

AN ORDINANCE AMENDING ORDINANCE NO. 9176 AND CHAPTER 15.08, "INTERNATIONAL BUILDING CODE," AND CHAPTER 15.30, "INTERNATIONAL EXISTING BUILDING CODE," OF TITLE 15, "BUILDINGS AND CONSTRUCTION," OF THE CODE OF THE CITY OF NORTH KANSAS CITY, MISSOURI.

WHEREAS, the City of North Kansas City, Missouri (the "**City**") is a body corporate, a third class city and political subdivision of the State of Missouri, duly created, organized and validly existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, by passage of Ordinance No. 9176 on March 5, 2019, the City adopted the International Building Code (2018 edition), the International Existing Building Code (2018 edition), and the International Fire Code (2018 edition), each such code being modified and amended for specific use in the City; and

WHEREAS, since adoption of Ordinance No. 9176, the City has found and determined that the City amended the International Fire Code for City use without amending similar requirements in the International Building Code and, therefore, there is a conflict with the two codes as specifically adopted in the City; and

WHEREAS, the City Council believes and finds that it is appropriate and in the best interests of the citizens of the City that the City amend the applicable sections of the International Building Code so that it conforms to the amendments made to the International Fire Code as adopted on March 5, 2019, when adopting the International Fire Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH KANSAS CITY, MISSOURI, AS FOLLOWS:

Section 1. In addition to the City's modifications made in Ordinance No. 9176 to the International Building Code (2018 Edition), Chapter 15.08, "International Building Code," of Title 15, "Buildings and Construction," of the Code of the City of North Kansas City, Missouri (the "**City Code**"), the International Building Code (2018 edition) is hereby further amended in the following particulars:

903.2.1.1.1 The fire area exceeds 5,000 square feet.

903.2.1.2.1 The fire area exceeds 5,000 square feet.

903.2.1.3.1 The fire area exceeds 5,000 square feet.

903.2.1.4.1 The fire area exceeds 5,000 square feet.

Except as to the specific changes set forth in paragraph 1 of each of the above-referenced sections, Sections 903.2.1.1, 903.2.1.2, 903.2.1.3 and 903.2.1.4 of the International Building Code (2018 edition) shall remain in full force and effect.

Section 2. In addition to the City's modifications made in Ordinance No. 9176 to the International Existing Building Code (2018 edition), Chapter 15.30, "International Existing Building Code," of Title 15, "Buildings and Construction," of the City Code, the International Building Code (2018 edition) is hereby further amended by adding the following sections:

Section 803.5 Fire area increase. An automatic sprinkler system shall be provided throughout existing buildings other than one- and two-family dwellings undergoing a fire area increase when the square footage of the new fire area is greater than 25 percent of the existing fire area and any of the following conditions exist:

803.5.1 The available fire-flow is less than the fire-flow required by Appendix B of this code based upon the new total fire area.

803.5.2 An automatic sprinkler system is required by Section 903 of this code based upon the occupancy type and new total fire area.

Section 904.3 Fire area increase. An automatic sprinkler system shall be provided throughout existing buildings other than one- and two-family dwellings undergoing a fire area increase when the square footage of the new fire area is greater than 25 percent of the existing fire area and any of the following conditions exist:

904.3.1 The available fire-flow is less than the fire-flow required by Appendix B of this code based upon the new total fire area.

904.3.2 An automatic sprinkler system is required by Section 903 of this code based upon the occupancy type and new total fire area.

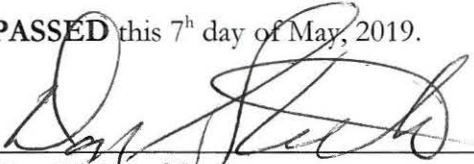
Section 3. **Providing for Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance, or any parts hereof, are hereby repealed. Moreover, ordinances previously adopted are hereby amended to conform to the provisions of this ordinance.

Section 4. **Severability.** The sections, paragraphs, sentences, clauses, and phrases of this Ordinance shall be severable. In the event that any such section, paragraph, sentence, clause, or phrase of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 5. **Governing Law.** This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 6. Effective Date. This Ordinance shall be in full force and effect, after compliance with all governing laws, rules, and regulations, immediately after passage by the City Council and approval by the Mayor.

PASSED this 7th day of May, 2019.



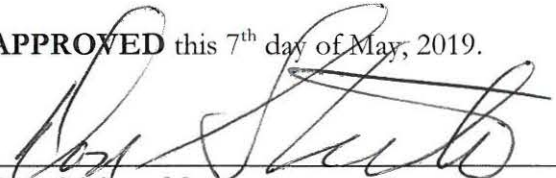
Don Stielow, Mayor

ATTEST:



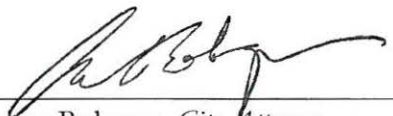
Crystal Doss, City Clerk

APPROVED this 7th day of May, 2019.



Don Stielow, Mayor

APPROVED AS TO FORM:



Anthony Bologna, City Attorney



Thomas E. Barzee, Jr., City Counselor

MEMORANDUM



TO: Mayor Stielow and City Council

FROM: David Harris, Building Official

DATE: May 7, 2019

RE: Amendment to City Code at Title 15, "Buildings and Construction"
Chapter 15.08 and Chapter 15.30

On March 5, 2018, the City Council approved Ordinance No. 9176 updating and amending of Title 15, "Buildings and Construction," of the Code of the City of North Kansas City, Missouri (the "**City Code**") by adopting amended versions of the 2018 International Code Council regulations and standards. Specific amendments, adopted solely for the City of North Kansas City, where set out in various exhibits attached to the ordinance.

The approved amendment to the 2018 International Fire Code (Exhibit J to Ordinance No. 9176), includes amending Section 903 AUTOMATIC SPRINKLER SYSTEMS, which provides at Section 903.2.1 Group A: *An automatic sprinkler system shall be provided throughout buildings and portions of buildings containing a Group A occupancies...* More specifically, subsections 903.2.1.1(1), 903.2.1.2(1), 903.2.1.3(1) and 90.2.1.4(1) of the International Fire Code were amended by striking the phrase "The fire area exceeds 12,000 square feet" and substituting the following language: "**The fire area exceeds 5,000 square feet.**"

Section 903 "AUTOMATIC SPRINKLER SYSTEMS" is also a part of the 2018 International Building Code, which has the same 12,000 square feet language. In order to maintain consistency in the City Code, it is recommended that the City also amend the language in the International Building Code (2018 edition) in Subsections 903.2.1.1(1), 903.2.1.2(1), 903.2.1.3(1) and 90.2.1.4(1) to provide as follows: "**The fire area exceeds 5,000 square feet.**"

Similarly, the approved amendment to the 2018 International Fire Code (Exhibit J of Ordinance No. 9176) adds Section 1103.5.5 Fire area increase." For consistency, it is recommended that the City amend Chapter 15.30, "International Existing Building

Code," of Title 15, "Buildings and Construction," by creating new Section 803.5 and 904.3, "Fire area increase" to read as follows:

Section 803.5 and Section 904.3 Fire area increase. An automatic sprinkler system shall be provided throughout existing buildings other than one- and two-family dwellings undergoing a fire area increase when the square footage of the new fire area is greater than 25 percent of the existing fire area and any of the following conditions exist:

1. The available fire-flow is less than the fire-flow required by Appendix B of this code based upon the new total fire area.
2. An automatic sprinkler system is required by Section 903 of this code based upon the occupancy type and new total fire area.