

ORDINANCE NO. 19-XX

AN ORDINANCE PERTAINING TO THE OLATHE FIRE CODE; ADDING SECTIONS 16.05.075, 16.05.101, 16.05.135, 16.05.145, 16.05.155, 16.05.175, 16.05.185, 16.05.192, 16.05.194, 16.05.196, 16.05.198, 16.05.205, 16.05.212, 16.05.215, 16.05.217, 16.05.282, 16.05.284, 16.05.285, 16.05.286, 16.05.288, 16.05.289, 16.05.305, 16.05.341, 16.05.351, 16.05.361, 16.05.373, 16.05.375, 16.05.377, 16.05.381, 16.05.385, 16.05.405, AND 16.05.440; AMENDING OLATHE MUNICIPAL CODE SECTIONS 16.05.010, 16.05.020, 16.05.030, 16.05.050, 16.05.060, 16.05.065, 16.05.070, 16.05.140, 16.05.150, 16.05.180, 16.05.190, 16.05.200, 16.05.210, 16.05.220, 16.05.250, 16.05.260, 16.05.270, 16.05.280, 16.05.290, 16.05.300, 16.05.340, 16.05.370, AND REPEALING THE EXISTING SECTIONS; ALSO REPEALING SECTIONS 16.05.080, 16.05.090, 16.05.100, 16.05.110, 16.05.120, 16.05.130, 16.05.160, 16.05.240, 16.05.320, 16.05.330, 16.05.350, 16.05.360, 16.05.410, AND 16.05.420.

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

SECTION ONE: Section 16.05.010 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.010 Fire Code Adopted.

The ~~2012~~ 2018 International Fire Code, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-~~5795~~ is adopted by reference and made a part of this chapter as if fully set out, save and except such parts or portions thereof as are specifically deleted, added or changed in Sections 16.05.030 through and including 16.05.~~430~~440.”

SECTION TWO: Section 16.05.020 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.020 Marked Copies of Code on File.

There shall be not less than one (1) copy of the code adopted by reference in Section kept on file in the office of the City Clerk, to which shall be attached a copy of the incorporating ordinance, and which shall be marked or stamped, “Official Copy as Incorporated by Ordinance No. ~~12-52~~ 19-XX with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and filed with the City Clerk and open to inspection and available to the public at all reasonable hours. ~~The Fire Department, Municipal Judges and all administrative departments of the City charged with the enforcement of the incorporating ordinance~~

~~shall be supplied, at the cost of the City, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient."~~

SECTION THREE: Section 16.05.030 of the Olathe Municipal Code is hereby amended to read as follows:

"16.05.030 Fire Department Inspection Division – Established Duties.

The Fire Code shall be enforced by the Community Risk ~~Management Division~~ Reduction Section in the Fire Department of the City of Olathe, which is established and ~~which~~ shall be operated under the supervision of the ~~chief~~ Chief of the Fire Department."

SECTION FOUR: Section 16.05.050 of the Olathe Municipal Code is hereby amended to read as follows:

"16.05.050 Subsection [A] 101.2.1 Amended – Appendices.

Subsection [A] 101.2.1 of the International Fire Code is hereby amended to read as follows:

[A] 101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

[A] 101.2.1.1 Appendices ~~B, C, and D~~ Adopted. The following appendices contained in the International Fire Code are hereby adopted:

Appendix B – Fire Flow Requirements for Buildings

Appendix C – Fire Hydrant Locations and Distribution

Appendix D – Fire Apparatus Access Roads

[Appendix H – Hazardous Materials Management Plan \(HMMP\) and Hazardous Materials Inventory Statement \(HMIS\) Instructions](#)

[Appendix I – Fire Protection Systems – Noncompliant Conditions](#)"

SECTION FIVE: Section 16.05.060 of the Olathe Municipal Code is hereby amended to read as follows:

"16.05.060 Section [A] 102.7 Amended – Referenced codes and standards.

Subsection [A] 102.7 of the International Fire Code is hereby amended to read as follows:

[A] 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80 except as provided in Section [A] 102.7.3, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections [A] 102.7.1 and [A] 102.7.2.

[A] 102.7.1 Differences. Where differences occur between provisions of this code and referenced codes and standards, the most restrictive provisions shall apply.

[A] 102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the most restrictive provisions, as applicable, shall take precedence over all other provisions.

[A] 102.7.3 Amended codes and standards. The ~~standard reference numbers~~ [edition of the](#) ~~of the~~ following codes and standards shall apply in lieu of the standard reference number of the same codes and standards listed in Chapter 80:

~~NFPA 13-2013 (Installation of Sprinkler Systems)~~

~~NFPA 13D-2013 (Installation of Sprinkler Systems in One-and-Two-family Dwellings and Manufactured Homes)~~

~~NFPA 13R-2013 (Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height)~~

~~NFPA 24-2013 (Installation of Private Fire Service Mains and Their Appurtenances)~~

~~NFPA 72-2013 (National Fire Alarm Code)~~

1. [NFPA 495-2013](#) (Explosive Materials Code) [as adopted and amended by the State of Kansas – Office of the Kansas State Fire Marshal in Kansas Administrative Regulations \(K.A.R.\) 22-4-5.](#)

[A] 102.7.3.1 Explosive Materials Code. [NFPA 495-2013 is further amended as follows:](#)

(1) Each citation in NFPA 495 to the following Standards shall mean the edition adopted by reference in Chapter 16.05 of the Olathe Municipal Code:

(A) NFPA 13, “Standard for the Installation of Sprinkler Systems”; and

(B) NFPA 70, “National Electric Code.”

(C) NFPA 1123, “Code for Fireworks Display”;

(D) NFPA 1124, “Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles”; and

(E) NFPA 1126, “Standard for the Use of Pyrotechnics Before a Proximate Audience.”

(3) Each citation of NFPA 1, “Fire Code,” shall be replaced by “the 2018 International Fire Code (IFC) as adopted and amended in Chapter 16.05 of the Olathe Municipal Code.”

(4) Each citation of NFPA 5000, “Building Construction and Safety Code,” shall be replaced by “the 2018 International Building Code (IBC) as adopted and amended in Chapter 15.02 of the Olathe Municipal Code.”

~~(a)~~

~~The following provisions shall be excluded from NFPA 495-2013:~~

~~(1) All material before chapter 1 and all annexes;~~

~~(2) chapters 2, 8, and 12;~~

~~(3)~~

~~(A) The last sentence of section 1.3.1;~~

~~(B) Sections 1.4 through 1.4.3; and~~

~~(C) Section 1.6;~~

~~(4)~~

~~(A) The last sentence of section 3.1;~~

~~(B) Section 3.2.1; and~~

~~(C) Sections 3.2.3 through 3.2.7;~~

~~(5)~~

~~(A) Section 4.1.7;~~

~~(B) Sections 4.2.3.1 through 4.2.3.3;~~

~~(C) Sections 4.7.2 through 4.7.4;~~

~~(D) Section 4.8.2; and~~

~~(E) Section 4.10.2;~~

~~(6) Section 5.2.13.2;~~

~~(7)~~

~~(A) Sections 6.3 through 6.3.5; and~~

~~(B) Sections 6.6 through 6.6.8;~~

~~(8) Sections 7.3 through 7.3.2;~~

~~(9) Section 10.3.8.1;~~

~~(10) Section 11.4.3;~~

~~(11) Section 13.1.2; and~~

~~(12)~~

~~(A) Sections 14.1 through 14.3.8;~~

~~(B) Sections 14.4.1 through 14.4.4; and~~

~~(C) Sections 14.4.8 through 14.5.9.~~

~~(b) The following modifications shall be made to NFPA 495-2013:~~

~~(1) Section 1.3.2 shall be replaced with the following: "This code shall not apply to the transportation and use of military explosives by federal or state military agencies, nor shall this code apply to the use of explosive materials by federal, state, or municipal agencies while engaged in public safety functions, except that state and municipal agencies shall be subject to the storage, recordkeeping, and permitting requirements of this code."~~

~~(2) In section 1.3.5, the phrase "as defined in NFPA 1122, Code for Model Rocketry; NFPA 1125, Code for the Manufacture of Model Rocket and High Power Rocket Motors; and NFPA 1127, Code for High Power Rocketry" shall be deleted.~~

~~(3) The following text shall be added after section 1.3.6:~~

~~"This code shall not apply to small arms ammunition and components of small arms ammunition, but this code shall apply to the manufacture of smokeless propellants and black powder substitutes and to smokeless propellants and black powder substitutes not designed for use in small arms ammunition.~~

~~"This code shall not apply to commercially manufactured black powder in quantities not to exceed fifty pounds, percussion caps, safety and pyrotechnical fuses, quills, quick and slow matches, and friction primers, intended to be used solely for sporting, recreational, or cultural purposes in antique firearms as defined in 18 U.S.C. § 921(a)(16) or in antique devices exempted from the term "destructive device" in 18 U.S.C. § 921(a)(4).~~

~~“This code shall not apply to the use, storage, or transportation of precursor chemicals used for agricultural purposes other than blasting, or to fertilizers and fertilizer materials regulated by the Kansas department of agriculture pursuant to K.S.A. 2-1201 et seq., and amendments thereto, except that thefts of ammonium nitrate shall be reported to the office of the state fire marshal and to a local law enforcement authority within 24 hours of discovering the theft.”~~

~~(4) In section 3.2.2, the definition of “Authority Having Jurisdiction (AHJ)” shall be replaced with the following: “The state fire marshal or designee, except when the context indicates that the term is referring to a local fire department or law enforcement agency.”~~

~~(5) In section 3.3.8, the definition of blasting agent shall be replaced with the following: “Any material or mixture, consisting of fuel and oxidizer, intended for blasting, not otherwise defined as an explosive, provided that the finished product, as mixed for use or shipment, cannot be detonated by means of a numbered 8 test blasting cap when unconfined.”~~

~~(6) Section 3.3.20 shall be replaced with the following: “Explosive. Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. The term shall also include two or more precursor chemicals sold or possessed together that if mixed or combined would constitute a binary explosive.”~~

~~(7) Section 3.3.49 shall be replaced with the following: “Small arms ammunition and components of small arms ammunition. Small arms ammunition or cartridge cases, primers, or smokeless propellants designed for use in small arms, including percussion caps, and 3/32 inch and other external burning pyrotechnic hobby fuses. The term shall not include black powder, but shall include black powder substitutes provided the propellant is a component of small arms ammunition.”~~

~~(8) Section 4.2.1 shall be replaced with the following: “No person shall be in possession of explosive materials, or conduct an operation or activity requiring the use of explosive materials, or perform or supervise the loading and firing of explosive materials without first obtaining the correct permit or permits from the state fire marshal.”~~

~~(9) Section 4.2.4 shall be replaced with the following: “Each permitted manufacturer, distributor, and user in the state shall maintain continuous general liability coverage that includes coverage for intentional blasting of not less than \$1,000,000 from an insurance company authorized by the Kansas insurance department to do business in Kansas and shall annually provide proof of this insurance to the state fire marshal.”~~

~~(10) Section 4.3.1 shall be replaced with the following sentence: “Before a person conducts an operation or activity that uses explosive materials in the state, the person shall obtain a user permit from the state fire marshal.”~~

~~(11) Section 4.3.2 shall be replaced with the following sentence: “Before an individual performs or supervises the loading and firing of explosive materials in the state, that individual shall obtain the appropriate permit to blast, as specified in Table 4.3.2, from the state fire marshal, except that this requirement shall not apply to a trainee who is acting under the direct supervision of and is being trained by the holder of a blaster permit.”~~

~~(12) The following classes of blasting permits shall be added to table 4.3.2:~~

Class	Category	Blasting Permitted
P1	Public Safety Bomb Technician	Blasting by a bomb technician acting on behalf of the state or a political or taxing subdivision in a public safety capacity
P2	Public Safety Explosive Breacher	Explosive breaching by a person acting on behalf of the state or a political or taxing subdivision in a public safety capacity

~~(13) The following text shall be added after section 4.3.2:~~

~~“4.3.3 Permit to Manufacture. Before a person manufactures explosive materials in the state, that person shall obtain a manufacturer permit from the state fire marshal. A holder of a manufacturer permit shall not be required to obtain a distributor or user permit.~~

~~“4.3.4 Permit to Distribute. Before a person engages in the business of distributing explosive materials within the state, that person shall obtain a distributor permit from the state fire marshal, except that this requirement shall not apply to common carriers or to an out-of-state person who distributes explosive materials to the holder of a manufacturer or distributor permit. “Distributing” shall mean the selling, issuing, giving, transferring, or other disposing of. A holder of a distributor permit shall not be required to obtain a user permit.~~

~~“4.3.5 Handler Permit. Before an individual, other than the holder of a blaster permit, actually or constructively possesses explosive materials in the state, that individual shall obtain a handler permit from the state fire marshal, except that a handler permit shall not be required to handle explosive materials under the direct supervision of the holder of a blaster permit. “Direct supervision” shall mean that the holder of the blaster permit is physically present and overseeing the actions of the employee. Actual possession shall include the physical handling of explosive materials. Permitted handlers may include individuals who load or unload vehicles, trainees, magazine keepers, drillers, stemmers and sales staff.~~

~~“4.3.6 Storage Permit. Before a person stores explosive materials in the state, that person shall obtain a site-specific storage permit. The storage permit may be temporary or permanent. A permanent storage permit shall be valid for no longer than three years. A temporary storage permit shall be valid for no longer than 90 days, but the permit holder may apply to the office of the state fire marshal to renew the permit one time for no longer than an additional 90 days. Before either storage permit will be issued, the person shall obtain a manufacturer, distributor, or user permit from the state fire marshal, any explosive permit required by the bureau of alcohol, tobacco, firearms and explosives, and a certification from the fire department with jurisdiction over the area where the storage site will be located that the proposed storage of explosive materials will not violate any local laws.”~~

~~(14) Section 4.4.2.1 shall be replaced with the following: “Each applicant shall complete a blaster training program and pass a qualifying examination in the category of blasting for which application is made. The blaster training program and qualifying examination shall be approved in advance by the office of the state fire marshal. To be approved by the office of the state fire marshal, a blaster training program or blaster refresher course shall provide training on the following topics, as applicable to the category of blasting for which application is made: the requirements of this code; federal explosives law and regulations; and industry standards related to the safe use, storage, and transportation of explosive materials.”~~

~~(15) Section 4.4.2.2 shall be replaced with the following: “To be approved by the office of the state fire marshal, a qualifying examination shall test the applicant’s knowledge of the following topics, as applicable to the category of blasting for which application is made: the requirements of this code; federal explosives law and regulations; and industry standards related to the safe use, storage, and transportation of explosive materials.”~~

~~(16) Section 4.4.5 shall be replaced with the following: “Each person whose permit to blast has been revoked shall be required to complete a blaster~~

~~training program and pass a qualifying examination as a condition of reinstatement of the permit. The blaster training program and qualifying examination shall be approved in advance by the office of the state fire marshal."~~

~~(17) Section 4.4.6 shall be replaced with the following: "Each person whose permit to blast has lapsed for a period of one year or longer shall be required to complete a blaster training program and pass a qualifying examination as a condition of renewal of the permit. The blaster training program and qualifying examination shall be approved in advance by the office of the state fire marshal."~~

~~(18) The following text shall be added after section 4.4.6:~~

~~"If the holder of a blaster or handler permit ceases to be employed by a permitted manufacturer, distributor, or user, the blaster or handler shall notify the office of the state fire marshal within five business days, and the individual's permit shall be placed on inactive status. The individual shall not blast or handle explosive materials while the permit is on inactive status. Before resuming work with a permitted manufacturer, distributor, or user, the blaster or handler shall notify the office of the state fire marshal, and the permit shall be returned to active status. However, if the permit has been on inactive status for at least one year, the holder shall complete an approved blaster refresher class for a blaster permit or an approved explosive safety course for a handler permit before the permit is returned to active status."~~

~~"4.4.6.1 Requirement for a Handler Permit. Before applying for or renewing a handler permit, an individual shall complete an explosive safety course approved by the state fire marshal. The explosive safety course shall provide training on the safe handling, storage, and transportation of explosive materials."~~

~~(19) Sections 4.5.1 and 4.5.2 shall be replaced with the following sentence: "The holder of any permit or permits issued pursuant to this code shall maintain a copy of the permit or permits at all sites where explosive materials are stored or used and in any vehicle used to transport explosive materials."~~

~~(20) Section 4.6.2 shall be replaced with the following sentence: "An individual shall be at least 18 years old before applying for a handler permit and at least 21 years old before applying for a blaster permit."~~

~~(21) In section 4.7.1(3), "is a fugitive from justice" shall be replaced with "has fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding."~~

~~(22) Section 4.8.1.1 shall be replaced with the following sentence: "Permit holders shall keep records in accordance with 27 C.F.R. Part 555, Subpart G, as adopted by reference in Subsection [A] 102.7.3.1.(d), herein."~~

~~(23) Section 4.10.1 shall be replaced with the following: "When an application for renewal is filed with the office of the state fire marshal before expiration of the current permit, the existing permit shall not expire until the state fire marshal has taken final action upon the application for renewal or, if the state fire marshal's action is unfavorable, until the last day for seeking judicial review of the state fire marshal's action or a later date fixed by the reviewing court."~~

~~(24) The following sentence shall be added after section 4.10.3: "Before applying for renewal, the holder of a blaster permit shall complete a blaster refresher course approved by the state fire marshal and the holder of a handler permit shall complete an explosive safety course approved by the state fire marshal."~~

~~(25) Section 5.4.4.1.2 shall be replaced with the following: "The integrity of the fences and gates shall be checked at least annually."~~

~~(26) In section 5.4.7, the phrase "and the IAPMO Uniform Mechanical Code" shall be deleted.~~

~~(27) Section 9.7.2 shall be replaced with the following: "All magazines containing explosive materials shall be opened and inspected at maximum intervals of seven days to determine whether there has been unauthorized or attempted entry into the magazines or whether there has been unauthorized removal of the magazines or their contents."~~

~~(28) The following sentence shall be added before section 10.1: "A holder of a user permit shall notify the AHJ at least 48 hours before beginning blasting operations at a site and before resuming blasting operations at a site if those operations have been suspended or discontinued for more than six months."~~

~~(29) Section 10.1.19.1(2) shall be replaced with the following: "Compliance with the safe distances in safety library publication 20, "safety guide for the prevention of radio frequency radiation hazards in the use of commercial electric detonators (blasting caps)," published by the institute of makers of explosives (IME) and dated December 2011, parts II and III of which are hereby adopted by reference, with the exception of all text before table 1 and pages 36 through 38."~~

~~(30) Section 11.1.1 shall be replaced with the following: "This chapter shall apply to buildings and other structures. As used in this chapter, "buildings~~

~~and other structures” shall mean dwellings, public buildings, schools, places of worship, and commercial or institutional buildings.”~~

~~(31) In section 11.1.3, all text after “with” shall be replaced with “the international society of explosives engineers’ “ISEE performance specifications for blasting seismographs,” 2011 edition.”~~

~~(32) In section 11.1.4, the phrase “2009 edition” shall be added at the end of the sentence.~~

~~(33) The following text shall be added after section 11.1.4:~~

~~“The blaster in charge or designee shall conduct a preblast survey of all buildings and structures within a scaled distance of 35 ft/lbs^{1/2} from the blast site, except that a preblast survey shall not be required for a building or structure if the owner refuses permission or if the owner does not respond after three documented attempts to obtain permission.~~

~~“Where blasting seismographs are used, the permitted user shall maintain the seismograph recording and accompanying records for at least three years. These records shall include the maximum ground vibration and acoustics levels recorded, the specific location of the seismograph equipment, its distance from the detonation of the explosives, the date and time of the recording, the name of the individual responsible for operation of the seismograph equipment, the type of seismograph instrument, its sensitivity, and the calibration signal or certification date of the last calibration.”~~

~~(34) Section 11.2.3 shall be replaced with the following sentence: “The ground vibration limit for underground utilities, pipelines, fiber optic lines, and similar buried engineered structures shall be five inches per second.”~~

~~(35) Section 11.4.2 shall be replaced with the following: “Reasonable precautions shall be taken to prevent flyrock from being 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 waiver to the blasting operation.”~~

~~(36) The following text shall be added at the end of chapter 11:~~

~~“The blaster in charge shall ensure that a record of each use of explosives is made, and this record shall be retained for at least three years by the permitted user. The record shall include:~~

~~“(A) The name and permit number of the permitted user;~~

~~“(B) the location, date, and time of the detonation;~~

~~“(C) the name and permit number of the blaster in charge;~~

~~“(D) the type of materials blasted;~~

~~“(E) the type of explosives used;~~

~~“(F) the weight of each explosive product used and the total weight of explosives used;~~

~~“(G) the maximum weight of explosives detonated within any eight-millisecond period;~~

~~“(H) the initiation system, including the number of circuits and the timer interval, if a sequential timer is used;~~

~~“(I) the type of detonator and delay periods used, in milliseconds;~~

~~“(J) the sketch of delay pattern, including decking;~~

~~“(K) the distance and scaled distance, if applicable, to the nearest building or structure;~~

~~“(L) the location of the nearest building or structure, using the best available information; and~~

~~“(M) if bore holes are used, the number of bore holes, burden, and spacing; the diameter and depth of bore holes; and the type and length of stemming.”~~

~~(37) Section 13.1.1 shall be replaced with the following sentence: “Two or more precursor chemicals that would constitute a binary explosive if mixed or combined shall be stored and used in the same manner as other explosive materials.”~~

~~(38) Section 13.4.2 shall be replaced with the following: “Thefts of precursor chemicals during transportation, storage, and use shall be reported to the office of the state fire marshal, the bureau of alcohol, tobacco, firearms and explosives, and a local law enforcement agency.”~~

~~c~~

~~(1) Each citation in NFPA 495 to the following codes shall mean the edition adopted by reference in Chapter 16.05 of the Olathe Municipal Code:~~

~~(A) NFPA 13, “standard for the installation of sprinkler systems”; and~~

~~(B) NFPA 70, “national electric code.”~~

~~(2) Each citation in NFPA 495 to the following codes shall mean the edition adopted by reference in Chapter 16.05 of the Olathe Municipal Code:~~

~~(A) NFPA 1123, “code for fireworks display”;~~

~~(B) NFPA 1124, “code for the manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles”; and~~

~~(C) NFPA 1126, “standard for the use of pyrotechnics before a proximate audience.”~~

~~(3) Each citation of NFPA 1, “fire code,” shall be replaced by “the 2012 International Fire Code (IFC) as adopted by reference in Chapter 16.05 of the Olathe Municipal Code.”~~

~~(4) Each citation of NFPA 5000, “building construction and safety code,” shall be replaced by “the 2012 International Building Code (IBC) as adopted by reference in Chapter 15.02 of the Olathe Municipal Code.”~~

~~(d) 27 C.F.R. part 555, subpart G, as in effect on April 27, 2012, is hereby adopted by reference, with the following modifications:~~

~~(1) 27 C.F.R. 555.121(b), 555.122, 555.123(f), 555.124(f), 555.125(a), (b)(2), and (b)(6), 555.126, and 555.129 are not adopted.~~

~~(2) In 27 C.F.R. 555.121(c), the last sentence shall be deleted.~~

~~(3) In 27 C.F.R. 555.127, all text after “end of the day” shall be deleted.~~

~~(4) In 27 C.F.R. 555.128, the last sentence shall be replaced with the following sentence: “Copies of the records shall be delivered to the office of the state fire marshal within 30 days following the discontinuance of the business or operations.”~~

~~(5) Wherever the term “Director, Industry Operations” appears in subpart G, this term shall be replaced with “state fire marshal.”~~

~~(6) Each reference to a “licensed manufacturer” shall mean a “person with a state manufacturer permit.” Each reference to a “licensed dealer” shall mean a “person with a state distributor permit.”~~

~~(7) Each reference to a “limited permit” shall be deleted.~~

~~(e) Each existing user permit and each existing blaster permit issued by the state fire marshal shall be deemed valid and shall remain effective until the permit’s expiration date, unless the permit is revoked or suspended before then.”~~

SECTION SIX: Section 16.05.065 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.065 Subsection [A] 102.13 Added - Home child daycares.

Subsection [A] 102.13 is hereby added to the International Fire Code and shall read as follows.

[A] 102.13 – Home child daycares. Home child daycares shall meet the requirements of the Johnson County, Kansas Home Daycare Handbook – ~~2013~~2018 Edition. These homes shall be inspected and approved by the Fire Department before children are allowed to occupy the home. The home shall be inspected by the Fire Department at least once every two years following the initial inspection.”

SECTION SEVEN: Section 16.05.070 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.070 Section 103.1 ~~Deleted~~Amended – Department of Fire Prevention.

Section 103.1 of the International Fire Code is hereby ~~deleted~~ amended to read as follows.

[A] 103.1 – General. The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The Community Risk Reduction Section – Fire Prevention Division within the Olathe Fire Department shall be established as the department of fire prevention where referenced by this Code. The function of the Division shall be the implementation, administration and the enforcement of the provisions of this Code.”

SECTION EIGHT: Section 16.05.075 is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.075 Subsection [A] 105.1.7 Added – County license required.

Subsection [A] 105.1.7 is hereby added to the International Building Code and shall read as follows:

[A] 105.1.7 County license required. All persons undertaking work which requires a permit as provided in Section 105.7, or seeking to obtain that permit from the City, are required to have a currently valid Johnson County contractor’s license. That County license shall have been issued by the County in accordance with the provisions of the Johnson County Contractors Licensing Program and the Contractor Licensing Regulations adopted by the Board of County Commissioners by Resolution 058-01 on August 9, 2001, and any regulations subsequently adopted by the

Contractor Licensing Review Board as authorized by said County Licensing Regulations, as said Resolution and regulations may be amended from time to time by said Boards.

Exceptions:

1. The owner of a single-family dwelling shall be allowed to secure a permit to construct, alter, or repair said home provided the following conditions are met:

A. The homeowner currently occupies the dwelling or will occupy the residence once the construction has been completed.

B. The homeowner undertakes the work themselves.

2. The Fire Code Official may waive the provisions of this section where it can be established that no license exists for the installation, alteration, or repair of a certain type of work requiring a permit, or due to other unique circumstances.

SECTION NINE: Section 16.05.101 is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.101 Section 105.6 Amended – Required operational permits.

Section 105.6 of the International Fire Code is hereby deleted and replaced with a new Section 105.6 to read as follows.

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.6.

105.6.1 Amusement buildings. An operational permit is required to operate a special amusement building.

105.6.2 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 56.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

105.6.3 Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in

excess of the amounts listed in Table 105.6.3 and as described in this section. Hazardous materials permits shall be posted in a conspicuous location on the premises. A hazardous materials permit will be issued by the Fire Department on an annual basis.

TABLE 105.6.3
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

<u>TYPE OF MATERIAL</u>	<u>AMOUNT</u>
<u>Combustible Liquids</u>	<u>See Section 105.6.3.3</u>
<u>Corrosive Materials</u>	
<u>Gases</u>	<u>See Section 105.6.3.1</u>
<u>Liquids</u>	<u>55 gallons</u>
<u>Solids</u>	<u>1000 pounds</u>
<u>Cryogenic Fluids</u>	<u>See Section 105.6.3.2</u>
<u>Explosive Materials</u>	<u>See Section 105.5.2</u>
<u>Flammable Materials</u>	
<u>Gases</u>	<u>See Section 105.6.3.1</u>
<u>Liquids</u>	<u>See Section 105.6.3.3</u>
<u>Solids</u>	<u>100 pounds</u>
<u>Highly Toxic Materials</u>	<u>Any amount</u>
<u>Organic Peroxides</u>	
<u>Liquids</u>	
<u>Class I</u>	<u>Any amount</u>
<u>Class II</u>	<u>Any amount</u>
<u>Class III</u>	<u>1 gallon</u>
<u>Class IV</u>	<u>2 gallons</u>
<u>Class V</u>	<u>No permit required</u>
<u>Solids</u>	
<u>Class I</u>	<u>Any amount</u>
<u>Class II</u>	<u>Any amount</u>
<u>Class III</u>	<u>10 pounds</u>
<u>Class IV</u>	<u>20 pounds</u>
<u>Class V</u>	<u>No permit required</u>
<u>Oxidizing Materials</u>	
<u>Gases</u>	<u>See Section 105.6.3.1</u>
<u>Liquids</u>	
<u>Class 4</u>	<u>Any amount</u>
<u>Class 3</u>	<u>1 gallon</u>
<u>Class 2</u>	<u>10 gallons</u>
<u>Class 1</u>	<u>55 gallons</u>
<u>Solids</u>	
<u>Class 4</u>	<u>Any amount</u>
<u>Class 3</u>	<u>10 pounds</u>

<u>Class 2</u>	<u>100 pounds</u>
<u>Class 1</u>	<u>500 pounds</u>
<u>Pyrophoric Materials</u>	<u>Any amount</u>
<u>Toxic Materials</u>	
<u>Gases</u>	<u>See Section 105.6.3.1</u>
<u>Liquids</u>	<u>10 gallons</u>
<u>Solids</u>	<u>100 pounds</u>
<u>Unstable (Reactive Materials)</u>	
<u>Liquids</u>	
<u>Class 4</u>	<u>Any amount</u>
<u>Class 3</u>	<u>Any amount</u>
<u>Class 2</u>	<u>5 gallons</u>
<u>Class 1</u>	<u>10 gallons</u>
<u>Solids</u>	
<u>Class 4</u>	<u>Any amount</u>
<u>Class 3</u>	<u>Any amount</u>
<u>Class 2</u>	<u>50 pounds</u>
<u>Class 1</u>	<u>100 pounds</u>
<u>Water Reactive Materials</u>	
<u>Liquids</u>	-
<u>Class 3</u>	<u>Any Amount</u>
<u>Class 2</u>	<u>5 gallons</u>
<u>Class 1</u>	<u>55 gallons</u>
<u>Solids</u>	
<u>Class 3</u>	<u>Any amount</u>
<u>Class 2</u>	<u>50 pounds</u>
<u>Class 1</u>	<u>500 pounds</u>

105.6.3.1 Compressed gases. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in Table 105.6.3.1.

Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

TABLE 105.6.3.1
PERMIT AMOUNTS FOR COMPRESSED GASES

<u>TYPE OF GAS</u>	<u>AMOUNT</u> <u>(cubic feet at NTP)</u>
<u>Carbon dioxide used in enrichment systems</u>	<u>875 (100 lbs.)</u>

<u>Carbon dioxide used in insulated liquid carbon dioxide beverage dispensing applications</u>	<u>875 (100 lbs.)</u>
<u>Corrosive</u>	<u>200</u>
<u>Flammable (except cryogenic fluids and liquefied petroleum gases)</u>	<u>200</u>
<u>Highly toxic materials</u>	<u>Any amount</u>
<u>Inert and simple asphyxiant</u>	<u>6,000</u>
<u>Oxidizing (including oxygen)</u>	<u>504</u>
<u>Pyrophoric</u>	<u>Any amount</u>
<u>Toxic materials</u>	<u>Any amount</u>

105.6.3.2 Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.3.2.

Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

TABLE 105.6.3.2
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS

<u>TYPE OF CRYOGENIC MATERIAL</u>	<u>INSIDE BUILDING (GALLONS)</u>	<u>OUTSIDE BUILDING (GALLONS)</u>
<u>Flammable</u>	<u>More than 1</u>	<u>60</u>
<u>Inert</u>	<u>60</u>	<u>500</u>
<u>Oxidizing (including oxygen)</u>	<u>10</u>	<u>50</u>
<u>Physical or health hazard not indicated above</u>	<u>Any Amount</u>	<u>Any Amount</u>

105.6.3.3 Flammable and combustible liquids. An operational permit is required:

1. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:

1.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.

1.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

2. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

3. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.

105.6.3.4 HPM facilities. An operational permit is required to store, handle or use hazardous production materials.

105.6.3.5 LP-gas. An operational permit is required for the storage and use of LP-gas.

Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3.

105.6.4 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors.

Exception: A valid permit from a county or metropolitan Kansas City area mobile food preparation vehicle inspection program may be approved by the fire code official in lieu of a separate City permit.

105.6.5 Open burning. 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 obtained and submitted to the Olathe Fire Department before the fire is set and shall be in such form and contain such information as required by the Fire Department.

Exception: Recreational fires.

105.6.6 Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure, a temporary special event structure or a tent having an area in excess of 900 square feet.

SECTION TEN: Section 16.05.135 is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.135 Section 109 Amended – Board of Appeals

Section 109 of the International Fire Code is amended to read as follows:

SECTION 109
BOARD OF APPEALS

[A] 109.1 Board of Appeals established. An application for appeals of orders, decisions or determinations made by the fire code official shall be made to the Board of Code Review as established in Olathe Municipal Code Section 15.02.210.

Sections 109.2 and 109.3 of the International Fire Code are hereby deleted.”

SECTION ELEVEN: Section 16.05.140 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.140 Section [A] ~~109~~110.4 Amended – Violation penalties.

Section [A] ~~109~~110.4 of the International Fire Code is hereby amended to read as follows:

[A] ~~109~~110.4 Violation Penalties. 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, repair or do work in violation of the approved construction documents or directive of the fire code official, shall be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred Dollars (\$500), or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

SECTION TWELVE: Section 16.05.145 is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.145 Section [A] 112.4 Amended – Unlawful continuance

Section [A] 112.4 of the International Fire Code is amended to read as follows.

[A] 112.4 Unlawful continuance. 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 subject to penalties as prescribed by law.”

SECTION THIRTEEN: Section 16.05.150 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.150 Section 307 Amended – Open burning, Recreational Fires and Portable Outdoor Fireplaces.

Section 307 of the International Fire Code is hereby amended to read as follows:

SECTION 307

OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5.

307.1.1 Prohibited open burning. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

Exception: Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the fire code official.

307.1.2 Nature of material being burned. Open burning is limited to natural and ordinary combustible materials. The burning of heavy smoke producing materials, including leaves, is prohibited. No processed or demolition debris construction wood products shall be burned.

307.1.3 Meteorological conditions. Open burning shall not be initiated until at least one hour after sunrise and shall be extinguished at least two hours prior to sunset. Burning shall be restricted to periods when surface wind speed is ~~more than 5 m.p.h. and~~ less than 15 m.p.h.

~~307.1.4 Commercial open burning operations. All commercial open burning permits will be required to have an air curtain destructor and pit.~~

307.1.5.4 Open burning operations near airports. All burning operations within 1 mile of an airport must obtain approval from the airport authority prior to the burning.

307.1.5 Commercial open burning operations. Commercial open burning is defined as burning conducted on a commercial property, not including agricultural open burning described in 307.1.7. All commercial open burning permits will be required to have an air curtain destructor and pit.

307.1.6 Agricultural open burning operations. Agricultural burning is defined as the burning of vegetation such as grass, woody species, crop residue and other dry plant growth for agricultural purposes. **307.1.7 Residential open burning operations.** Residential open burning is defined as burning land clearance materials on a one- or two-family residential property.

307.1.7 Residential open burning operations. Residential open burning is defined as burning land clearance materials on a one- or two-family residential property.

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application of such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Exception. Permits are not required for recreational fires or portable outdoor fireplaces used in accordance with the manufacturer's instructions. Fires exempt from permits must still comply with Sections 307.1.2, 307.3, 307.4 and 307.5.

307.2.1 Authorization. Where required by state or local law or regulation, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed. Approvals from the Johnson County Health and Environment – Air Quality Division shall be included with the burn permit application where applicable.

307.2.2 Permit validity. Open burning permits have an operational period of up to three (3) days as noted on the permit unless restricted by state or local authorities. Permits shall not be transferable.

307.3 Extinguishment authority. When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.

307.4 Location. The location for open burning shall not be less than distances specified in Section 307.4 for the type of open burn being conducted.

307.4.1 Residential open burning. The location for residential open burning shall not be less than one hundred (100) feet from any structure, vehicle, fence or public roadway. The open burning shall not be within two hundred (200) feet of any structure which is not on the same property.

Exception: Fires in approved containers that are not less than thirty (30) feet from a structure or public roadway; and not less than one hundred (100) feet from any structure which is not on the same property.

~~2. The minimum required distance from a structure or public roadway shall be fifty (50) feet where the pile size is three (3) feet or less in diameter and two (2) feet or less in height.~~

307.4.12 Commercial open burning. The location for commercial open burning shall not be less than ~~one thousand~~ five hundred (4,000 500) feet from any structure or public roadway, and provisions shall be made to prevent the fire from spreading to within ~~one thousand~~ five hundred (4,000 500) feet from any structure or public roadway.

307.4.3 Agricultural open burning. The location for agricultural open burning shall not be less than two hundred (200) feet from any structure or public roadway, and provisions shall be made to prevent the fire from spreading to within two hundred (200) feet of any structure or roadway.

Exception. Where it is not feasible to maintain agricultural burning two hundred (200) feet from public roadways or structures on the same property, the fire code official shall have the authority to reduce setback requirements for special cases after verifying that adequate safety controls are in place.

307.4.2 Bonfires. A bonfire shall not be conducted within fifty (50) feet of a structure, public road or combustible material. Conditions which could cause a fire to spread within fifty (50) feet of a structure, public road or combustible material shall be eliminated prior to ignition. Bonfire dimensions shall not exceed six (6) feet in diameter and six (6) feet in height.

307.4.3 Recreational fires. Recreational fires shall not be conducted within twenty-five (25) feet of a structure or combustible material. Conditions which would cause a fire to spread within twenty-five (25) feet of a structure or combustible material shall be eliminated prior to ignition.

307.4.4 Portable outdoor fireplaces and firepits, Portable outdoor fireplaces and firepits shall be used in accordance with the manufacturer's instructions and shall not be operated on a combustible deck or within fifteen (15) feet of a structure or combustible material.

Exception: Portable outdoor fireplaces and firepits used at one- and two-family dwellings shall be used in accordance with the manufacturer's instructions.

307.5 Attendance. Open burning, bonfires, recreational fires and the use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one (1) portable fire extinguisher complying with

Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

SECTION FOURTEEN: Section 16.05.155 is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.155 Subsection 308.1.4 Amended – Open-flame cooking devices

Subsection 308.1.4 of the International Fire Code is hereby amended to read as follows.

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be stored or operated on combustible balconies or within ten (10) feet of combustible construction.

Exceptions:

1. Cooking equipment associated with one- and two-family dwellings and townhomes.

2. Other than one-and two-family dwellings and townhomes, where buildings, balconies and decks are protected by an automatic sprinkler system, gas fueled cooking devices are permitted.”

SECTION FIFTEEN: Section 16.05.175 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.175 Subsection 310.7.1 Added - Smoke receptacles required

Subsection 310.7.1 of the International Fire Code is hereby added and shall read as follows.

310.7.1 Smoking receptacles required. Owners of commercial and multi-family properties, where smoking is permitted, shall be responsible for providing approved receptacles for discarding smoking materials in locations approved by the fire code official.”

SECTION SIXTEEN: Section 16.05.180 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.180 Subsection 312.1.1 4 Added – Protection of utility equipment.

Subsection 312.1.14 is hereby added to the International Fire Code and shall read as follows:

312.4.14 Protection of utility equipment. Where meters and equipment supplying electricity or fuel gas are located adjacent to parking spaces or vehicular driveways, they shall be protected from physical damage.”

SECTION SEVENTEEN: Section 16.05.185 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.185 Table 315.7.6(1) Amended – Separation distance between wood pallet stacks and buildings.

Table 315.7.6(1) of the International Fire Code is hereby amended to read as follows.

TABLE 315.7.6(1)
SEPARATION DISTANCE BETWEEN WOOD PALLET STACKS AND BUILDINGS

<u>WALL CONSTRUCTION</u>	<u>OPENING TYPE</u>	<u>WOOD PALLET SEPARATION DISTANCE (feet)</u>		
		<u>≤ 50 PALLETS</u>	<u>51-200 PALLETS</u>	<u>>200 PALLETS</u>
<u>Masonry</u>	<u>None</u>	<u>2</u>	<u>2</u>	<u>2</u>
<u>Masonry</u>	<u>Fire-rated glazing with open sprinklers</u>	<u>2</u>	<u>5</u>	<u>20</u>
<u>Masonry</u>	<u>Fire-rated glazing</u>	<u>10</u>	<u>15</u>	<u>20</u>
<u>Masonry</u>	<u>Plain glass with open sprinklers</u>	<u>10</u>	<u>15</u>	<u>20</u>
<u>Noncombustible</u>	<u>None</u>	<u>10</u>	<u>15</u>	<u>20</u>
<u>Wood with open sprinklers</u>	<u>---</u>	<u>10</u>	<u>15</u>	<u>20</u>
<u>Wood with open sprinklers</u>	<u>None</u>	<u>15</u>	<u>30</u>	<u>90</u>
<u>Any</u>	<u>Plain glass</u>	<u>15</u>	<u>30</u>	<u>90</u>

SECTION EIGHTEEN: Section 16.05.190 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.190 Section 403.3 12.3 Amended – Crowd managers.

Section 403.12.3 of the International Fire Code is hereby amended to read as follows:

403.12.3 Crowd managers. Where facilities or events involve a gathering of more than 1000 people, crowd managers shall be provided by the property owner, occupant or event organizer in accordance with Sections 403.12.3.1 through 403.12.3.3.

Exception: The fire code official may, based on the nature of the event, require the owner or event organizer to use fire department personnel as crowd managers.

403.12.3.1 Number of crowd managers. Not fewer than four trained crowd managers, and not fewer than one trained crowd manager for each 250 persons or portion thereof, shall be provided for the gathering.

Exceptions:

1. Where approved by the fire code official, open-air outdoor events with open egress in any direction, and no restriction of access or egress, such as fences or barricades, do not require crowd managers.

2. The number of crowd managers is permitted to be reduced where, in the opinion of the fire code official, the fire protection provided by the facility and the nature of the event warrant a reduction.

403.12.3.2 Training. Training for crowd managers shall be approved.

403.12.3.3 Duties. The duties of crowd managers shall include, but not be limited to:

1. Conduct an inspection of the area of responsibility and identify and address any egress barriers.

2. Conduct an inspection of the area of responsibility to identify and mitigate any fire hazards.

3. Verify compliance with all permit conditions, including those governing pyrotechnics and other special effects.

4. Direct and assist the event attendees in evacuation during an emergency.

5. Assist emergency response personnel where requested.

6. Other duties required by the fire code official.

7. Other duties as specified in the fire safety plan.

~~403.3 Crowd managers. Trained crowd managers shall be provided for facilities or events where more than one thousand (1,000) persons congregate. The minimum number of crowd managers shall be established at a ratio of one crowd manager to every two hundred fifty (250) persons.~~

~~Where approved by the fire code official, the ratio of crowd managers shall be permitted to be reduced where the facility is equipped throughout with an approved automatic sprinkler system or based upon the nature of the event. The fire code official may, based on the nature of the event, require the event to use Fire Department personnel as crowd managers.”~~

SECTION NINETEEN: Section 16.05.192 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.192 Section 405.2 Exception Added – Emergency Drills in Public Schools

Section 405.7 Exception is hereby added to the International Fire Code and shall read as follows.

Exception: Group E occupancies conducting fire, emergency and tornado drills in accordance with K.A.R. 22-18.2.”

SECTION TWENTY: Section 16.05.194 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.194 Section 407.5 Amended – Hazardous Materials Inventory Statement

Section 407.5 of the International Fire Code is amended to read as follows.

407.5 Hazardous Materials Inventory Statement. Permit applications for Group H occupancies or facilities requiring an operational permit for hazardous materials as described by Section 105.6 shall include a Hazardous Materials Inventory Statement (HMIS) in accordance with Section 5001.5.2.”

SECTION TWENTY-ONE: Section 16.05.196 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.196 Section 407.6 Amended – Hazardous Materials Management Plan

Section 407.6 of the International Fire Code is amended to read as follows.

407.6 Hazardous Materials Management Plan. Permit applications for Group H occupancies or facilities requiring an operational permit for hazardous materials as described by Section 105.6 shall include a Hazardous Materials

Management Plan (HMMP) in accordance with Section 5001.5.1. The fire code official is authorized to accept a similar plan required by other regulations.

SECTION TWENTY-TWO: Section 16.05.198 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.198 Section 503.1 Amended – Fire apparatus access roads

Section 503.1 of the International Fire Code is amended to read as follows.

503.1 Where required. Fire apparatus access roads shall be provided, constructed and maintained in accordance with this Section and Appendix D.”

SECTION TWENTY-THREE: Section 16.05.200 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.200 Section 503.3.1 Marking.

Subsection 503.3.1 is hereby added to ~~of~~ the International Fire Code ~~is hereby amended and shall to~~ read as follows:

~~503.3 Marking. Where required by the Fire Department, 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 be replaced or repaired when necessary to provide adequate visibility.~~

503.3.1 Marking requirements. ~~Each separate f~~ Fire lane signage, which may consist of one sign or a combination of signs, shall ~~have a cumulative minimum size of ninety six (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~~ 48 inches (~~2'8 4' 0"~~) to ~~seven feet zero~~ 84 inches (7'0") 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 (6') of the curb or pavement and are required to face or run parallel with oncoming vehicular traffic. The sign or combinations of signs may be mounted on the building, pole base or any other structure provided the signage meets the setback and height requirements indicated above. The sign or combination of signs are required to be spaced no more than one hundred feet (100') apart. In addition, the curb, or pavement if a curb is absent, is required to be marked with a solid yellow stripe that runs the entire length of the fire lane.

Furthermore, ~~the~~ exceeding ~~of any~~the standards intended to inform the public of the location of a fire lane shall not affect the enforcement of this section.

SECTION TWENTY-FOUR: Section 16.05.205 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.205 Section 503.6 Amended – Security gates

Section 503.6 of the International Fire Code is hereby amended to read as follows:

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official and shall have an approved means of emergency operation. The gates and emergency operation shall be maintained operational and shall comply with the following.

1. Where electrically or mechanically controlled, gates shall be capable of being operated to the full open position by emergency responders under normal power and during a loss of power to the operating mechanism.

2. Electrical or mechanical operated gates shall be capable of being unlocked or opened with an approved fire department “Knox” county keyed cylinder installed at an accessible location on the entry side of the gate. The operated switch shall bypass the release mechanism to allow the gate to be operated by emergency response personnel.

3. In addition to an approved key cylinder operation device, gates shall be equipped with audible release mechanism to operate with an emergency siren yelp tone.

4. Keypads or other entry devices installed on gates shall not interfere with the operation of either the approved key cylinder or emergency response audible release.”

SECTION TWENTY-FIVE: Section 16.05.210 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.210 Subsection 505.1.1 ~~Added~~AmendedSecondary address numbers
Address identification.

~~Subsection 505.1.1 is hereby added to of~~ the International Fire Code is hereby amended and shall read as follows:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Where required by the fire official, the address numbers shall be illuminated by an approved light source. The fire code official is authorized to require address identification in additional approved locations to facilitate emergency response. Address identification shall be maintained.

505.1.1 Address identification characters. Address characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than four (4) inches high with a minimum stroke width of 1/2 inch for residential occupancies. Each character shall be not less than six (6) inches high with a minimum stroke width of one (1) inch for commercial occupancies.

505.1.42 Secondary address numbers. Multi-tenant retail shopping centers in which tenant spaces have secondary entry doors from the 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 (4") in height.

505.1.3 Buildings under construction. Prior to beginning construction of any building for which an address number is required, numbers shall be posted in a conspicuous place on the front of the lot and shall be maintained throughout construction until the permanent address numbers are installed.

SECTION TWENTY-SIX: Section 16.05.212 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.212 Section 506.1 Amended – Where required.

Section 506.1 of the International Fire Code is hereby amended to read as follows. Subsections 506.1.1 and 506.1.2 are retained as written.

506.1 Where required. Where access to or within a new or existing structure or area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. Approved key boxes are required to be installed on any building that has a fire alarm system and/or a fire suppression system that is monitored by an approved central station. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. Location and mounting height shall be coordinated with the fire code official."

SECTION TWENTY-SEVEN: Section 16.05.215 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

16.05.215 Subsection 507.1.1 Added – Water distribution system impairment

Subsection 507.1.1 is hereby added to the International Fire Code and shall read as follows.

507.1.1 Water distribution system impairment. Water districts serving areas within the City of Olathe shall notify the fire code official and the Emergency Communications Center of any impairment in their water distribution system; including repairs, main breaks, pump failures or other interruptions of water supply that may affect water supply for fire control purposes."

SECTION TWENTY-EIGHT: Section 16.05.217 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

"16.05.217 Subsection 507.5.1 Amended – Fire hydrant systems.

Subsection 507.5.1.1 of the International Fire Code is hereby amended and shall read as follows:

507.5.1.1 Hydrant for fire department connections. Buildings equipped with a fire sprinkler or standpipe system installed in accordance with Section 903 or 905 respectively shall have a fire hydrant within 100 feet of the fire department connection(s).

Exception: The distance shall be permitted to exceed 100 feet for special cases where approved by the fire code official."

SECTION TWENTY-NINE: Section 16.05.220 of the Olathe Municipal Code is hereby amended to read as follows:

"16.05.220 Subsection 507.5.2-17 Added – Hydrants—ColorFire hydrant color.

Subsection 507.5.~~2.4.7~~ is hereby added to the International Fire Code and shall read as follows:

507.5.~~2.4.7~~ Hydrants – Color. All hydrants shall be painted and highly visible. Public hydrants shall comply with the color specifications of the responsible water district. Private fire hydrants shall be painted red in color.”

SECTION THIRTY: Section 16.05.250 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.250 Subsection 901.4.5.1 ~~Amended~~Added–Appearance—of equipment Nonoperational equipment.

Subsection 901.4.5.1 ~~of is hereby added to~~ the International Fire Code ~~is hereby amended to~~ and shall read as follows:

901.4.5 Nonoperational equipment. Any fire protection equipment that is no longer required and has been approved for removal from service by the fire code official ~~in service~~ shall be removed from the building or structure.”

SECTION THIRTY-ONE: Section 16.05.260 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.260 Subsection 901.4.7 Added – Existing installations – supervision.

Subsection 901.4.7 is hereby added to the International Fire Code and shall read as follows:

901.4.7 Existing installations – supervision. All existing fire suppression and fire alarm systems shall be supervised in conformance with Sections 903.4 and 907.~~96.6~~.”

SECTION THIRTY-TWO: Section 16.05.270 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.270 Subsection 901.6.3.2 Added – Test documentation.

Subsection 901.6.3.2 is hereby added to the International Fire Code and shall read as follows:

901.6.3.2 Test documentation. When required inspection, testing or maintenance occurs on any existing fire protection system, applicable testing documentation shall be submitted to the fire code official within thirty (30) days of completion through an approved third-party inspection reporting system. Reporting parties ~~shall pay any~~ are responsible for fees associated with ~~that service~~ record of submission to the City’s third-party service provider.”

SECTION THIRTY-THREE: Section 16.05.280 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.280 Subsection 901.6.4 Added – Qualifications of inspection, testing and maintenance personnel.

Subsection 901.6.4 is hereby added to the International Fire Code and shall read as follows:

901.6.4 Qualifications of inspection, testing and maintenance personnel. All personnel performing **any** inspection, testing or maintenance of any fire protection system shall be qualified. Where such inspection, testing and maintenance is performed by an outside service company, the company shall be appropriately licensed in accordance with the Office of the Kansas State Fire Marshal.”

SECTION THIRTY-FOUR: Section 16.05.282 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.282 Subsection 903.2.9(6) Added – Group S-1 self-service storage automatic sprinkler system.

Subsection 903.2.9(6) is hereby added to the International Fire Code and shall read as follows:

6. A Group S-1 self-service storage facility (mini-storage) exceeds 2,500 square feet (232m²)”

SECTION THIRTY-FIVE: Section 16.05.284 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.284 Subsection 903.3.1.2.1 Amended – Balconies and decks

Subsection 903.3.1.2.1 of the International Fire Code is hereby amended to read as follows:

[F] 903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units and sleeping units, regardless of construction type, provided that there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

SECTION THIRTY-SIX: Section 16.05.285 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.285 Subsection 903.3.1.2.3 Amended – Attics

Subsection 903.3.1.2.3 of the International Fire Code is hereby amended to read as follows.

903.3.1.2.3 Attics. Attic protection shall be provided as follows:

1. Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.

2. Where fuel-fired equipment is installed in an unsprinklered attic, not fewer than one (1) quick-response intermediate temperature sprinkler shall be installed above the equipment.

3. Where located in a building of Type III, Type IV or Type V construction, attics shall comply with one of the following:

3.1. Provide automatic sprinkler system protection.

3.2. Construct the attic using noncombustible materials.

3.3. Construct the attic using fire-retardant-treated wood complying with Section 2303.2 of the International Building Code.

3.4. Fill the attic with noncombustible insulation.”

SECTION THIRTY-SEVEN: Section 16.05.286 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.286 Subsection 903.3.1.2.4 Added – Attached garages

Subsection 903.3.1.2.4 is hereby added to the International Fire Code and shall read as follows:

903.3.1.2.4 Attached garages. Fire sprinkler protection shall be provided in attached garages.”

SECTION THIRTY-EIGHT: Section 16.05.288 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.288 Subsection 903.3.1.3.1 Added – Attached garages

Subsection 903.3.1.3.1 is hereby added to the International Fire Code and shall read as follows:

903.3.1.3.1 Attached garages. Fire sprinkler protection shall be provided in attached garages.”

SECTION THIRTY-NINE: Section 16.05.289 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.289 Subsection 903.3.5.3 Added – Main Control Valves

Subsection 903.3.5.3 is hereby added to the International Fire Code and shall read as follows.

903.3.5.3 Main control valves. Water supply lines for automatic sprinkler systems shall be provided with a control valve located on the riser. The valve shall be capable of isolating the underground fire service main from the automatic sprinkler system.

903.5.3.3.1 Main control valve access. The main control valve shall be accessible. To be considered accessible, a clear space 3 feet by 3 feet by 7 feet high shall be provided in front of the valve. Access to the clear space shall be provided by an unobstructed aisle not less than 3 feet wide and 7 feet high. The valve shall be operable from the floor level.”

SECTION FORTY: Section 16.05.290 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.290 Subsection 903.4.1 Amended – Monitoring.

Subsection 903.4.1 of the International Fire Code is hereby amended to read as follows:

903.4.1 Monitoring. 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 fire code official, shall sound an audible signal at a constantly attended location. The fire alarm system installed to transmit such signals shall be considered a building fire alarm system and shall be documented as a UL-certificated central station service system. In occupancies required to be equipped with a fire alarm system, the control and backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

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.~~

3. Backflow prevention device valves located in an exterior, underground vault may be chained and locked in the open position in lieu of electronic tamper switches where approved by the fire code official."

SECTION FORTY-ONE: Section 16.05.300 of the Olathe Municipal Code is hereby amended to read as follows:

"16.05.300 Subsection 903.4.2 Amended – Alarms.

Subsection 903.4.2 of the International Fire Code is hereby amended to read as follows:

903.4.2 Alarms. One all-weather horn/strobe shall be connected to every automatic sprinkler system on the exterior of the building above the Fire Department connection or in an approved location. 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. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Interior alarm notification appliances shall be installed as required by Section 903.4.2.1.

903.4.2.1 ~~Notification devices~~ Waterflow alarm notification. Where an automatic fire sprinkler system is installed in a building; and a fire alarm system is not otherwise required by this code, an occupant notification system shall be provided in accordance with 907.5. ~~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 sound pressure level throughout the building.~~

~~2. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.~~

Exceptions:

1.3. Visible notification devices can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

2. ~~Exception:~~ The requirements of this section do not apply to Group R-3 occupancies.

SECTION FORTY-TWO: Section 16.05.305 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.305 Subsection 903.4.3 Amended – Floor control valves

Subsection 903.4.3 of the International Fire Code is hereby amended to read as follows:

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor for buildings three (3) or more stories in height.”

SECTION FORTY-THREE: Section 16.05.340 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.340 Subsection Section 912.3.4 ~~Added — Fire Department connections.~~ Amended Fire hose connections.

~~Subsection~~ Section 912.3.4 ~~is hereby added to~~ of the International Fire Code is hereby amended and shall read as follows:

912.3.4 Fire ~~Department connections~~ hose connections. The fire department connection shall be a four inch (4") Storz quick coupling connector.”

SECTION FORTY-FOUR: Section 16.05.341 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.341 Section 912.4 Amended – Access

Section 912.4 of the International Fire Code is hereby amended to read as follows.

912.4 Access – Immediate access to fire department connections, not less than 3-feet in width, shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be approved by the fire code official.

SECTION FORTY-FIVE: Section 16.05.351 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.351 Subsection 1103.5.1 – Group A-2

Subsection 1103.5.1 of the International Fire Code is hereby amended to read as follows.

1103.5.1 Group A-2. Where alcoholic beverages are consumed in a Group A-2 occupancy having an occupant load of 300 or more, the fire area containing the Group A-2 occupancy shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1. The sprinkler system shall be installed and in service by December 31, 2020.”

SECTION FORTY-SIX: Section 16.05.361 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.361 Subsection 1103.5.1 – Group I-2

Subsection 1103.5.1 of the International Fire Code is hereby amended to read as follows.

1103.5.3 Group I-2, Condition 2. In addition to the requirements of Section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. The automatic sprinkler system shall be installed and in service by December 31, 2020.”

SECTION FORTY-SEVEN: Section 16.05.370 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.370 Section 1104.24 Deleted – Egress path markings.

Section 1104.24 of the International Fire Code is hereby deleted.”

SECTION FORTY-EIGHT: Section 16.05.373 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.373 Section 3103.2 – Amended - Approval required

Section 3103.2 of the International Fire Code is hereby amended to read as follows.

3103.2 Approval required. 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 fire code official.”

SECTION FORTY-NINE: Section 16.05.375 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.375 Section 3310.1 Amended – Access for firefighting

Section 3310.1 of the International Fire Code is hereby amended to read as follows.

3310.1 Required access. Approved vehicle access for firefighting shall be provided to all construction or demolition sites and shall be available for use before vertical construction begins. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections provided in accordance with Section 3313. For buildings or facilities without construction standpipes, vehicle access shall be provided as required by Section 5.3.1.1. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

Exception: The fire code official is authorized to reduce temporary access requirements for projects of Type I or Type II construction."

SECTION FIFTY: Section 16.05.377 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

"16.05.377 Section 5607.4 Amended – Restricted hours

Section 5607.4 of the International Fire Code is hereby amended to read as follows.

5607.4 Restricted hours. Surface-blasting operations shall only be conducted between 8:30 a.m. and 4:30 p.m., Monday through Friday. Blasting may be permitted on Saturday with the approval of the fire code official."

SECTION FIFTY-ONE: Section 16.05.381 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

"16.05.381 Subsection 5704.2.13.1 Amended – Underground tanks out of service for one year.

Subsection 5704.2.13.1 of the International Fire Code is hereby amended to read as follows.

5704.2.13.1 Underground tanks. Underground tanks taken out of service shall comply with Sections 5704.2.13.1.1 through 5704.2.13.1.4.

5704.2.13.1.1 Temporarily out of service. Underground tanks temporarily out of service shall have the fill line, gauge opening, vapor return and pump connection secure against tampering. Vent lines shall remain open and be maintained in accordance with Sections 5704.2.7.3 and 5704.2.7.4.

5704.2.13.1.2 Out of service for 90 days. Underground tanks not used for a period of 90 days shall be safeguarded in accordance with all the following or be removed in accordance with Section 5704.2.14:

1. Flammable or combustible liquids shall be removed from the tank.
2. All piping, including fill line, gauge opening, vapor return and pump connection, shall be capped or plugged and secured from tampering.
3. Vent lines shall remain open and be maintained in accordance with Sections 5704.2.7.3 and 5704.2.7.4.

5704.2.13.1.3 Out of service for one year. Underground tanks that have been out of service for a period of one year or more shall be removed from the ground in accordance with Section 5704.2.14.

5704.2.13.1.4 Reinstallation of underground tanks. Tanks that are to be reinstalled for flammable or combustible liquid service shall be in accordance with this chapter, ASME Boiler and Pressure Vessel Code (Section VIII), API 12-P, API 1615, UL 58 and UL 1316.”

SECTION FIFTY-TWO: Section 16.05.385 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.385 Establishment of Limitations on Flammable Cryogenic Fluids.

The limits referred to in Section 5806.2 of the International Fire Code in which storage of flammable cryogenic fluids in stationary containers is prohibited are established as follows: any residential, commercial, or M-1 zoning district.

SECTION FIFTY-THREE: Section 16.05.405 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

“16.05.405 Table D103.4 Amended – Requirements for dead-end fire apparatus roads

Table D103.4 of the International Fire Code is hereby amended to read as follows:

TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS
ROADS

<u>LENGTH</u> <u>(ft)</u>	<u>WIDTH</u> <u>(ft)</u>	<u>TURNAROUNDS REQUIRED</u> <u>IN ACCORDANCE WITH FIGURE D103.1</u>
<u>0-150</u>	<u>20</u>	<u>None Required</u>
<u>151-500</u>	<u>20</u>	<u>120-ft Hammerhead, or</u> <u>60-ft "Y", or</u> <u>78-ft diameter cul-de-sac without island, or</u> <u>96-ft diameter cul-de-sac with island</u>
<u>501-750</u>	<u>26</u>	<u>120-ft Hammerhead, or</u> <u>60-ft "Y", or</u> <u>78-ft diameter cul-de-sac without island, or</u> <u>96-ft diameter cul-de-sac with island</u>
<u>Over 750</u>	<u>Special approval required”</u>	

SECTION FIFTY-FOUR: Section 16.05.430 of the Olathe Municipal Code is hereby amended to read as follows:

“16.05.430 Liability.

The requirements stated in this chapter shall not be construed as imposing upon the City, its officers, agents or employees any liability or responsibility for damages to any property or injury to any person due to defective construction installations. The City or any official, employee or agent thereof shall not assume liability or responsibility whatsoever by reason of any inspection or approval of any installation.”

SECTION FIFTY-FIVE: Section 16.05.440 of the Olathe Municipal Code is hereby added to the Olathe Municipal Code and shall read as follows:

"16.05.440 Severability.

If any part or parts of this chapter shall be held to be invalid such invalidity shall not affect the validity of the remaining parts of this chapter. The Governing Body hereby declares that it would have passed the remaining parts of this chapter if it had known that such part or parts thereof would be declared invalid."

SECTION FIFTY-SIX: Existing sections 16.05.010, 16.05.020, 16.05.030, 16.05.050, 16.05.060, 16.05.065, 16.05.070, 16.05.080, 16.05.090, 16.05.100, 16.05.110, 16.05.120, 16.05.130, 16.05.140, 16.05.150, 16.05.160, 16.05.180, 16.05.190, 16.05.200, 16.05.210, 16.05.220, 16.05.240, 16.05.250, 16.05.260, 16.05.270, 16.05.280, 16.05.290, 16.05.300, 16.05.320, 16.05.330, 16.05.340, 16.05.350, 16.05.360, 16.05.370, 16.05.410, AND 16.05.420 are hereby repealed.

SECTION FIFTY-SEVEN: This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body this _____ day of _____, 2019.

SIGNED by the Mayor this _____ day of _____, 2019.

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.