

KANSAS STATUTE AFFECTING BUILDING CODE ENFORCEMENT

74-7036. Technical submissions; limitation on acceptance or approval by public officials; building permits, invalidity; immunity from liability. A public official charged with the enforcement of any state, county or municipal building code shall not accept or approve any technical submissions involving the practice of the technical professions unless the technical submissions have been stamped with the technical professional's seal as required by this act or unless the applicant has certified on the technical submission to the applicability of a specific exception provided for in K.S.A. 74-7035 and amendments thereto permitting the preparation of the technical submission by a person not licensed under this act. A building permit issued with respect to technical submissions which does not conform to the requirements of this act is invalid. The acceptance or approval of technical submissions or the issuance of a building permit by a public official engaged in building inspection responsibilities, contrary to the provisions of this act, shall not create liability upon the public official or the official's governmental agency.

31-138. Fire marshal; power and duties; rules and regulations. (a) The state fire marshal shall adopt reasonable rules and regulations, consistent with the provisions of this act, for the safeguarding of life and property from fire, explosion and hazardous materials. Such rules and regulations shall include, but not be limited to the following:

(3) the construction, maintenance and regulation of exits and fire escapes from buildings and all other places in which people work, live or congregate from time to time for any purpose, including apartment houses, as defined by K.S.A. 31-132a, and amendments thereto. Such rules and regulations shall not apply to buildings used wholly as dwelling houses containing no more than two families;

(4) the installation and maintenance of equipment intended for fire control, detection and extinguishment in all buildings and other places in which persons work, live or congregate from time to time for any purpose, including apartment houses as defined by K.S.A. 31-132a, and amendments thereto. Such rules and regulations shall not apply to buildings used wholly as dwelling houses containing no more than two families.

(c) The rules and regulations adopted pursuant to this section shall allow facilities in service prior to the effective date of such rules and regulations, and not in strict conformity therewith, to continue in service, so long as such facilities are not determined by the state fire

marshal to constitute a distinct hazard to life or property. Any such determination shall be subject to the appeal provisions contained in K.S.A. 31-140, and amendments thereto.

31-150. Fire safety and prevention; school buildings; construction, reconstruction or renovation requirements; accessibility to persons with a disability; building plans, certification; exceptions; rules and regulations. (d) No contract shall be let for the construction, reconstruction or renovation of any school building, and it shall be illegal to pay out any public funds for the construction, reconstruction or renovation of a school building unless the plans for such building bear the seal of an architect or a professional engineer licensed by the state board of technical professions of the state of Kansas certifying that the plans meet the applicable requirements of this act.

Kansas Administrative Regulations affecting Building Code Enforcement

22-1-2. Compliance with certain building codes. A building shall be deemed to comply with the Kansas fire prevention code if the building conforms to one of the following building codes and to any additional special requirements of the Kansas fire prevention code and if the building has been issued a certificate of occupancy: (a) The 1997 edition of the uniform building code (UBC); or (b) the 2006 edition of the international building code (IBC). (Authorized by and implementing K.S.A. 31-134a; effective May 1, 1985; amended Aug. 28, 1989; amended May 10, 1993; amended July 9, 2004; amended Feb. 4, 2011.)

22-1-7. Code footprint. (a)(1) "Code footprint" shall mean a building and life safety code compliance document that contains both graphic and narrative information and that meets the requirements of this regulation.

(2) Each code footprint shall be submitted in the following format:

(A) A full-sized drawing consisting of a complete floor plan, including existing facilities and new construction, for each floor of the facility, including basements and mezzanines; and

(B) an 11-inch by 17-inch reduction of the full-sized drawing, sealed by a Kansas-licensed design professional.

(3) A code footprint shall be prepared for all new buildings, new building additions, changes in occupancy, or building renovation, with the exception of buildings used solely as dwelling houses containing no more than two families. Each code footprint shall be

prepared by a Kansas-licensed design professional.
Upon request, a code footprint shall be provided to the fire or building official in the municipality where the work is occurring.

(4) A code footprint shall be submitted to the state fire marshal for review and approval for any new construction, renovation, or change of occupancy for the following types of buildings:

(A) Any group A assembly occupancy having a combined occupant load in excess of 2,000 persons;

(B) any group B business occupancy used at any community college, area vocational school, vocational/technical

school, technical college, or any institution under the governance of the state board of regents;

(C) any group A assembly occupancy mixed with a group E educational occupancy or a group I institutional occupancy;

(D) any group E educational occupancy, including any day care facility for more than 24 persons;

(E) any group I institutional occupancy, including any state or other governmental entity's detention facilities, and any occupancy physically attached to a group I occupancy regardless of fire barrier separation; and

(F) any group R-1 or R-2 residential occupancy that is three or more stories in height, including basements, or more than 12,000 square feet in area, and any R-4 residential occupancy.

(b) The following shall be required on all code footprints:

(1) A graphic bar scale;

(2) a north directional indicator;

(3) a complete building floor plan, with a clear identification of new, remodeled, and existing portions;

(4) identification of all permanent partitions taller than six feet;

(5) a label with plain text, keynotes, or legends for each room and space;

(6) the occupant load of assembly rooms and total occupant load for each floor level;

(7) identification of openings and ratings of stair and shaft enclosures;

(8) identification of openings and ratings of corridors and openings;

(9) identification of occupancy and area separations;

(10) identification of all horizontal exit arrangements, exit passageways, and smoke compartments;

(11) identification of all required exterior exits and exit capacity;

(12) the location of the central fire alarm control panel and any remote annunciator panels;

(13) the location of each fire department supply connection;

(14) the location of fire department access roads and fire hydrants;

(15) the distances to property line and exposures;

(16) identification of any special hazards or conditions; and

(17) the location of any anticipated future additions.

(c) The following narrative information shall be required on each code footprint submitted:

(1) The project construction purpose: new, addition, change in use, renovation, or other;

(2) the reason for submittal: new construction, new licensure, certificate of occupancy, or plan of correction for existing code deficiencies;

(3) the code or codes used;

(4) the street address, city, state, zip code, and county of the building;

(5) the name, address, city, state, zip code, phone number, and fax number of the owner;

(6) the date developed and any revision dates;

(7) the name, address, city, state, zip code, phone number, and fax number of the designer;

(8) the designer's seal (RA or PE);

(9) the name of the responding fire service;

(10) the name of the local building inspection department, if available;

(11) each occupancy group and type;

(12) the type of construction;

(13) the structural code requirements, including the following:

(A) The total floor area of each occupancy, both actual and allowable;

(B) height and area limitations, both actual and allowable; and

(C) structural fire ratings, both actual and allowable;

(14) identification of active fire safety features, including the following:

(A) The type of automatic suppression systems and locations;

(B) the fire alarm signaling system;

(C) emergency lighting and power features; and

(D) the smoke control system;

(15) water supply requirements of the facility for fire suppression; and

(16) alternative methods of design or construction, or both. (Authorized by and implementing K.S.A. 31-

133; effective July 9, 2004.)