

**AN ORDINANCE**

**DELETING** Chapter 38 of The Winfield City Code by the repeal of Section 38- 31 thru Section 38-60 and Section 38-134 of said Chapter and the adoption in lieu thereof of a new Chapter 38 Section 38- 31 thru Section 38-60 and Section 38-134. - reserved.

**WHEREAS**, the Winfield Fire Department, Winfield Community Development Department and Building Trades Board of the City of Winfield recommended approval of proposed changes to the Fire Prevention Standards of the City on August 31, 2017 pursuant to Sec. 2-463 of the Municipal Code of the City of Winfield,

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:**

**Section 1.** Chapter 38 Section 18- 31 thru Section 38-60 and Section 38-134 of the Winfield City Code shall read as follows:

Sec. 38-31. - Adoption of International Fire Code.

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the 2015 International Fire Code, save and except such portions as are deleted, modified or amended by this article, of which code and standards which have been and are now filed in the office of the city clerk, are hereby adopted and incorporated by reference as fully as if set out at length in this section.

Sec. 38-32. - Amendments/revisions.

The following parts or portions of the 2015 International Fire Code are hereby amended and/or revised:

- (1) Section 101.1 insert City of Winfield.
- (2) Section 105.6.32, amended to read: No person shall kindle or maintain any bonfire, rubbish or grass fire or authorize any such fire to be kindled or maintained within the City, and open burning of rubbish, paper, tires, wire insulation, synthetics, leaves or chemicals is prohibited, EXCEPT that the Fire Chief or Fire Marshal for special or unusual occasions may grant permission to kindle or maintain a fire under such safety conditions he or she may prescribe in addition to those conditions provided by the 2015 International Fire Code.
- (3) Section 105.6.34, is amended to read: An operational permit is required to use open flames or candles in connection with all assembly areas. Exceptions may be made by the fire code official on his/hers discretion.
- (4) Section 108 Board of Appeals: is amended to read: Whenever the fire chief disapproves any application or refuses to grant any permit applied for, or whenever it is claimed that

the provisions of the 2015 International Fire Code do not apply or that the intent and meaning of such codes has been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief within five days from the date of the decision to the city manager, who shall, within 20 days, review such appeal and file his order thereon, and unless the decision is revoked or modified, it shall remain in full force and be obeyed by such applicant, owner or occupant. The filing of an appeal shall stay the decision of the fire chief pending the order of the city manager. Any applicant, owner or occupant failing to comply with the decision of the fire chief or, if an appeal is taken, with the decision of the city manager, within ten days after the service of the decision shall be subject to any applicable penalties.

- (5) Section 109.4 insert Misdemeanor, \$500.00 30 days.
- (5) Section 111.4 insert \$100.00, \$500.00.
- (6) Section 603.8 insert: The use of incinerators is prohibited within the City Limits.
- (7) Section 903.2.1.2, Condition 2 is amended to read: The fire area has an occupant load of 200 or more.
- (8) Section 907.2.1 is amended to read: A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 100 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.  
  
Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.
- (9) Section 5608: Supplement to read: The provisions of Section 5608 are in addition to Article III Fireworks of the Municipal Code which remains in effect.
- (10) Chapter 61, Liquefied Petroleum Gases, is hereby SUPPLEMENTED with the following:  
There shall be no LPG fuel tanks installed within the City where there is natural gas available, except as authorized by Section 38-36 of the Municipal Code.

Sec. 38-33. - Deletions.

The following sections of the 2015 International Fire Code are deleted:

- (1) Section 603.8 Incinerators.
- (2) 105 Permits, except where authorized by section 38-32(2) and section 38-63 of the Municipal Code.

Secs. 38-34 thru Sec. 38-35. - Reserved.

Sec. 38-36. - Districts in which storage of flammable or combustible liquids in outside aboveground tanks and storage of liquefied petroleum gases is permitted.

The storage of flammable or combustible liquids in outside aboveground tanks and the storage of liquefied petroleum gases shall be permitted only in those areas designated as an industrial district, according to the zoning ordinance. The storage capacities of installations existing on the

effective date of the ordinance from which this article is derived shall not be increased without first obtaining approval from the fire chief.

Secs. 38-37—38-60. - Reserved.

and Section 38-134,

Sec. 38-134. - reserved.

**Section 2.** This ordinance shall be in full force and effect on January 1, 2017 and after its publication in the official city newspaper.

**ADOPTED** this 5th day of September, 2017.

**CITY OF WINFIELD, KANSAS**

By \_\_\_\_\_  
Brenda K. Butters, Mayor

**ATTEST:**

\_\_\_\_\_  
Brenda Peters, City Clerk

Approved for agenda action: \_\_\_\_\_  
Jeremy Willmoth, City Manager

Approved as to form: \_\_\_\_\_  
William E. Muret, City Attorney