**806.1 New installations.**

Newly installed electrical equipment and wiring relating to work done in any *work area* shall comply with all applicable requirements of Article 4 of the Wichita-Sedgwick County Unified Building and Trade Code except as provided for in Section 806.4.

**Section. 2.3.590. – Section 806.4.1 amended.**

Section 806.4.1 of the International Existing Building Code, is amended to read as follows:

**806.4.1 Enclosed areas.**

Enclosed areas, other than closets, kitchens, basements, garages, hallways, laundry areas, utility areas, storage areas and bathrooms shall have not fewer than two duplex receptacle outlets and one ceiling or wall-type lighting outlet.

**Section. 2.3.600. – Section 806.4.7 amended.**

Section 806.4.7 of the International Existing Building Code, is amended to read as follows:

**806.4.7 Clearance for equipment.**

Clearance for electrical service equipment shall be provided in accordance with Article 4 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.610. – Section 809.1 deleted.**

Section 809.1 of the International Existing Building Code, is deleted.

**Section. 2.3.620. – Section 903.2.1 amended.**

Section 903.2.1 of the International Existing Code, is amended to read as follows:

**903.2.1 Separation required.**

Where the *work area* is in any attached dwelling unit in Group R-3 or any multiple single-family dwelling (townhouse), walls separating the dwelling units that are not continuous from the foundation to the underside of the roof sheathing shall be constructed to provide a continuous fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. Work shall be performed on the side of the dwelling unit wall that is part of the *work area*.

**Exception:** Where *alterations* or *repairs* do not result in the removal of wall or ceiling finishes exposing the structure, walls are not required to be continuous through concealed floor spaces.

Where the *work area* is adjacent to a different occupancy group, then separation of the occupancy groups by means of an approved fire barrier shall be in accordance with the *International Building Code*.

**Exceptions:**

1. The required separation between a Group R-3 and an accessory garage for the storage of private or pleasure-type motor vehicles where no repair work is done or fuel

dispensed may built in conformance Sections 406.3.2.1 and 406.3.2.2 of the *International Building Code*.

2. The required separation between a Group R-3 and a Group B, M or S-2 parking garage of 5,000 square feet (464 m<sup>2</sup>) or less shall be protected with a fire barrier of not less than one-hour fire-resistant construction.

**Section. 2.3.630. – Section 907.1 deleted.**

Section 907.1 of the International Existing Code, is deleted.

**Section. 2.3.640. - Section 1007.1 amended.**

Section 1007.1 of the International Existing Building Code, is amended to read as follows:

**1007.1 Special occupancies.**

Where the occupancy of an *existing building* or part of an *existing building* is changed to one of the following special occupancies as described in Article 4 of the Wichita-Sedgwick County Unified Building and Trade Code, the electrical wiring and equipment of the building or portion thereof that contains the proposed occupancy shall comply with the applicable requirements of Article 4 of the Wichita-Sedgwick County Unified Building and Trade Code. Health care *facilities*, including Group I-2, ambulatory health care *facilities* and outpatient clinics, shall also comply with the applicable requirements of NFPA 99:

1. Hazardous locations.
2. Commercial garages, repair and storage.
3. Aircraft hangars.
4. Gasoline dispensing and service stations.
5. Bulk storage plants.
6. Spray application, dipping and coating processes.
7. Health care *facilities*, including Group I-2, ambulatory health care *facilities* and outpatient clinics.
8. Places of assembly.
9. Theaters, audience areas of motion picture and television studios, and similar locations.
10. Motion picture and television studios and similar locations.
11. Motion picture projectors.
12. Agricultural buildings.

**Section. 2.3.650. – Section 1007.2 amended.**

Section 1007.2 of the International Existing Building Code, is amended to read as follows:

**1007.2 Unsafe conditions.**

Where the occupancy of an *existing building* or part of an *existing building* is changed, all *unsafe* conditions shall be corrected without requiring that all parts of the electrical system comply with Article 4 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.660. – Section 1007.3 amended.**

Section 1007.3 of the International Existing Building Code, is amended to read as follows:

**1007.3 Service upgrade.**

Where the occupancy of an *existing building* or part of an *existing building* is changed, electrical service shall be upgraded to meet the requirements of Article 4 of the Wichita-Sedgwick County Unified Building and Trade Code for the new occupancy.

**Section. 2.3.670. – Section 1007.4 amended.**

Section 1007.4 of the International Existing Building Code, is amended to read as follows:

**1007.4 Number of electrical outlets.**

Where the occupancy of an *existing building* or part of an *existing building* is changed, the number of electrical outlets shall comply with Article 4 of the Wichita-Sedgwick County Unified Building and Trade Code for the new occupancy.

**Section. 2.3.680. – Section 1008.1 amended.**

Section 1008.1 of the International Existing Building Code, is amended to read as follows:

**1008.1 Mechanical requirements.**

Where the occupancy of an *existing building* or part of an *existing building* is changed such that the new occupancy is subject to different kitchen exhaust requirements or to increased mechanical ventilation requirements in accordance with Article 5 of the Wichita-Sedgwick County Unified Building and Trade Code, the new occupancy shall comply with the respective Article 5 of the Wichita-Sedgwick County Unified Building and Trade Code provisions.

**Section. 2.3.690. – Section 1009.1 amended.**



Section 1009.1 of the International Existing Building Code, is amended to read as follows:

**1009.1 Increased demand.**

Where the occupancy of an *existing building* or part of an *existing building* is changed such that the new occupancy is subject to increased or different plumbing fixture requirements or to increased water supply requirements in accordance with Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code and the *International Building Code*, the new occupancy shall comply with the intent of the respective Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code and the *International Building Code* provisions.

**Exception:** Only where the occupant load of the story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the *International Building Code* based on the increased occupant load.

**Section. 2.3.700. – Section 1009.2 amended.**

Section 1009.2 of the International Existing Building Code, is amended to read as follows:

**1009.2 Food-handling occupancies.**

If the new occupancy is a food-handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas and shall be protected in accordance with the Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.710. – Section 1009.3 amended.**

**This Section applies only within the city limits of the City of Wichita**

Section 1009.3 of the International Existing Building Code, is amended to read as follows:

**1009.3 Interceptor required.**

If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required in the Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code and Chapter 16.24 of the Code of Wichita.

**Section. 2.3.720. – Section 1009.5 amended.**

Section 1009.5 of the International Existing Building Code, is amended to read as follows:

**1009.5 Group I-2.**

If the occupancy group is changed to Group I-2, the plumbing system and medical gas system shall comply with the applicable requirements of Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.730. – Section 1101.2 amended.**

Section 1101.2 of the International Existing Building Code, is amended to read as follows:

**1101.2 Creation or extension of nonconformity.**

An *addition* shall not create or extend any nonconformity in the *existing building* to which the *addition* is being made with regard to accessibility, structural strength, supports and attachments for nonstructural components, fire safety, means of egress or the capacity of mechanical, plumbing or electrical systems.

**Exceptions:**

1. Nonconforming supports and attachments for nonstructural components that serve the *addition* from within the existing building need not be altered to comply with *International Building Code Section 1613* unless the components are part of the *addition's* life safety system or are required to serve and *addition* assigned to *Risk Category IV*.
2. Area separation walls constructed prior to the adoption of the 2000 Edition of the International Building Code (April 2, 2002) may be increased in length by not more than 25 percent of the length of the existing wall, not to exceed 30 feet (9144 mm). The method of construction and fire rating of the additional wall length shall be in general conformance to that of the existing wall. The materials used in the area separation wall constructed shall comply with the building construction type, but may be any approved assembly that provides the same level of protection.

**Section. 2.3.740. – Section 1102.2 amended.**

Section 1102.2 of the International Existing Building Code, is amended to read as follows:

**1102.2 Area limitations.**

An *addition* shall not increase the area of an existing *building* beyond that permitted under the applicable provisions of Chapter 5 of the *International Building Code* for new buildings unless fire separation as required by the *International Building Code* is provided.

**Exceptions:**

1. In-filling of floor openings and nonoccupiable appendages such as elevator and exit stairway shafts shall be permitted beyond that permitted by the *International Building Code*.
2. Allowable area expansion rights up to and including an additional 10 percent area increase which would have been allowed under the code when the building was constructed, will be permissible without approval from the code official, subject to the fire area limitations of Section 1102.3 of this code.

**Section. 2.3.750. – Section 1102.3 amended.**

Section 1102.3 of the International Existing Building Code, is amended to read as follows:

**1102.3 Fire protection systems.**

Existing fire areas increased by the *addition* shall comply with Chapter 9 of the *International Building Code*.

**Exceptions:**

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

**Section. 2.3.760. – Section 1103.3 amended.**

Section 1103.3 of the International Existing Building Code, is amended to read as follows:

**[BS] 1103.3 Flood hazard areas.**

*Additions and foundations in flood hazard areas* shall comply with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.770. – Section 1104.1 deleted.**

Section 1104.1 of the International Existing Building Code, is deleted.

**Section. 2.3.780. – Section 1201.4 amended.**

Section 1201.4 of the International Existing Building Code, is amended to read as follows:

**[BS] 1201.4 Flood hazard areas.**

In *flood hazard areas*, if all proposed work, including *repairs*, work required because of a *change of occupancy*, and *alterations*, constitutes *substantial improvement*, then the *existing buildings* shall comply with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.790. – Section 1302.1.6 amended.**

Section 1302.1.6 of the International Existing Building Code, is amended to read as follows:

**1302.1.6 Plumbing fixtures.**

Plumbing fixtures shall be provided in accordance with Section 1009 for a change of occupancy and Section 808 for *alternations*. Plumbing fixtures for *additions* shall be in accordance with Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code and the International Building Code.

**Section. 2.3.800. – Section 1303.1.2 amended.**

Section 1303.1.2 of the International Existing Building Code, is amended to read as follows:

**1303.1.2 Compliance with other codes.**

Buildings that are evaluated in accordance with this section shall comply with the *International Fire Code*.

**Section. 2.3.810. – Section 1303.1.3 amended.**

Section 1303.1.3 of the International Existing Building Code, is amended to read as follows:

**[BS] 1303.1.3 Compliance with flood hazard provisions.**

In *flood hazard areas*, buildings that are evaluated in accordance with this section shall comply with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.820. – Section 1401.2 amended.**

Section 1401.2 of the International Existing Building Code, is amended to read as follows:

**1401.2 Conformance.**

The building shall be safe for human occupancy as determined by the *International Fire Code* and the *International Building Code*. Any *repair, alternation or change of occupancy* undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the *International Building Code* or the *International Residential Code* as applicable.

**Section. 2.3.830. – Section 1402.6 amended.**

Section 1402.6 of the International Existing Building Code, is amended to read as follows:

**[BS] 1402.6 Flood hazard areas.**

If relocated or moved into a *flood hazard area*, structures shall comply with Chapter 27.04 of the Code of the City of Wichita within City of Wichita Jurisdiction or as directed in Chapter 13 of the Sedgwick County Code within the unincorporated area of Sedgwick County, Kansas.

**Section. 2.3.840. – Section 1503.1 amended.**

Section 1503.1 of the International Existing Building Code, is amended to read as follows:

**[BG] 1503.1 Facilities required.**

Sanitary facilities shall be provided during construction or demolition activities in accordance with Article 3 of the Wichita-Sedgwick County Unified Building and Trade Code.

**Section. 2.3.850. – Section 1504.1.1 amended.**

Section 1504.1.1 of the International Existing Building Code, is amended to read as follows:

**[BS] 1504.1.1 Walkways.**

A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the applicable governing authority authorizes the sidewalk to be fenced or closed. A walkway shall be provided for pedestrian travel that leads from a building entrance or exit of an occupied structure to a public way. Walkways shall be of sufficient width to accommodate the pedestrian traffic, but shall be not less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface and shall be accessible in accordance with the current guidelines of the Americans with Disabilities Act ("ADA"). Walkways shall be designed to support all imposed loads and the design live load shall be not less than 150 pounds per square foot (psf)(7.2 kN/m<sup>2</sup>).

**Exception:** The walkway is not required when there is not an existing sidewalk or one planned for that location.

**Section. 2.3.860. – Section Appendices A, B, C, D, and E deleted.**

Appendices A, B, C, D, and E of the International Existing Building Code, are deleted.

***SECTION 2. REPEAL OF THE ORIGINAL ARTICLE 2, SECTION 3.***

The original of Article 2, Section 3 of the Wichita/Sedgwick County Unified Building and Trade Code are hereby repealed.

***SECTION 3. SEVERABILITY***

Should any section, clause or provision of this resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole, or any part thereof, other than the part so declared to be invalid.

***SECTION 4. PUBLICATION AND EFFECTIVE DATE***

Upon adoption of this resolution, the Sedgwick County Clerk shall publish this resolution once in the official county newspaper. This resolution shall become effective January 1, 2025, except any fire protection segment shall become effective on January 1, 2025 or such date thereafter when the Kansas State Fire Marshal has approved such fire protection segments.

Commissioners present and voting were:

|                   |               |
|-------------------|---------------|
| PETER F. MEITZNER | <u>AYE</u>    |
| SARAH LOPEZ       | <u>AYE</u>    |
| DAVID T. DENNIS   | <u>Absent</u> |
| RYAN K. BATY      | <u>AYE</u>    |
| JAMES M. HOWELL   | <u>AYE</u>    |

Dated this 9 day of October, 2024.

ATTEST:

950  
 \_\_\_\_\_  
 KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

[Signature]  
 \_\_\_\_\_  
 RYAN BATY, Chairman  
 Commissioner, Fourth District

[Signature]  
 \_\_\_\_\_  
 SARAH LOPEZ, Chair Pro Tem  
 Commissioner, Second District

[Signature]  
 \_\_\_\_\_  
 PETER F. MEITZNER  
 Commissioner, First District

Absent  
 \_\_\_\_\_  
 DAVID T. DENNIS  
 Commissioner, Third District

[Signature]  
 \_\_\_\_\_  
 JAMES M. HOWELL  
 Commissioner, Fifth District

APPROVED AS TO FORM:

[Signature]  
 \_\_\_\_\_  
 Armand L. Shukaev  
 Assistant County Counselor