

(Ordinance published at www.andoverks.gov on February 15, 2025)

ORDINANCE NO. 1946

AN ORDINANCE OF THE CITY OF ANDOVER, KANSAS AMENDING CHAPTER VII, ARTICLE 1 OF THE CODE OF THE CITY OF ANDOVER, KANSAS AND ADOPTING THE 2024 EDITION OF THE INTERNATIONAL FIRE CODE, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF ANDOVER, KANSAS; AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE.

WHEREAS, the City of Andover, Kansas (the "City") has previously adopted Chapter VII, Article 1 of the Code of the City (the "Code"), regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Andover, Kansas and providing for the issuance of permits and collection of fees; and

WHEREAS, the governing body of the City desires, and finds it necessary and advisable, to amend Chapter VII, Article 1 of the Code and adopt the 2024 Edition of the International Fire Code, as published by the International Code Council (the "Fire Code").

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS AS FOLLOWS:

SECTION 1. Pursuant to the provisions of K.S.A. 12-3009 *et seq.*, and K.S.A. 12-3301 *et seq.*, Section 7-101 of Chapter VII, Article 1 of the Code of the City is deleted and replaced with the following:

7-101. International Fire Code Incorporated.

The 2024 Edition of the International Property Fire Code, including Appendices B, C, D, E, F, G, H, I, J, K, N, and O are hereby adopted by reference, as if said model or standard code were set out in full herein, save and except such sections, parts, or portions as may be omitted or deleted, modified, or changed elsewhere within the Code of the City of Andover including but not limited to Section 7-103 hereof.

SECTION 2. Section 7-102 of Chapter VII, Article 1 of the Code of the City is deleted and replaced with the following:

7-102. Deletions.

Section 108. Fees. is hereby deleted in its entirety and a new Section 108.1 is hereby adopted below.

SECTION 3. Section 7-103 of Chapter VII, Article 1 of the Code of the City is deleted and replaced with the following:

7-103. Amendments.

The International Fire Code, 2024, incorporated by reference in Section 7-101 herein shall be amended as follows:

(a) "101.1 Title." shall be amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Andover, Kansas, hereinafter referred to as "the "Fire Code," the "I.F.C.," or "this code."

(b) "102.7 Referenced Codes and Standards." shall be amended to read as follows:

102.7 Referenced Codes and Standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. The Fire Code official has the authority to reference and enforce new or updated codes and standards.

(c) "103.2 Appointment." shall be amended to read as follows:

103.2 Appointment. The Fire Code official shall be appointed by the Fire Chief of the jurisdiction.

(d) "105.1.1 Permits required." shall be amended to read as follows:

105.1.1 Permits required. A property owner or authorized agent who intends to conduct an operation or business or install or modify systems and equipment that are regulated by this code, or to cause any such work to be done, shall make application to the Fire Code official and obtain the required permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Fire Code official. In instances where laws or regulations are enforceable by departments other than the fire department, joint approval of the permit shall be obtained from all additional or necessary departments concerned.

(e) "105.5.36 Open burning." shall be amended to read as follows:

105.5.36 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. This includes fires in approved containers, incinerators, destructors, or those devices identified and approved by the Fire Code official. Instructions and stipulations of the permit shall be adhered to.

Exception: Recreational fires

(f) "Section 108-Fees" shall be amended to read as follows:

108.1 Fees. Fire permit fees shall be referenced in Chapter 4, Article 1 of the Code of the City of Andover, Kansas. Said fees shall be established by Resolution of the Governing Body of the City of Andover, Kansas. These fees may be subject to review and revision as deemed necessary and shall be revised from time to time by Resolution of the Governing Body.

(g) "113.4 Violation penalties." shall be amended to read as follows:

113.4 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, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine not more than \$2,500.00 or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(h) "Section 202-General Definitions" shall be amended to add the following definitions:

1. **ALLEY.** Any public right-of-way or thoroughfare having a typical drivable width of at least fifteen (15) feet which has been dedicated to the public for public use which affords a secondary means of access to abutting properties, or primary vehicular access for residential properties. Vertical clearances shall be at least 13 ft 6 inches. Travel distances shall not exceed 150 linear feet without an approved turnaround or expanded horizontal width to 20 feet or approval of the code official specifications and turning radius (if applicable) shall meet the general provisions of Appendix "D" of this code or approval of the code official.

2. **Overcrowding.** A condition that exists when either there are more people in a building, structure or portion thereof than have been authorized or posted by the fire code official, or when the Fire Code official determines that a threat exists to the safety of the occupants due to person(s) sitting and/or standing in locations that may obstruct or impede the use of aisles, passages, corridors, stairways, exits or other components of the means of egress.

(i) "307.1.1 Prohibited open burning." shall be amended to read as follows:

307.1.1 Prohibited open burning. Open burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances

make such fires hazardous, shall be prohibited. The Fire Chief or Fire Code official is authorized to order the extinguishment of open burning by the permit holder or by the fire department if that open burning creates or adds to a hazardous or objectionable situation. Open burning shall be conducted between the hours of sunrise to sunset unless otherwise approved by the Fire Code official. Only firewood, limbs, and wood chips may be burned. Burning products such as paper, plastic, leaves, finished lumber, and rubbish is prohibited. Only vegetation grown on-site at the permit address may be burned.

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

(j) “307.2 Permit required.” shall be amended to read as follows:

307.2 Permit required. A permit shall be obtained from the Fire Code official in accordance with Section 105.5.36 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, open burning, use of an incinerator or destructor, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner, or the designee of the owner, of the land upon which the fire is to be kindled. Burn permit instructions and stipulations of the permit shall be adhered to.

(k) “307.4 Location.” shall be amended to read as follows:

307.4 Location. The location for open burning shall not be less than 50 feet (15.24m) from any property line, structure, or roadway, nor within two (2) miles of any airport or flyway, unless otherwise approved by the Fire Code official, and provisions shall be made to prevent the fire from spreading to within 50 feet (15,240 mm) of any structure or property line.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4,572 mm) from a structure with a fuel stack size of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height (i.e., outdoor fireplaces).

2. The minimum required distance from a structure shall be 25 feet (7,620 mm) when the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height (i.e., recreational fires).

(l) “307.4.3 Portable outdoor fireplaces.” shall be amended to read as follows:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer’s instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material. The following requirements shall be met:

1. Portable outdoor fireplaces shall be placed on a non-combustible surface and shall not be used on balconies or wood decks.
2. Portable outdoor fireplace use shall be discontinued when there is a ban or moratorium on burning issued by federal, state or local agencies.
3. Portable outdoor fireplaces shall not be used when the wind speed is in excess of 15 mph.
4. Portable outdoor fireplaces shall not be used within 500 feet (152,400 mm) of any shake shingle roof, unless provided with spark arrestor with a maximum $\frac{1}{2}$ inch (12.7 mm) metal screen secured by metal wire, located on the vent/chimney.

5. Only firewood, limbs, and wood chips may be burned within the portable outdoor fireplace. Products such as paper, cardboard, plastic, leaves, finished lumber and rubbish are not allowed.

(m) “311.1.1 Abandoned premises.” shall be amended to read as follows:

311.1.1 Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with current City of Andover, Kansas codes.

(n) “503.2.1 Dimensions.” shall be amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed drivable surface width of not less than 20 feet (6096 mm) exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

(o) “506.1 Where required.” shall be amended to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, or where an automatic fire sprinkler system, fire alarm system or elevator(s) is/are present, the Fire Code official is authorized to require a key box to be installed in an approved location. The Knox Box brand is the only approved key box for the City of Andover, Kansas and shall contain keys/electronic access devices or digital codes to gain necessary access as required by the Fire Code official.

(p) “507.5.1 Where required.” shall be amended to read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the Fire Code official.

(q) "507.5.1.1 Hydrants for fire department connections." shall be amended to read as follows:

507.5.1.1 Hydrants for fire department connections. Buildings equipped with fire department connections serving standpipe, sprinkler system, or remote connections, installed in accordance with Section 905 shall have a fire hydrant within 150 feet (45,720 mm) of the fire department connection. The required hydrant shall be no closer than 40 feet (12,192 mm) to the structure. The required hydrant shall be no closer than 5 feet to the remote connection.

Exception: The distance shall be permitted to exceed 150 feet (45,720 mm) where approved by the Fire Code official.

(r) "606.5 Domestic cooking appliances used in commercial occupancies." shall be added to read as follows:

606.5 Domestic cooking appliances used in commercial occupancies. Domestic cooking appliances utilized for purposes incidental to occupancy and not for commercial food preparation shall be provided with a Type II hood or domestic hood. The hood shall include a Guardian II style fire suppression system as appropriate for the type of appliances and processes.

(s) "901.4.7.3 Environment." shall be amended to read as follows:

901.4.7.3 Environment. Automatic sprinkler system riser rooms and fire pump rooms shall be maintained at a temperature of not less than 40 degrees Fahrenheit. Heating units shall be permanently installed (non-switched). Exterior riser rooms shall have low-temperature detection connected to the fire alarm system.

(t) "903.2.1.2 Group A-2." shall be amended to read as follows:

903.2.1.2 Group A-2. An *automatic sprinkler system* shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of *exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 5,000 square feet (464 m²).
2. The *fire area* has an *occupant load* of 100 or more.

Exception: The *fire area occupant load* may increase to 299 if a 3rd exit in accordance with Section 1007.1.2 and Section 1016.2 and a manual *fire alarm system* that activates an occupant notification system in accordance with Section 907.5 is added. Those components must be approved by the *Fire Code official* and the *building official* or the plans examiner reviewing the project.

3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

(u) “903.2.8 Group R.” shall be amended to read as follows:

903.2.8 Group R. An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all *buildings* with a Group R *fire area*.

Exceptions:

1. One-or two-family dwelling unit.

2. Dwelling units in three- and four-family dwellings separated from each other by wall and/or floor assemblies having not less than a 2-hour fire-resistance rating. Fire resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against an exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing. The roof shall be a minimum of class C roof covering, and the roof decking or sheathing is of non-combustible materials or approved fire-retardant-treated wood for a distance of 4 feet (1219 mm) on each side of the walls or walls. There shall be no penetrations through this area of the roof deck or sheathing. Where buildings, or portions thereof, are arranged above or below adjacent units, and automatic sprinkler system shall be provided throughout all units.

3. Systems are not required when K.S.A. 12-16,219 applies.

(v) “903.2.11.1.1 Opening dimension and access.” shall be amended to read as follows:

903.2.11.1.1 Opening dimension and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm) in width and 48 inches (1219 mm) in height. Access to such openings shall be provided for the fire department from the exterior and shall not be obstructed in a manner such that firefighting or rescue cannot be accomplished from the exterior.

(w) “907.5.1 Alarm activation and annunciation.” shall be amended to read as follows:

907.5.1 Alarm activation and annunciation. Upon activation, fire alarm systems and/or dedicated function sprinkler monitoring systems shall initiate occupant notification and shall annunciate at the fire alarm control unit, or where allowed elsewhere by Section 907, at a constantly attended location.

(x) "912.5 Signs." shall be amended to read as follows:

912.5 Signs. A metal sign with raised letters not less than 4 inches (101.6 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: "AUTOMATIC SPRINKLERS," "STANDPIPES," "TEST CONNECTION," "STANDPIPE AND AUTOSPKR" or "AUTOSPKR AND STANDPIPE," or a combination thereof as applicable.

(y) "912.5.1 Lettering." shall be amended to read as follows:

912.5.1 Lettering. Each fire department connection (FDC) shall be designated by a sign with letters not less than 4 inches (101.6 mm) in height. For manual standpipe systems, the sign shall also indicate that the system is manual and that it is either wet or dry.

(z) "1008.3.2 Illumination level under emergency power." shall be amended to read as follows:

1008.3.2 Illumination level under emergency power. Emergency lighting *facilities* shall be arranged to provide initial illumination that is not less than an average of 1 foot-candle (11 lux) and a minimum at any point of 0.1 foot-candle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 foot-candle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. In Group I-2 occupancies, failure of single lamp in a luminaire shall not reduce the illumination level to less than 0.2 footcandle (2.2 lux). Emergency lighting *fixtures* shall be arranged at intervals not to exceed 50 feet (15 240 mm) on center.

Exception: Maneuvering clearances are not required for doors to exit stairways for levels above and below the *level of exit discharge* where the exit enclosure does not include an *area of refuge*.

(aa) "1012.1 Scope." shall be amended to read as follows:

1012.1 Scope. The provisions of this section shall apply to *ramps* used as a component of a *means of egress*.

Exceptions:

1. Ramped *aisles* within assembly rooms or spaces shall comply with the provisions in Section 1030.

2. Curb ramps shall comply with Americans with Disabilities Act Accessibility Guidelines Sec. 406.1.

3. Vehicle ramps in parking garages for pedestrian exit access shall not be required to comply with Sections 1012.3 through 1012.10 where they are not an *accessible* route serving accessible parking spaces, other required accessible elements or part of an *accessible means of egress*.

(bb) "1013.1 Where required." shall be amended to read as follows:

1013.1 Where required. Exits and *exit access* doors shall be marked by an *approved* exit sign readily visible from any direction of egress travel. The path of egress travel to *exits* and within *exits* shall be marked by readily visible exit signs to clearly indicate the direction of egress travel. Where the exit or the path of egress travel is not immediately visible to the occupants. Intervening means of egress doors within *exits* shall be marked by exit signs. Exit sign placement shall be such that any point in an *exit access* corridor or *exit passageway* is within 100 feet (30 480) or the *listed* viewing distance of the sign, whichever is less, from the nearest visible *exit* sign. Exit signs required at doors shall not be located more than 12 feet (3658 mm) above the finish floor, nor more than 2 feet (610 mm) from either edge of door.

Exceptions:

1. Exit signs are not required in rooms or areas that require only one *exit* or *exit access*.
2. Main exterior exit doors or gates that are obviously and clearly identifiable as *exits* need not have exit signs where *approved* by the *building official*.
3. Exit signs are not required in occupancies in Group U and individual *sleeping units* or *dwellings units* in Group R-1, R-2 or R-3.
4. Exit signs are not required in dayrooms, sleeping rooms or *dormitories* in occupancies in Group I-3.
5. In occupancies in Groups A-4 and A-5, exit signs are not required on the seating side of vomitories or openings into seating areas where exit signs are provided in the concourse that are readily apparent from the vomitories. Egress lighting to identify each vomitory or opening within the seating area in an emergency.

(cc) "2301.1 Scope." shall be amended to read as follows:

2301.1 Scope. Residential installations, automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor-vehicle fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the International Building Code, International Fuel Gas Code, National Electrical Code, and International Mechanical Code. Such operations shall include both those that are accessible to the public and private operations.

(dd) "3103.7.7 Parking." shall be added to read as follows:

3103.7.7 Parking. Approved parking locations shall be provided & maintained in such a manner so as not to impede access to or egress from the temporary membrane structure or its supportive components. The volume of the parking area shall meet the current number of parking spaces per sq. footage of floor space as required by Article 2, Chapter XIII, Section 13-208.2(b) and the parking area shall meet the conditions required by Article 5, Chapter IX, Section 4-510.3 of the Code of the City of Andover.

(ee) "5004.14.1 Unattended Parking." shall be amended to read as follows:

5004.14.1 Unattended Parking. No operator of a commercial delivery vehicle such as a box van, bob tail, truck trailer or tank truck containing products classified by federal, state or local regulatory agencies as hazardous materials, including but not limited to explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, oxidizers, organic peroxides, pyrophoric material, unstable reactive materials, water reactive materials, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, health and biomedical hazards and irritating materials, shall park or leave such vehicle unattended on any street, highway, avenue or alley within five hundred feet (500') of any residential area, apartment or hotel complex or educational, hospital or health care facility at any time, or at any other place that would, in the opinion of the Fire Chief or Code Official, present a life or property hazard

Exceptions: This shall not prohibit parking or absence of the operator, (1) in connection with loading or unloading, (2) for meals during the day or night if the street is well lighted at the place of parking, and (3) for the purpose of securing assistance in case of emergency.

(ff) "5601.1.3 Fireworks." shall be amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.
3. The use of fireworks for fireworks displays as allowed in Section 5605.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, including but not limited to Chapter XIII, Article 2, Section 13-208 *et. seq.* of the Code of the City of Andover, provided that such fireworks and facilities comply with the 2006 edition of NFPA

1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks.

(gg) "5601.2.4 Financial responsibility." shall be amended to read as follows:

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the City Clerk a corporate surety bond in the principal sum of not less than \$500,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The Fire Code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond or insurance requirement.

(hh) "6104.2 Maximum capacity within established limits." shall be amended to read as follows:

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 500 gallons. Containers greater than 500 gallons are prohibited within the city limits where public gas utilities are provided.

Exceptions:

1. In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features, such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.
2. Pre-existing installations until said property changes ownership.
3. Storage of portable LP-gas containers awaiting use or resale. *See Section 6109.*

SECTION 4. Section 7-104 of Chapter VII, Article 1 of the Code of the City is deleted and replaced with the following:

Not less than one (1) copy of the International Fire Code incorporated by reference in Section 7-101 shall be filed with the City Clerk. Such copy(ies) shall be marked or stamped, "Official Copy as incorporated by Ordinance No. 1946" with all section or portions thereof intended to be omitted clearly marked to show any such omissions and all provisions changing or adding to the incorporated provisions shall be clearly marked or inserted. Such copy(ies) shall have attached a copy of this article and shall be open to inspection and available to the public during all reasonable business hours.

SECTION 5. This Ordinance incorporating the Fire Code supersedes and repeals Ordinance No. 1689, but solely to the extent Ordinance No. 1946 incorporated the previous Fire Code, and any and all previous ordinances similar thereto or incorporating previous editions thereof. Any remaining provisions of Ordinance No. 1689 shall remain in full force and effect.

SECTION 6. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and publication once in the official newspaper of the City.

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PASSED, APPROVED AND ADOPTED by the governing body of the City of Andover, Kansas this 11th day of February, 2025.

CITY OF ANDOVER, KANSAS

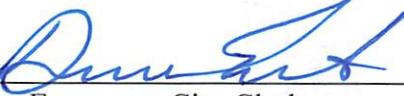


By



Ronnie Price, Mayor

ATTEST:

By 
Dana Engstrom, City Clerk