

**ORDINANCE NO. 5165-25**

**AN ORDINANCE AMENDING CHAPTER TEN ARTICLE ONE OF THE CITY CODE OF NEWTON, KANSAS, ADOPTING THE 2024 INTERNATIONAL FIRE CODE; AND REPEALING SECTION ONE OF ORDINANCE 5040-21.**

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

**SECTION 1.** Chapter 10, Article 1 of the Code of the City of Newton, Kansas is hereby amended and restated in its entirety as follows:

**ARTICLE 1. INTERNATIONAL FIRE CODE**

**10-101. International Fire Code incorporated.**

There is hereby incorporated by reference for the purpose of prescribing rules and regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, and for the purpose of providing minimum regulations for the construction, erection, remodeling, alteration, repair or expansion of any building or structure, the “International Fire Code,” 2024 Edition, including appendices B, C, D, E, G, I, K, L, M, N, and O, prepared and published in book form by the International Code Council, Inc., except such articles, sections, parts or portions as are hereinafter deleted, modified or added. Any errata officially published by the International Code Council, Inc., shall become part of the International Fire Code when placed on file by the administrative authority. If any conflict or discrepancy exists between this Article and the referenced International Fire Code, the provisions of this Article shall rule.

No fewer than three copies of the International Fire Code shall be marked or stamped “Official Copy as Incorporated by Reference by the Code of the City of Newton, Kansas,” with all sections or portions thereof intended to be deleted, changed or amended clearly marked to show such deletion, change or amendment, and to which shall be attached a copy of this Ordinance and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. All administrative departments of the City charged with the enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such International Fire Code similarly marked, deleted and changed as may be expedient.

**10-102. [reserved]**

**10-103. Deletions to the International Fire Code.**

The following items of the International Fire Code, incorporated by section 10-101 of this Article, are hereby deleted:

Appendixes F, J, and H.

**10-104. Amendments and additions to the International Fire Code.**

(a) Section 202 General Definitions of the International Fire Code, incorporated by section 10-101 of this Article, is hereby amended to include the following defined terms, or to amend the existing definitions of such terms, as follows:

**AIRCRAFT HANGAR.** Means Residential Aircraft Hangar, Aircraft Maintenance Hangar or Aircraft Storage Hangar.

**AIRCRAFT MAINTENANCE HANGAR.** Means an aircraft hangar which includes the following activities: repair of aircraft; modification of aircraft; rebuilding of structural damage, correction of a system malfunction or replacement of a major component; aircraft engine overhaul and maintenance; welding operations; major disassembling, inspection, reassembling, and aircraft fuel tank or system repair or cleaning.

**AIRCRAFT STORAGE HANGAR.** Means an aircraft hangar which includes the following activities: routine service checks of aircraft; corrections of flight crew complaints as to aircraft; and minor repair and maintenance performed on an aircraft while it is in “out of flight” status.

**BONFIRE.** An outdoor fire utilized for ceremonial purposes that does not meet the criteria for a recreational fire.

**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.

**PORTABLE OUTDOOR FIREPLACE.** A portable, outdoor, gas fuel burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or equipped with a small hearth opening and short chimney or chimney opening in the top.

**RESIDENTIAL AIRCRAFT HANGAR.** Means an accessory building less than 2,000 square feet and 20 feet in building height constructed on a one- or two- family property where aircraft are stored. Such use will be considered as a residential accessory use incidental to the dwelling.

**WOOD WASTE** is defined as untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands; construction,

renovation, or demolition wastes, or clean lumber. Only seasoned firewood, limbs, and wood chips may be burned. Products such as paper, plastic, leaves, finished lumber and rubbish are not allowed. Only onsite vegetation grown on the permit address can be burned.

(b) The following amendments and additions to the International Fire Code, incorporated by section 10-101 of this Article, are hereby amended to read as follows:

**103.2 Appointment** The Fire Code Official shall be appointed by the Fire/EMS Chief of the jurisdiction.

**105.1.1 Permits required.** Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment which is 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.

**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.

**108.1.1 Permit fees.** Permit fees shall be established by the Fire Code Official with the approval of the City Commission.

**109.2.1 Inspection requests.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the Fire Code Official when work is ready for inspection. Every request for inspection be filed not less than five business days before such inspection is desired. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**109.2.2 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Fire Code Official. The Fire Code Official, on notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected, and such portion shall not be covered or concealed until authorized by the Fire Code Official. All new buildings or structures or occupancy changes in existing buildings or structures shall not be occupied prior to an inspection by the Fire Code Official ensuring all applicable provisions of this code have been met.

**110.3.1 Test and inspection records.** Required test and inspection records shall be available to the Fire Code Official at all times or such records as the Fire Code Official designates shall be filed with the Fire Code Official. Contractors who perform inspection, testing and/or maintenance services on fire and life safety systems within the City of Newton are required to electronically submit all compliant and non-compliant reports to the Newton Fire/EMS Department via a method approved by the Fire Code Official. The required test and inspection records shall be submitted to the Fire Code Official within fourteen (14) days of testing and inspection. Any data management fees charged by third party administrators to process, store and report such documentation, as approved, shall be the responsibility of the party submitting the report. Reports submitted other than in accordance with this section may not be accepted at the discretion of the Fire Code Official.

**114.4 Failure to comply.** 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 deemed guilty of a misdemeanor, punishable by a fine of not less than \$500.00 or more than \$2,500.00 or by imprisonment not exceeding one year, or both such fine and imprisonment.

**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 City is authorized to order the extinguishment by the permit holder or by the fire department of open burning that 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. Products such as paper, plastic, leaves, finished lumber, and rubbish are not allowed. Only onsite vegetation grown on the permit address can be burned.

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

**307.2 Permit required.** A permit shall be obtained from the City in person or through a digital system 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.

**307.4 Location.** The location for open burning shall be not less than 100 feet from any property line, structure, or roadway, or within two (2) miles of any airport or flyway, or as approved by the Fire Code Official, and provisions shall be made to prevent the fire from spreading to within 100 feet of any structure.

*Exceptions:*

1. Fires in approved containers that are not less than 15 feet from a structure with

a pile size of 3 feet or less in diameter and 2 feet or less in height (i.e., outdoor fireplaces)

2. The minimum required distance from a structure shall be 25 feet when the pile size is 3 feet or less in diameter and 2 feet or less in height (i.e., recreational fires)
3. Fires in approved containers, incinerators, or destructors Fires in containers, incinerators or destructors, or those approved by the Fire Code Official and that are used per the manufacturer's instructions and are used for the destruction of wood waste, shall not be less than 150 feet from a property line, structure, roadway, airport or flyway, unless otherwise approved by the Fire Code Official. A burn permit issued by the City, in compliance with Section 307.2 is required.

**307.4.1 Bonfires.** A bonfire shall not be conducted within 100 feet of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 100 feet of a structure shall be eliminated prior to ignition.

**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 of a structure or combustible material. In addition, 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. *Exception:* Portable outdoor fireplaces used at one and two-family dwellings.
2. Portable outdoor fireplace use shall be discontinued when there is a ban or moratorium on burning issued by federal, state or local agencies. *Exception:* Portable outdoor fireplaces used at one and two-family dwellings.
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 of any shake shingle roof, unless provided with spark arrestor with a maximum ½ inch metal screen secured by metal wire, located on the vent/chimney.

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

**307.6 Wind.** Burning shall not take place or be discontinued when the wind speed is in excess of 15 mph.

**308.1.4 Open-flame cooking devices.** Charcoal, gas, and pellet grills shall not be operated on combustible balconies or within ten (10) feet of combustible construction.

*Exception:* One- and two-family dwellings.

**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 the Code of the City of Newton, Kansas.

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet drivable surface, exclusive of shoulders, *except* for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet.

**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 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.

**507.5.1.1 Hydrants for FDC (standpipe, sprinkler systems and remote connections).** Buildings equipped with FDC's (standpipe, sprinkler system and/or remote connections) installed in accordance with Section 905 shall have a fire hydrant within 150 feet of the fire departments connection. The required hydrant shall be no closer than 40 feet 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 where approved by the Fire Code Official.

**510.6.1 Testing and proof of compliance.** The owner of the building or owner's authorized agent shall have the in-building, two-way emergency responder communication coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance test. Testing shall consist of the following:

1. In-building coverage test as described in Section 510.5.4.
2. Signal boosters shall be tested to verify that the gain is the same as it was upon initial installation and the acceptance or set to optimize the performance of the system.
3. Backup batteries and power supplies shall be tested under load of a period of 1 hour to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be

extended for additional 1-hour periods until the integrity of the battery can be determined.

4. All active components shall be checked to verify operation within the manufacturer's specifications.

At the conclusion of the testing, a report, which shall verify compliance with Section 510.5.4, shall be submitted to the Fire Code Official in accordance to Section 110.3.

**901.4 Installation and authorized installers.** Fire protection systems shall be maintained in accordance with the original installation standards/codes for that system. Fire protection systems shall be extended, altered or modified as necessary to maintain and continue protection whenever the building is altered, remodeled or added onto. Installation and alterations to fire sprinkler systems shall be done in accordance with applicable standards and shall be performed by a person with a minimum of a NICET II or other approved equivalent certification. An approved City of Newton licensed fire sprinkler contractor shall have a qualified person with a minimum NICET III certification in water-based fire protection systems layout or other approved equivalent certification. Installation and alterations to fire alarm systems shall be done in accordance with all applicable standards/codes and shall be performed by a person with a NICET II in fire alarm systems, or other approved equivalent certification. An approved City of Newton licensed fire alarm contractor shall have a qualified person with a minimum NICET III in fire alarm systems or other approved equivalent certification..

**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. Heating units shall be permanently installed (non-switched). Exterior riser rooms shall have low-temperature detection connected to the fire alarm system.

**901.4.8 Plan review.** A plans examination by the Fire Code Official is required for any new installation, addition, or alteration of any fire sprinkler system, fire alarm system, or kitchen hood system. Plans and specifications shall be submitted to the fire department for review and approval prior to construction.

**901.6 Inspection, testing and maintenance.** Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective and shall be subject to annual test by a fire protection contractor. Non-required fire protection systems and equipment shall be inspected, tested and maintained in the same manner as required systems. The fire protection contractor shall provide a letter stating the result of the test and corrections of the fire protection system per 110.3.1.

**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.

*Exception:* One- or two-family dwellings.

**903.2.10 Group S-2 parking garages.** An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:

1. Where the fire area of the enclosed parking garage in accordance with Section 406.6 exceeds 12,000 square feet.
2. Where the enclosed parking garage in accordance with Section 406.6 is located beneath other groups.

*Exception:* Enclosed parking garages located beneath Group R-3 occupancies.

**903.2.11.1.1 Opening requirement and access.** Openings shall have a minimum dimension of not less than 30 inches in width and 48 inches 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..

**903.2.11.3 Buildings 55 feet or more in height.** An automatic sprinkler system shall be installed throughout buildings that have one or more stories with an occupant load of 30 or more located 55 feet or more above the lowest level of fire department vehicle access, measured to the finish floor.

*Exceptions:*

1. Open parking structures.
2. Occupancies in Group F-2.

**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.

**912.2.1 Visible location.** Fire department connections shall be located on the street side of buildings or facing approved fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise approved by the Fire Code Official. In addition, a horn/strobe device shall be installed directly above the fire department connection and shall activate in conjunction with the fire alarm system to indicate water flow.

**912.5 Signs.** A metal sign with raised letters not less than 4 inch 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.

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

**1009.2.2 Doors.** Where doors are part of an accessible route to provide access to an exit, area of refuge or exterior area of assisted rescue, maneuvering clearance shall be provided at such doors as required by ICC A117.1 or Americans with Disabilities Act Accessibility Guidelines Sec. 404.2.4 in the direction of egress. Where doors lead to an area of refuge or exterior area for assisted rescue and reentry to the floor is possible, door maneuvering clearances shall be provided on both sides of the door.

*Exception:* Maneuvering clearances are not required a 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.

**1010.1.1 Size of doors.** The required capacity of each door opening shall be sufficient for the occupant load thereof and shall provide a minimum clear opening width of 32 inches. The clear opening width of doorways with swinging doors shall be measured between the face of the door and the frame stop, with the door open 90 degrees. Where this section requires a minimum clear opening width of 32 inches and a door opening includes two door leaves without a mullion, one leaf shall provide a minimum clear opening width of 32 inches. In Group I-2, doors serving as means of egress doors where used for the movement of beds shall provide a minimum clear opening width of 41 ½ inches. The minimum clear opening height of doors shall be not less than 80 inches.

*Exceptions:*

1. In Group R-2 and R-3 dwelling and sleeping units that are not required to be an Accessible unit, Type A unit or Type unit, the minimum width shall not apply to door openings that are not part of the required means of egress.
2. In Group I-3, door openings to resident sleeping units that are not required to be an Accessible unit shall have a minimum clear opening width of 32 inches.
3. Door openings to storage closets less than 10 square feet in area shall not be limited by the minimum clear opening width.
4. Door openings within a dwelling unit or sleeping unit shall have a minimum clear opening height of 78 inches.
5. In dwelling and sleeping units that are not required to be Accessible, Type A or Type B units, exterior door openings other than the required exit door shall have a minimum clear opening height of 76 inches.

6. In Groups I-1, R-2, R-3 and R-4, in dwelling and sleeping units that are not required to be Accessible, Type A or Type B units, the minimum clear opening widths shall not apply to interior egress doors.
7. Door openings required to be accessible with Type B units intended for user passage shall have a minimum clear opening width of 32 inches.
8. Doors serving sauna compartments, toilet compartments or dressing, fitting or changing compartments that are not required to be accessible shall have a minimum clear opening width of 20 inches.

**1010.1.4 Floor elevation.** There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 unit vertical in 12 unit's horizontal (2-percent slope).

*Exceptions:*

1. At doors serving individual dwelling units or sleeping units in R-2 and R-3, a door is permitted to open at the top step of an interior flight of stairs, provided that the door does not swing over the top step.
2. At exterior doors serving Groups F, H, R-2 and S and where such doors are not part of accessible route, the landing at an exterior door shall not be more than 7 inches below the landing on the egress side of the door, provided that the door, other than an exterior storm or screen door, does not swing over the landing.
3. At exterior doors serving Group U and individual dwelling units and sleeping units in Groups R-2 and R-3, and where such units are not required to be Accessible units, Type A units or Type B units, the landing at an exterior doorway shall be not more than 7 ¾ inches below the landing on the egress side of the door. Such doors, including storm or screen doors, shall be permitted to swing over either landing.

*Exceptions:*

1. Storm or screen doors are permitted to swing over exterior flight of stairs.
2. An exterior door is permitted to open at the top step of an exterior flight of stairs from a patio, provided there no more than four risers.
4. Variations in elevation due to differences in finish materials, but not more than ½ inch.
5. Exterior decks, patios or balconies that are part of Type B dwelling units or sleeping units, that have impervious surfaces and that are not more than 4 inches below finish

floor level of the adjacent interior space of the dwelling unit or sleeping unit.

6. Doors, gates, and panels that serve as access points to building equipment rooms that are not normally occupied, except where serving the following:

- 6.1. Rooms containing electrical equipment rated 800 amperes or more that contain overcurrent devices, switching devices or control devices and where the exit or exit access door is less than 25 feet from the equipment working space as required by NFPA 70. See section 1010.2.8.2.

- 6.2. Rooms or spaces having floor area larger than 1,000 square feet, containing a refrigerant evaporator and maintained at a temperature below 68°F (20°C). See Section 1006.2.2.3.

**1010.2.2 Hardware.** Door handles, pulls, latches, locks and other operating devices on doors required to be accessible by Chapter 11 or the Americans with Disabilities Act (“ADA”) or ICC A117.1 shall not require tight grasping, tight pinching or twisting of the wrist to operate.

**1011.5.2 Riser height and tread depth.** Stair riser heights shall be 7 inches maximum and 4 inches minimum. The riser height shall be measured vertically between the nosings of adjacent treads or between the stairway landing and the adjacent tread. Rectangular tread depths shall be 11 inches minimum measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread’s nosing. Winder treads shall have a minimum tread depth of 11 inches between the vertical planes of the foremost projection of adjacent treads at the intersections with the walk line and a minimum tread depth of 10 inches within the clear width of the stair.

*Exceptions:*

1. Spiral stairways in accordance with Section 1011.10.
2. Stairways connecting stepped aisles to cross aisles or concourses shall be permitted to use the riser/tread dimension in Section 1030.14.2.
3. In Group R-3 occupancies; within dwelling units in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies; the maximum riser height shall be 7 ¾ inches; the minimum tread depth shall be 10 inches; the minimum winder tread depth at the walk line shall be 10 inches; and the minimum winder tread depth shall be 6 inches. A nosing projection not less than ¾ inches but not more than 1 ¼ inches shall be provided on stairways with solid risers where the tread depth is less than 11 inches.
4. See Section 503.1 of the International Existing Building Code for the replacement of existing stairways.

5. In Group 1-3 facilities, stairways providing access to guard towers, observation stations and control rooms, not more than 250 square feet in area, shall be permitted to have a maximum riser height of 8 inches and minimum tread of 9 inches.

**1011.11 Handrails.** Flights of stairways shall have handrails on each side and shall comply with Section 1014. Where glass is used to provide the handrail, the handrail shall comply with Section 2407.

*Exceptions:*

1. Flights of stairways within dwelling units and flights of spiral stairways are permitted to have a handrail on one side only.
2. Decks, patios and walkways that have a single change in elevation where the landing depth on each side of the change of elevation is greater than what is required for a landing do not require handrails.
3. In Group R-3 occupancies, a change in elevation consisting of a single riser at an entrance or egress door does not require handrails.
4. Changes in room elevations of three or fewer risers within dwelling units and sleeping units in Groups R-2 and R-3 do not require handrails.
5. Where a platform lift is in a stationary position and the floor of the platform lift serves as the upper landing of a stairway, handrails shall not be required on the stairway, provided that all of the following criteria are met:
  - 5.1. The stairway contains not more than two risers.
  - 5.2. A handhold, positioned horizontally or vertically, is located on one side of the stairway adjacent to the top landing.
  - 5.3. The handhold is located not less than 34 inches and not more than 42 inches above the bottom landing of the stairway.
  - 5.4. The handhold gripping surface complies with Section 1014.4, and is not less than 4.5 inches in length.
6. Changes in elevations of only one riser do not require handrails.

**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 ICC A117.1 or 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.

**1012.6.3 Length.** The landing length shall be 60 inches minimum.

*Exceptions:*

1. In Group R-2 and R-3 individual dwelling and sleeping units, landings are permitted to be 36 inches minimum.
2. Where the ramp is not part of an accessible route, the length of the landing shall not be required to be more than 48 inches in the direction of travel.

**1012.6.4 Change in direction.** Where changes in direction of travel occur at landings provided between ramp runs, the landings shall be 60 inches by 60 inches minimum.

*Exception:* In Group R-2 and R-3 individually dwelling or sleeping units, landings are permitted to be 36 inches by 36 inches minimum.

**1012.6.5 Doorways.** Where doorways are located adjacent to a ramp landing, maneuvering clearances required by ICC A117.1 or Americans with Disabilities Act Accessibility Guidelines Sec. 404.2.4 are permitted to overlap the required landing area.

**1012.10 Edge protection.** Edge protection complying with Section 1012.10.1 or 1012.10.2 shall be provided on each side of ramp runs and at each side of ramp landings.

*Exceptions:*

1. Edge protection is not required on ramps that are not required to have handrails, provided they have flared sides that comply with the ICC A117.1 curb ramp provisions or Americans with Disabilities Act Accessibility Guidelines Sec. 406.3.
2. Edge protection is not required on the sides of ramp landings serving an adjoining ramp run of stairway.
3. Edge protection is not required on the sides of ramp landings having a vertical drop off of not more than ½ inch within 10 inches horizontally of the required landing area.

**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 in cases 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 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 above the finish floor, nor more than 2 feet 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.

**1018.3 Aisles in Groups B and M** In Group B and M Occupancies, the minimum clear aisle width shall be determined by Section 1005.1 for the occupant load served, but shall be not less than that required for corridors by Section 1020.3.

*Exception:* Nonpublic aisles serving less than 50 people and not required to be accessible by Chapter 11 or the Americans with Disabilities Act ("ADA") or ICC A117.1 need not exceed 28 inches in width.

**1018.5 Aisles in other than assembly spaces and Group B and M.** In other than rooms or spaces used for assembly purposes and Group B and M occupancies, the minimum clear aisle capacity shall be determined by Section 1005.1 for the occupant load served, but the width shall be not less than that required for corridors by Section 1020.3.

*Exception:* Nonpublic aisles serving less than 50 people and not required to be accessible by Chapter 11 or the Americans with Disabilities Act ("ADA") or ICC A117.1 need not exceed 28 inches in width.

**1020.2 Construction.** Corridors shall be fire-resistance rated in accordance with Table 1020.2. The corridor walls required to be fire-resistance rated shall comply with Section 708 for fire partitions.

*Exceptions:*

1. A fire-resistance rating is not required for corridors in an occupancy in Group E where each room that is used for instruction has not less than one door opening directly to the exterior and rooms for assembly purposes have not less than one-half of the required means of egress doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.
2. A fire-resistance rating is not required for corridors contained within a dwelling unit or sleeping unit in an occupancy in Groups I-1 and R.
3. A fire-resistance rating is not required for corridors in open parking garages.
4. A fire-resistance rating is not required for corridors in an occupancy in Group B that is a space requiring only single means of egress complying with Section 1006.2.
5. Corridors adjacent to the exterior walls of buildings shall be permitted to have unprotected openings on unrated exterior walls where unrated wall are permitted by Table 705.5 and unprotected openings are permitted by Table 705.9.
6. A fire-resistance rating is not required for corridors not exceeding 20 feet in length, when they provide direct, obvious and unobstructed means of travel to an exit or until egress is provided from the building, provide that all openings, except the entrance to the corridor, are protected with self-closing doors of non-combustible construction or solid wood core, not less than 1 inch in thickness or fixed glazing. Use of rolling or sliding doors shall not be permitted, unless equipped with a closing device which operates with the actuation of an approved listed smoke detector.

**1103.2 – Emergency responder communication enhancement in existing buildings.** Existing buildings and/or remodels other than R-3 and R-4 that do not have approved in-building emergency responder communication enhancement for emergency responders in the building based on existing coverage levels of the public safety communication system are required to submit an in-building coverage test to the Fire Code Official. The Fire Code Official may require an in-building emergency responder communication enhancement system if it is necessary to promote public safety.

**5601.1.3 Fireworks**

**A. Definitions.**

“Aerial Firework” means any Consumer Firework that shoots flaming balls into the air, including but not limited to, cake or mortar fireworks.

“Bottle Rocket” means any pyrotechnic device which is classified as a C explosive by the United State Department of Transportation under 49 C.F.R. § 173.53 (1990), which is mounted on a stick or wire, and projects into the air when ignited with or without reports and includes any device with the same configuration with or without reports, which may be classified as pipe or trough rocket.

“Consumer Firework” means any firework classified as a Division 1.4g firework by the United States Department of Transportation.

“Fire Code Official” means the Newton Fire/EMS Department Fire Marshal.

“Hobbyist Manufacturer” means any person who manufactures consumer fireworks, display fireworks or articles pyrotechnic for their personal use.

“Manufacturer” means any person engaged in the manufacture of fireworks of any kind in the State of Kansas. Manufacturer shall also include any person engaged in the assembly of consumer fireworks or components parts into a finished item or assortment, but shall not include repackaging finished goods into an assortment.

“Person” means any individual, partnership, firm, company, association, corporation, not-for-profit organization, or limited liability corporation.

“Safe and Sane Firework” means a Consumer Firework that does not leave the ground when ignited, including but not limited to: fountains, sparklers, smoke balls, snake-type fireworks, ground-spinning fireworks, pinwheels, most novelty fireworks, toy-trick noisemakers, and crackling fireworks.

“Sky Lantern or Flying Lantern” means devices that require a heat source which produces heated air trapped in a balloon-type covering allowing the device to float in the air.

**B. Fireworks Prohibited. It is unlawful for any person to:**

1. Possess, handle, use, manufacture or store bottle rockets.
2. Discharge, use or allow another to discharge or use any class of firework on any day that a Fire Code Official has deemed them unsafe as a hazard posed to life or property.
3. Ignite or discharge fireworks into, under, or from a bicycle, motorcycle, electric scooter, car or any type of motor vehicle, whether moving or standing still or on a public roadway or the right-of-way adjoining a public roadway.
4. Discharge within 100 feet of any retail fireworks stand or facility where fireworks are stored or sold.



5. Possess, ignite or otherwise cause the discharge or allow another to possess, ignite or otherwise cause the discharge of any fireworks that are not Consumer Fireworks or any fireworks which are prohibited by Federal or State statutes or regulations.

C. Persons Responsible for Violations.

1. Minors: It shall be unlawful for an adult to allow or permit a person under the age of 18 to violate the provisions of Subsection B. For the purposes of this section, failure to supervise shall be synonymous with allow and/or permit. Adult is defined as any individual or person over the age of eighteen.

2. Owner/Occupant Responsibility: It is unlawful for an individual, owner, lessee, renter, proprietor, or any other person with control of the real property to allow, permit, host, consent to or facilitate a violation of Subsection B. An individual, owner, lessee, renter, proprietor, or any other person with control of the real property shall be presumed to have consented to the illegal use of fireworks on the property or adjacent right-of-way if law enforcement or fire officials observe and document the existence of the remnants of unlawful fireworks on the premises indicative of the use or display of such fireworks.

D. Enforcement.

1. Newton Police Department and Fire Investigators with Newton Fire/EMS Department are authorized to enforce this provision and all applicable provisions of Title 15 pertaining to the storage, use, handling, manufacture and possession of fireworks within the City of Newton.

2. The sale of fireworks shall comply with requirements as determined by the City of Newton Fire Marshal's Office and it shall be a violation of the law to fail to comply.

E. Permits.

1. Any person, individual or corporation desiring to sell fireworks within the corporate city limits of the City of Newton shall obtain a permit from the Licensing Department authorizing the sale of such fireworks. In addition, sellers must comply with all administrative regulations set by the Kansas State Fire Marshal regarding the sale of fireworks. The possession, storage, and sale of specific types of Division 1.4G fireworks shall comply with the following guidelines:

a. Fireworks shall comply with CPSC 16 CFR, Parts 1500-1507, and DOTn 49 CFR, Parts 100-185 for Consumer Fireworks; and

b. Fireworks shall be classified as Class C and/or 1.4G.

2. At each sale location an informational sign approved by the Newton Fire/EMS

Department shall be posted in a conspicuous location and informational flyers shall be available so as to educate the public as to the firework ordinances in the City of Newton. It shall be unlawful to sell fireworks from a location without posting the sign or having the flyers available to the public.

3. It is unlawful for any person to operate an outdoor display of fireworks, as required by Section 15.01.610 of this Code without first obtaining a permit from the City of Newton.

4. It is unlawful for any person to operate any indoor pyrotechnic article, as required by Section 15.01.620 of this Code without first obtaining a license from the City of Newton and the Kansas State Fire Marshal.

5. It is unlawful for any Manufacturer or Hobbyist Manufacturer to manufacture or possess goods, fuses, ingredients or other compounds to manufacture consumer fireworks, display fireworks, or pyrotechnic articles without first obtaining a license from the office of the Kansas State Fire Marshal.

6. Permit procedures for (E)(1) and (E)(2) can be found in City Code 10-604 and 10-605

F. *Exceptions.* The provisions in this Ordinance shall not apply to the following:

- a. Toy smoke devices as defined in the American Pyrotechnic Association Standard No. 87-1, Section 3.2.3;
- b. Toy paper caps as defined in the American Pyrotechnic Association Standard No. 87-1, Section 3.3;
- c. The manufacture, storage, sale, or use of signals necessary for the safe operation of railroads or other classes of public or private transportation;
- d. Fireworks, pyrotechnics or other explosive devices utilized by the military or naval forces of the United States or by any federal, state or local law enforcement officer; and
- e. The sale or use of blank cartridges for ceremonial or theatrical or athletic events.

G. Seizure of fireworks.

1. If fireworks are found to be stored, possessed or transported in violation of this Code, such fireworks may be seized by Newton Police Department Officers or personnel of the Newton Fire/EMS Department. Reasonable costs for the storage and destruction of such fireworks may be assessed against the party found to be in violation of the law, except that if an administrative hearing is requested, no person shall be assessed for storage costs incurred for more than 60 days after the completion of the

hearing or the expiration of the time for seeking judicial review.

2. The owner of any fireworks seized may make written demand upon the Fire Marshal of the Newton Fire/EMS Department for an administrative hearing. Where, after hearing, the Fire Marshal or a designee finds that there has been a violation of the provisions of the Code of the City of Newton, the Newton Fire/EMS Department may destroy or order the destruction of such fireworks or direct such other disposition of the fireworks as is deemed proper. Unless necessary to protect against a substantial threat to the public health, safety or welfare, the fireworks shall not be destroyed until the completion of the administrative hearing or expiration of the time for seeking judicial review. If the hearing officer finds there has been no violation, the fireworks shall be returned to their owner.

3. Where no claimant has appeared within 60 days of the seizure, demanded the return of the fireworks and proven, to the satisfaction of the Fire Marshal of the Newton Fire/EMS Department, the claimant's title to and right of possession of such fireworks, the Newton Fire/EMS Department may, without process and without liability, destroy or order the destruction of the fireworks or direct such other disposition thereof as is deemed proper.

4. Where the manufacture, condition, storage, packing or location of fireworks is such that their continued existence or transportation is an immediate danger to public safety, health or welfare, the Newton Fire/EMS Department or a representative thereof may apply to the Harvey County District Court for an emergency ex parte order authorizing the Newton Fire/EMS Department to destroy or dispose of the fireworks without liability to the owner thereof.

**5604.1.1 Storage Limits.** The storage of explosives and blasting agents is prohibited within Fire Zone One and Fire Zone Two. This prohibition shall not apply to wholesale and retail stocks of small arms ammunition, black powder, smokeless powder, and small arms primers for hand loading small arms ammunition for personal consumption. Display and storage in Group M occupancies shall be regulated by Section 5606.5.

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-third of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

#### **Appendix A. Board of Appeals; *See City Code 6-102***

#### **10-105. Establishment of duties of Community Risk Reduction Division.**

(a) The International Fire Code as adopted and amended herein shall be enforced by the Community Risk Reduction Division in the Newton Fire/EMS Department of the City of Newton which is hereby established and which shall be operated under the supervision of the Chief of the Newton Fire/EMS Department or by such officers as may be delegated by the Chief. The

Chief shall designate a fire marshal and such other members of the Newton Fire/EMS Department as inspectors and as "Fire Code Officials" under the International Fire Code as the Chief may deem necessary from time to time, which may include the authority and power to sign, issue and execute complaints regarding violations of this chapter of the Code of the City of Newton. The Chief shall also possess all such powers and authority.

(b) With the advice and recommendations of the Fire Chief, the governing body of the City may from time to time by Resolution establish and authorize a program for the periodic inspection of one or more classifications of structures or facilities within the City for the enforcement of the laws and ordinances governing the same, and for the safeguarding of life a property from hazards and dangers under the jurisdiction of the Newton Fire/EMS Department.

(c) The Fire Chief, and any and all inspectors and code officials designated by the Fire Chief under the authority conferred herein, shall have the right of access to any and all properties, structures, and facilities in the City for the purpose of carrying out the adopted and authorized periodic inspection program as established by the governing body. It shall be unlawful for any owner, manager or occupant of any such property to fail or refuse to provide such access upon reasonable advance notice and request for such access having been given. Furthermore, the Fire Chief, and any designated inspector or code official, may make application to the District Court for an administrative search warrant to compel such access, and may make forcible entry upon or into any such property, structure or facility for the purpose of carrying out such inspection, as such warrant may authorize.

#### **10-106. Violations, enforcement and penalties.**

(a) Any person who violates any of the provisions of the this Article or of the International Fire Code as adopted and amended herein, or who fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken, or who fails to comply with such order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine fixed by the court at a sum not less than \$250 and not to exceed \$2,500 or by imprisonment of not more than one (1) year or by both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(b) Whenever the Chief of the Newton Fire/EMS Department or any code enforcement officer delegated with such authority has probable cause to believe that a person, firm or corporation is committing or has committed a violation of any provision of this Article or of the International Fire Code, the Chief or such enforcement officer may first cause a notice of

violation(s) and order(s) to comply to be served upon such person, firm or corporation responsible therefor. Such notice:

- (1) Shall be in writing;
- (2) Shall include a description of the real estate and/or the street address where the violation allegedly occurred or is occurring sufficient for identification;
- (3) Shall specify the violation(s) which exist and the correction(s) ordered; and
- (4) Shall prescribe a reasonable time for the performance of any act it requires.

Such notice shall be deemed to be properly served upon such alleged violator if a copy thereof is delivered to such alleged violator personally, or if a copy is left at such alleged violator's place of abode or business with a person of suitable age and discretion who shall be informed of the contents thereof. Such notice shall also be deemed to be properly served if a copy thereof is sent by mail to such alleged violator's last known address, or, if the copy is returned showing it has not been delivered, a copy thereof is posted in a conspicuous place in, on or about the building or structure affected by the notice.

(c) In case any notice of violation(s) and order(s) to comply authorized herein is not complied with, the Chief or such enforcement officer may request the City Attorney to institute an appropriate action or proceeding against such person, firm or corporation responsible for the violation(s):

- (1) To restrain, correct or remove the violation or to compel such person, firm or corporation to refrain from any further execution of work;
- (2) To restrain or correct the erection, construction, installation, alteration, enlargement, addition, repair, relocation, replacement, improvement, removal, conversion, demolition, equipping, maintenance, occupation or use of a building, structure or portion thereof;
- (3) To require the removal of work in violation;
- (4) To prevent the maintenance, occupation or use of the building, structure or portion thereof, erected, constructed, installed, altered, enlarged, added to, repaired, relocated, replaced, improved, removed, converted, demolished, equipped, maintained, occupied or used in violation of this Article or the International Fire Code, or in violation of a plan or specification under which an approval, permit or certificate was issued.

In addition, or in the alternative, the Chief or such enforcement officer may proceed for the enforcement of penalties hereunder.

(d) For the purposes of the penalty provisions under this Article or the International Fire Code, every violation shall be deemed to be a class G violation except for the following which shall be classified as follows:

## CLASSIFICATION OF VIOLATIONS

Section	Description Of Violation	Class
102.3	Change use of building	I
104.3	Deny right of entry	I
104.11	Fail to comply with fire department authority	I
104.11.2	Obstruct fire fighting operations	I
107.1	Fail to maintain any device, equipment or system, in accordance with this code or applicable standards	H
107.2	Fail to have required equipment tested	H
107.2.1	Fail to have test and inspection records available to the Fire Code Official when requested	H
107.2.2	Fail to have work or installation re-inspected	H
107.4	Render portable or fixed fire extinguishing system, device or fire warning system inoperable or inaccessible	I
107.5	Allow a building or portion thereof to be overcrowded beyond the approved capacity	I
109.3.2	Fail to comply with compliance order or notice	H
109.3.4	Mutilate, destroy, remove or tamper posted or affixed notice or tag	I
109.4	Fail to correct or abate a violation of this code by an owner or occupancy	I
110.1	Fail to comply with notice on unsafe building	I
110.1.1	Allow unsafe condition to remain	I
110.2	Fail to evacuate building or structure as directed	I
110.4	Fail to abate unsafe condition	I
111.4	Fail to comply with work stop order	I
304.1	Allow combustible waste to accumulate which creates a fire hazard	H
304.1.3	Allow combustible waste storage under seats	H
305.4	Cause the burning of combustible material in a manner to endanger the safety of persons or property	H
307.1	Burn at an unapproved location	H
307.3	Burn prohibited materials	H
307.4.1	Have a bon fire at an unapproved location	H
307.4.2	Have a recreational fire at unapproved location	H
307.5	Leave or not attend a burning operation	H
308.1	Use an open flame in a prohibited location	I
308.1.1	Use or allow to be utilized an open flame at an unapproved location	I
308.1.2	Throw, discard, or place a glowing object which could cause an unwanted fire	I
308.1.5	Locate open flame too close to combustibles	I
308.1.6	Use a Chimenea or other recreational open flame devices in an unapproved manner	H
308.1.7.1	Allow candles in aisles and exits	I
308.2	Allow an open flame device around a hazardous location	I
310.4	Remove or tamper with no smoking sign	H
310.5	Fail to comply with no smoking sign	H
310.7	Discard smoking material in an approved manner	H
310.8	Use smoking material or an ignition source when hazardous environmental conditions exist	H
311.2.1	Fail to secure and protect vacant premises	I
311.2.2	Fail to maintain fire protection in vacant premise	I
311.3	Fail to remove combustible waste from vacant building	H

Section	Description Of Violation	Class
311.4	Fail to remove hazardous materials from vacant building	I
312.2.	Fail to provide approved vehicle impact protection post	H
314.3	Display highly combustible goods in an unapproved location	I
315.3	Fail to store combustible materials in an approved manner	H
315.3.1	Fail to maintain ceiling clearance in an approved manner	H
315.3.2	Store combustible materials in exit or exit enclosure	I
315.4	Store combustible materials outside in an unapproved manner	H
315.4.1	Improperly store or display combustible materials beneath overhead project	H
315.4.2	Exceed outside storage height limitation	H
401.3.1	Fail to report unwanted fire emergency to the fire department	I
401.3.2	Fail to notify fire department of a fire alarm activation	I
401.5	Make a false report to the fire department	I
401.8	Interfere with the fire department	I
403.3	Fail to provide required standby personnel	I
407.3	Fail to properly identify hazardous materials	I
408.12.2	Fail to provide required fire detection in an amusement building	I
408.12.3	Fail to provide required automatic sprinklers in an amusement building	I
408.12.4	Fail to provide required fire alarm in an amusement building	I
408.12.5	Fail to provide emergency voice/alarm communication system in an amusement building	H
408.12.6	Fail to comply with exit marking requirements in an amusement building	H
408.12.8.3	Fail to contact the fire department prior to the operation of an amusement building	H
408.12.8.6	Allow an open flame device or temporary heater in an amusement building	H
408.12.8.11	Use visquene plastic or other black plastic sheeting in an amusement building	H
501.3	Fail to submit proper construction documents to the fire department	H
503.1	Fail to provide fire apparatus access road where required	H
503.2	Fail to comply with fire apparatus access road specifications	H
503.4	Obstruct fire apparatus access drive or road (Fire Lane)	H
504.1	Fail to maintain required access to building openings and roofs	H
504.2	Fail to maintain exterior doors and openings in an approved manner	H
505.1	Fail to provide approved premises identification	H
507.1	Fail to provide required water supply	I
507.5.2	Fail to maintain fire hydrant system in operable condition	I
507.5.4	Obstruct fire protection equipment	H
507.5.5	Fail to maintain clear space around fire hydrant	H
603.4	Allow a portable unvented heater in an unapproved location	H
603.4.1	Locate a portable unvented heater in an unapproved location	H
603.6	Maintain chimney and appliances in an unapproved manner	H
603.7.1	Use or cause to be operated an unsafe heating appliance	H
603.8.4	Fail to comply with the burning conditions when using a free standing incinerator	H
604.3	Fail to maintain emergency and standby power systems	I
609.1	Fail to have a performance test conducted of the kitchen hood	H
609.2	Fail to provide approved commercial kitchen hood	I
609.3.1	Fail to have kitchen exhaust system inspected	H
609.3.2	Fail to provide approved grease filters in kitchen hood system	I
609.3.3	Fail to comply with the requirements for the cleaning of a kitchen exhaust system	H
703.1	Fail to maintain fire resistive rated construction	H
703.1.2	Fail to maintain fire door or smoke barrier door in operable condition	H
703.4	Fail to have horizontal or vertical fire door inspected and tested	H

Section	Description Of Violation	Class
704.1	Fail to protect floor openings and shafts as required	H
803.1.1	Use explosive or highly flammable furnishings or decorations	I
803.1.3	Obstruct exit egress passageway	H
803.5	Use unapproved textile wall coverings	H
803.6	Use unapproved vinyl wall coverings	H
806.1.1	Have a natural cut tree in an unapproved occupancy	H
806.1.3	Retain a dry natural cut tree in a building	H
806.2	Use unapproved artificial decorative vegetation	H
806.3	Obstruct means of egress with interior decorations or other objects	H
806.4	Use open flame device near decorative vegetation	H
806.5	Use unapproved electrical wiring and lighting on decorative vegetation	H
807.1	Use unapproved decorations and trim (group a,e,I,r1,r2)	H
807.4.3.1	Store clothing and personal effects in corridors and lobbies - (group e)	H
807.4.4.1	Store clothing and personal effects in corridors and lobbies - (group i-4)	H
901.2	Fail to submit required construction documents for approval	I
901.2.1	Fail to provide compliance documents to the code official upon completion of a project	H
901.4	Fail to maintain fire protection systems in accordance with original installation standards	I
901.4.1	Fail to install, repair, operate, test, or maintain fire protection system in accordance with the fire code	I
901.4.2	Fail to comply with the license requirements for a fire protection contractor installer	I
901.4.5	Fail to submit fire protection plans to the fire department for review	I
901.5	Fail to conduct acceptance testing of any fire protection system in the presence of the fire department	I
901.5.1	Occupy any portion of a building before the fire detection, alarm or suppression system was tested and approved	I
901.6	Fail to maintain fire detection, alarm, or extinguishing system in an operative condition at all times	I
901.6.2	Fail to retain records of all system tests, inspections and maintenance on the premise	I
901.6.7	Fail to notify fire department of a fire systems being out of service	I
901.8	Remove, tamper or otherwise disturb and fire protection device or system	I
901.8.1	Remove, tamper or otherwise disturb any lock, gate, barricade, sign, tag or seal installed by or at the direction of the fire department	I
903.2.111.1.1	Obstruct firefighter access opening	I
903.2.11.1.2	Fail to install automatic sprinkler system where building openings are on one side and the opposite wall is more than 75 feet	H
903.2.11.2	Fail to install automatic sprinkler system in rubbish and linen chutes	H
903.2.11.5	Fail to install automatic sprinkler system in commercial kitchen exhaust and duct system when required	H
903.3.1.1	Fail to install automatic sprinkler system in a building in compliance with N.F.P.A. Standard #13	I
903.3.1.2	Fail to install automatic sprinkler system in a building in compliance with N.F.P.A. Standard #13R	I
903.3.1.3	Fail to install automatic sprinkler system in a building in compliance with N.F.P.A. Standard #13D	I
903.3.3	Allowed automatic sprinklers to be installed near obstruction which will delay its activation	H
903.3.5	Fail to install back flow device on a sprinkler system	H
903.4	Fail to electronically supervise sprinkler system, pump, tank, or water flow device in an approved manner	I
903.4.1	Fail to have alarms or trouble signals transmitted to an approved location	H
903.4.2	Have audible alarm devices which fail to operate properly	H
904.2.1	Fail to install required extinguishing system in a commercial kitchen hood and duct system	I



Section	Description Of Violation	Class
904.3.5	Fail to have fire alarm system monitored	I
904.3.6	Fail to be an authorized fire alarm system inspector by the State of Kansas	I
904.4	Fail to have fire extinguishing system inspected and tested prior to acceptance	H
904.4.1	Fail to have a final acceptance test conducted of the kitchen hood system	I
904.5	Fail to have Wet-chemical system installed, maintained and inspected in accordance with N.F.P.A. Standard 17A	I
904.6	Fail to have dry chemical system installed, maintained and inspected in accordance with N.F.P.A Standard 17	I
904.7	Fail to have foam system installed, maintained and inspected in accordance with N.F.P.A Standard 11,111A & 16	I
904.8	Fail to have carbon dioxide system installed, maintained and inspected in accordance with N.F.P.A Standard 12	I
904.9	Fail to have Halon system installed, maintained and inspected in accordance with N.F.P.A Standard 12A	I
904.9.1	Fail to have clean agent systems installed, maintained and inspected in accordance with N.F.P.A Standard 2001	I
904.11	Installed an unapproved commercial cooking fire extinguishing system	I
904.11.1	Fail to install manual activation device for kitchen commercial extinguishing system	H
904.11.2	Fail to install interlock device on kitchen commercial extinguishing system	H
904.11.5	Fail to provide portable fire extinguisher within 30 feet of a commercial extinguishing system	H
904.11.6..2	Fail to have commercial extinguishing system cleaned and inspected by a qualified individual	H
905.9	Fail to have valves controlling water supplies of a standpipe system	I
906.1	Fail to provide correct size, type, number or maintenance of portable fire extinguisher	H
906.4	Fail to provide compatible fire extinguisher for use with a kitchen hood extinguishing system	H
906.6	Obstruct or obscure from view a portable fire extinguisher	H
907.1.1	Fail to submit fire alarm systems construction documents for approval prior to system installation	I
907.2.1	Fail to install a manual fire alarm system in a Group A occupancy	I
907.2.1.1	Fail to install a manual fire alarm system in a Group A occupancy with an occupant load of 1000 or more	I
907.2.2	Fail to install a manual fire alarm system in a Group B occupancy with an occupant load of 500 or more	I
907.2.3	Fail to install a manual fire alarm system in a Group E occupancy	I
907.2.4	Fail to install a manual fire alarm system in a Group F occupancy	I
907.2.5	Fail to install a manual fire alarm system in a Group H occupancy	I
907.2.6	Fail to install a manual fire alarm system in a Group I occupancy	I
907.2.6.1	Fail to install a manual fire alarm system in a Group I-2 occupancy	I
907.2.6.2	Fail to install a manual fire alarm system in a Group I-3 occupancy	I
907.2.6.3	Fail to provide approved smoke detection system in I-3 occupancy	I
907.2.7	Fail to install a manual fire alarm system in Group M occupancy	I
907.2.8.1	Fail to install a manual fire alarm system in a Group R-1 occupancy	I
907.2.9.1	Fail to install a manual fire alarm system in a Group R-2 occupancy	I
907.2.11.1	Fail to install single or multiple station smoke alarm in an R-1 occupancy	I
907.2.11.2	Fail to install a single or multiple station smoke alarm in an R-2, R-3, R-4 or I-1 occupancy	H
907.2.12	Fail to provide an approved automatic smoke detection system in a special amusement building	I
907.2.15	Fail to install an approved automatic fire detection system in a high piled combustible storage are	I

Section	Description Of Violation	Class
907.4.2.1	Fail to install a manual fire alarm box in an approved location	H
907.4.2.2	Have a manual fire alarm box at an unapproved height	H
907.6.4	Fail to maintain access to a duct detector for testing and inspection	H
907.6.5	Fail to have the fire alarm system monitored by an approved agency	I
907.7	Fail to have an acceptance test of a fire alarm system	I
907.7.2	Fail to provide the fire alarm record of completion report	H
907.8	Fail to have the fire alarm system tested and maintained in accordance with N.F.P.A Standard #72	I
907.8.5	Fail to maintain an inspection and testing report of the fire alarm system on the premises	H
912.2.1	Fail to properly identify the location of a fire department connection on an existing building	H
912.3	Obstruct a fire department connection	H
912.3.1	Fail to install locking caps on a fire department connection	H
912.4	Fail to properly identify the type of fire department connection	H
912.5	Fail to install backflow prevention device on a fire sprinkler system	H
912.6	Fail to have fire department connection tested, inspected and maintained in accordance with N.F.P.A Standard 25	I
913.4	Fail to have valves controlling water supplies of a fire pump	I
913.5	Fail to have the fire pump tested and maintained in accordance with N.F.P.A Standard #25	I
1001.2	Alter a building or structure in a manner that reduces the number of exits required by code	I
1003.2	Have a ceiling height less than 7 feet in a means of egress	I
1003.3.1	Have protruding object below the minimum ceiling height permitted by code	H
1003.3.4	Allow protruding objects to reduce the minimum clear width of accessible egress routes	H
1003.6	Allow obstructions to be placed in the required width of a means of egress	H
1004.3	Fail to post required occupant load of a room or space	H
1004.5	Fail to provide required exits from an outdoor area	I
1005.2	Reduce the required width of a door opening into the path of egress travel	H
1006.1	Fail to provide required egress illumination	I
1006.3	Fail to provide emergency illumination supply in means of egress	I
1006.3.1	Fail to meet minimum emergency lighting brightness	I
1007.3	Fail to maintain clear width of 48 inches in an enclosed exit stairway	H
1008.1	Fail to maintain egress door as a distinguishable exit door	I
1008.1.1	Fail to maintain required clear width of an exit door	I
1008.1.2	Fail to have door swing in the direction of egress travel	I
1008.1.4.4	Allow the use of a security grill in other than Group B, F, M and S occupancy	I
1008.1.5	Have an unapproved floor elevation or landing for an exit door	H
1008.1.6	Have an improper landing size for an exit door	H
1008.1.9	Have an unapproved method of opening an exit door	H
1008.1.9.1	Have unapproved door hardware	H
1008.1.9.2	Have the door hardware at an unapproved height	H
1008.1.9.3	Use locks and latches on an exit door in an unapproved manner	H
1008.1.9.4	Have a bolt lock on an exit door	I
1008.1.9.5	Have more than one operation to open an exit door	H
1008.1.9.7	Use a delayed egress lock in an unapproved occupancy	I
1008.1.10	Fail to provide required panic hardware	H
1009.3.1	Fail to comply with stairway construction requirements	I
1009.4	Fail to maintain required stairway width	H
1009.7.2	Fail to comply with stair tread and riser requirements	H
1009.8	Fail to comply with stairway landing requirements	H

Section	Description Of Violation	Class
1011.1	Fail to provide required exit sign	H
1011.3	Fail to provide required illumination for an exit sign	H
1011.5	Fail to comply with externally illuminated exit sign requirements	H
1014.3	Exceed common path of travel distance requirement	H
1015.1	Fail to provide required second exit	I
1015.3	Fail to provide required second exit in Boiler, incinerator or furnace rooms	I
1018.1	Fail to provide required corridor fire resistance rating	I
1018.2	Fail to provide required minimum corridor width	I
1018.4	Exceed maximum dead-end corridor width	I
1020.1	Use an exit for other than its intended purpose	I
1020.2	Fail to provide at least one exterior exit door	H
1020.2.1	Fail to provide required number of exit doors based upon occupant load	I
1020.2.2	Fail to provide a direct and unobstructed access to a public way	I
1028.2	Fail to provide a main exit from a Group A occupancy with an occupant load greater than 300	I
1028.6	Fail to provide a clear width of aisles and other means of egress in an Assembly occupancy	H
1028.7	Exceed travel distance to an exit door	I
1028.9.2	Fail to provide required minimum aisle width in an assembly occupancy	H
1030.2	Prevent required exit accesses, exits or exit discharges from being used in an emergency	I
1030.3	Allow a means of egress to be obstructed	I
1030.6	Allow furnishings and decorations to obstruct or conceal an exit	I
1103.7.1	Fail to install an approved fire alarm system in an existing Group E occupancy	I
1103.7.2	Fail to install an approved fire alarm system in an existing Group I-1 residential care/assisted living facility	I
1103.7.3	Fail to install an approved fire alarm system in an existing Group I-2	I
1103.7.4	Fail to install an approved fire alarm system in an existing group I-3 occupancy	I
1103.7.5	Fail to install an approved fire alarm system in an existing Group R-1 Boarding and rooming house	I
1103.7.6	Fail to install an approved fire alarm system in an existing Group R-2	I
1103.7.7	Fail to install an approved fire alarm system in an existing Group R-4 residential care/assisted living facility	I
1104.3	Fail to provide required illumination of an exit sign in an existing building	I
11.04.5	Fail to provide emergency illumination supply in an existing means of egress	I
11.04.7	Fail to provide minimum required width of an exit door in an existing building	I
1104.8	Maintain an exit door which is too difficult to open	I
1104.9	Fail to maintain a revolving door in an existing building in an approved manner	I
1104.17	Fail to maintain a corridor in an existing building in an approved manner	I
1104.17.2	Exceed maximum dead end corridor with in an existing building	I
1104.18	Exceed common path of travel distance requirement in an existing building	I
1104.22	Fail to maintain minimum aisle width in an existing building	I
2003.1	Improperly use open flames and flame producing devices in a hanger	I
2003.2	Fail to comply with smoking regulations in an aviation facility	H
2004.2	Apply aircraft finishing material in an unapproved manner	I
2005.7	Fail to maintain access to a fire extinguisher in an aircraft facility	H
2006.3.8	Use smoking material in an aircraft fueling vehicle	H
2006.5	Conduct unapproved aircraft fueling and defueling operations	H
2006.15	Use open flames and open flame devices near aircraft fueling operation	I
2107.2.2	Fail to provide required second means of egress in a dry cleaning room	I
2108.2	Fail to provide automatic sprinkler system in a dry cleaning plant	I

Section	Description Of Violation	Class
2301.3	Fail to provide fuel dispensing plans to the fire department for approval	H
2303.2	Fail to provide emergency shut-off control at a fuel dispensing operation	H
2304.2.5	Fail to maintain two-way communication system at a fuel dispensing operation	H
2304.3	Fail to post operating instructions at unattended self service fuel dispensing operations	H
2304.3.6	Fail to provide a phone at an unattended self service dispensing operation	H
2305.5	Fail to provide approved fire extinguisher near a dispensing location	H
2305.6	Fail to post warning signs at a dispensing operation	H
2306.2.2	Have an unapproved above ground fuel storage tank inside a building	I
2306.3	Fail to secure an above ground tank storage area in an approved manner	H
2306.4	Fail to install approved vehicle impact protection for an above fuel dispensing storage tank	H
2306.5	Fail to provide required secondary containment for an above ground tank	H
2306.7.2	Fail to secure fuel pump in approved manner	H
2306.7.3	Fail to protect dispensing device in an approved manner	H
2306.7.6	Provide an unapproved fuel delivery nozzle	H
2306.7.8	Allow flammable liquids to be dispensed in an unapproved manner	I
2307.5.3	Fail to provide vehicle impact protection for LP-gas storage containers	I
2307.6	Fail to provide emergency shut-down equipment for COG dispensers	H
2311.2.2	Store waste oil, motor oil in an unapproved manner	H
2311.2.3	Drain and dispose of liquid waste in an unapproved manner	H
2311.3	Allow a source of ignition in a repair garage less than 18 inches above the floor	H
2403.3	Fail to protect against sources of ignition in flammable finishing operations (This is a general requirement for sections 1503.2.1 through 1503.2.8)	H
2403.4	Fail to maintain clean spraying area	H
2403.4.2	Fail to remove cleaning residue immediately from premises	H
2403.4.3	Fail to provide approved waste receptacle in spraying operations	H
2404.1	Fail to provide required spray booth or room	I
2404.3.1	Fail to construct spray room of approved materials	I
2404.3.1.1	Fail to construct spray room floor of approved materials	H
2404.3.2.1	Fail to construct spray booth of approved materials	I
2404.3.2.3	Fail to construct spray booth floor of approved materials	H
2404.3.2.5	Fail to maintain clear space around spray booth	H
2404.3.2.6	Fail to construct spraying space in approved manner	I
2404.3.3.1	Fail to construct spraying space floor of approved manner	H
2404.4	Fail to provide approved automatic fire extinguishing system in spray booth/room	I
2404.4.1	Fail to provide portable fire extinguisher for spraying area	H
2404.5.2	Fail to protect sprinklers installed in spraying area	H
2404.6.1.2.1	Fail to install shut down interlock on automated spraying system	I
2404.6.1.2.2	Use portable infrared drying apparatus in an unapproved manner	H
2404.6.2	Fail to fix lighting units in an approved location	H
2404.6.2.1	Use unapproved glass panels	H
2404.6.2.2	Use unapproved exterior light fixtures	H
2404.6.2.3	Use unapproved integral light fixtures	H
2404.6.2.4	Use portable electrical lamps in an unapproved manner	H
2404.7	Fail to provide approved mechanical ventilation	H
2404.7.1	Fail to comply with mechanical ventilation operation requirements	H
2404.7.3	Fail to install air velocity detection devices	H
2404.7.4	Obstruct ventilation system with articles being painted	H
2404.7.8.5	Fail to dispose filters in an approved manner	H
2404.8.1.1	Fail to install manual fire alarm system on automated spraying system	I

Section	Description Of Violation	Class
2404.8.2	Interconnect air make up and exhaust system with fire alarm system	I
2404.9	Fail to comply with limited spraying spaces requirements	I
2405.2	Conduct dip-tank operations in an unapproved location	I
2405.4.2	Fail to provide portable fire extinguisher near dip tank	H
2405.4.11	Fail to provide approved automatic extinguishing system for dip tank operations	I
2406.6	Use open flames during a drying process	I
2405.7	Fail to provide ventilation for a dip tank operation	I
2406.2	Conduct power coating operation in an unapproved location	I
2406.7	Fail to provide ventilation for power coating operations	I
2604.4	Fail to provide approved extinguishing system for powder coating operation	I
2409.3	Fail to provide fire protection system in resin application area	I
2410.1	Conduct a floor surfacing and finishing operation in an unapproved manner	I
2803.2	Fail to provide approved dust collection and exhaust system inside building	H
2803.2.1	Fail to provide explosion venting in a dust explosion hazardous area	H
2803.3.1	Fail to conduct required housekeeping/removal of combustible dusts	H
2803.5.3	Fail to install no smoking signs	H
2808.3	Exceed pile size limits for wood chips and compost	I
2808.8	Fail to provide required fire extinguisher on vehicles	H
2809.2	Fail to store exterior lumber storage in an approved manner	I
2809.3	Fail to provide required access roads around wood chips or compost piles	I
2809.4	Fail to secure lumber storage area in an approved manner	H
3103.6	Fail to provide site and floor plan for tent	H
3103.8.1	Fail to provide required fire apparatus access road around tent	H
3103.8.6	Fail to provide required fire break around tent	H
3103.12.2	Fail to provide required number of exits for a tent	H
3103.12.6	Fail to provide required exit signs for a tent	H
3103.12.6.1	Fail to provide required illuminated exit sign for a tent	H
3103.12.8	Fail to maintain required width of an exit in a tent	H
3104.2	Fail to provide flame resistant certificate for a tent	H
3104.5	Allow combustibles too close to tent	H
3104.6	Fail to provide NO SMOKING sign in a tent	H
3104.7	Allow open or exposed flame or other similar heat source inside or located within 20 feet of a tent	H
3104.8	Use fireworks within 100 feet of a tent	I
3104.12	Fail to install portable fire extinguisher inside a tent	H
3104.18.2	Fuel or de-fuel a vehicle or equipment within a tent	I
3104.18.3	Obstruct a means of egress in a tent with a vehicle or equipment	H
3104.20	Fail to provide required standby personnel when using a tent	I
3205.1	Fail to maintain structural integrity of storage racks	I
3205.4	Fail to maintain clear aisle in high pile storage locations	H
3205.5	Exceed high pile storage dimensions and height limitations	I
3206.6	Fail to provide fire apparatus access drive for building containing high pile combustible storage	I
3206.6.1	Fail to provide required access doors	H
3206.9	Fail to provide required aisle access to exits and access doors	I
3206.9.1	Fail to provide required aisle width	H
3206.9.2	Fail to provide required clear height of aisle width	I
3304.1	Use smoking material in an unapproved location	H
3304.2	Allow waste material to accumulate within a building under construction	H

Section	Description Of Violation	Class
3304.3	Permit sources of ignition and smoking in prohibited area	H
3304.5	Fail to provide required fire watch person	I
3308.7	Fail to remove temporary fire protection device covering	I
3310.1	Fail to provide required fire department vehicle access during construction	H
3311.1	Fail to provide required stairway in buildings over 50 feet during construction	I
3311.2	Fail to maintain required egress components during construction/demolition	I
3314.1	Occupy building without approved testing/inspection of the sprinkler system	I
3403.3	Fail to clean tire rebuilding buffering area	H
3404.1	Conduct an open burning operation in a tire storage yard	J
3404.2	Operate a cutting, welding or heating device in a tire storage yard	H
3405.1	Exceed individual tire storage pile requirements	I
3405.2	Fail to separate individual tire storage piles	I
3405.3	Fail to separate individual tire storage piles from other stored products	I
3405.4	Fail to separate tire storage piles from lot lines and buildings'	I
3405.5	Fail to maintain storage yard clear from combustible ground vegetation	I
3405.6	Fail to store bulk volume of tire storage in excess of 150,000 ft <sup>3</sup> in an approved manner	I
3405.7	Store outdoor tire waste in an unapproved location	I
3406.1	Fail to provide fire apparatus access roads in tire storage yards	I
3407.4	Fail to maintain tire storage gateway clear of obstructions and fully operable	I
3408.1	Fail to provide fire protection water for tire storage yard	I
3409.1	Store tires inside in an unapproved manner	I
3504.1.1	Have combustibles in a hot work area	H
3504.1.3	Fail to keep hot work floor area clean	H
3504.1.5	Use partitions in an unapproved manner	H
3504.1.7	Conduct hot work operations on hazardous containers in an unapproved manner	I
3504.1.8	Fail to maintain sprinkler protection during hot work operation	I
3504.2	Fail to establish and conduct a fire watch during hot work operations	I
3505.7	Conduct welding or cutting work in an unapproved manner	H
3506.4	Fail to provide emergency disconnect for fixed electrical welders	H
5001.1	Store, use or handle hazardous materials in an unapproved manner	H
5003.2.4	Install hazardous materials storage tanks in an unapproved manner	I
5003.3	Allow the release of hazardous materials to an unauthorized location	I
5003.3.1	Permit an unauthorized release of hazardous materials	I
5003.4	Fail to provide material safety data sheets (MSDS)	H
5003.5	Fail to provide hazardous identification signs on containers and tanks	I
5003.6	Obscure or remove identification signs of containers and tanks	I
5003.7	Fail to comply with the sources of ignition prohibition in hazardous materials areas	I
5003.8.3.3	Exceed maximum number of hazardous materials control areas	I
5003.8.3.4	Fail to maintain required fire resistive rating for fire barrier assembly	H
5003.8.7	Use an unapproved hazardous material storage cabinet	H
5003.8.7.2	Fail to label hazardous material cabinet with warning sign	H
5003.9.2	Fail to secure storage, dispensing, use and handling areas from unauthorized entry	H
5003.9.3	Fail to protect storage tanks and equipment in an approved manner	H
5003.9.5	Fail to protect hazardous materials with flammable mixtures from static electricity	I
5003.9.8	Failed to separate incompatible hazardous materials	I
5003.9.9	Fail to provide proper shelf storage of hazardous materials	I
5003.10.3	Use cart or truck to transport hazardous materials in an unapproved manner	H
5003.11.3	Store and display improperly hazardous materials in group "m" or "s" occupancies	H
5003.12	Use outdoor hazardous material control area in an unapproved manner	I



Section	Description Of Violation	Class
5004.2.	Fail to provide spill control and secondary containment for hazardous materials	I
5004.3	Fail to provide indoor storage area & buildings with approved required ventilation	I
5004.4	Fail to separate incompatible hazardous materials in storage area	I
5004.6	Fail to provide required indoor explosion control	I
5004.7	Fail to provide required standby or emergency power	I
5004.11	Fail to maintain hazardous area clear of combustible materials	H
5005.1.1	Fail to separate incompatible hazards materials in use, dispensing and handling area	I
5005.1.5	Fail to provide required standby or emergency power	I
5005.1.7	Fail to provide adequate lighting in use, dispensing and handling area	I
5005.1.9	Fail to provide indoor dispensing and use area with required ventilation	I
5005.3.3	Use and dispense hazardous materials in an unapproved outdoor location	I
5005.3.8	Fail to keep hazardous materials storage area clear of combustible material a distance of 30 feet	I
5104.2	Exceed maximum storage amounts of aerosols in Groups A, B,E,F,I and R occupancies	H
5104.3	Store aerosol in general purpose warehouses in an unapproved manner	H
5104.4.1	Fail to provide approved wet-pipe automatic sprinkler system in an aerosol warehouse	I
5104.4.2	Fail to maintain required travel distances or aisle width in an aerosol warehouse	H
5104.4.3	Fail to maintain required aisle width between storage racks in an aerosol warehouse	H
5104.4.4	Store flammable and combustible liquids in an unapproved manner in an aerosol warehouse	I
5104.7	Store aerosols in Group M occupancy in an unapproved manner or location	I
5105.1	Store aerosol products outside at an unapproved location	H
5106.2.2	Exceed storage height requirements of aerosol products in a retail display area	H
5106.2.4	Fail to provide required automatic sprinkler system in a retail area containing aerosol	I
5106.3.1	Exceed maximum display quantities in retail display locations	H
5106.4	Exceed maximum quantities in a storage area adjacent to a retail display area	H
5106.5.4	Fail to maintain aisle width requirements of a retail display area	H
5203.3	Fail to maintain clearance around automatic sprinklers in areas containing combustible fibers	I
5203.4	Fail to comply with storage requirements of agriculture products	H
5203.5	Fail to provide required dust collection system	I
5204.1	Store loose combustible fiber material in an unapproved manner	H
5204.3	Store loose combustible fibers between 100 and 500 ft3 in an unapproved location	I
5204.4.	Store loose combustible fibers between 501 and 1000 ft3 in an unapproved location	I
5204.5	Store loose combustible fibers more than 1001 ft3 in an unapproved location	I
5303.4	Fail to mark stationary or portable compressed gas containers, cylinders or tanks in an approved manner	H
5303.5.1	Fail to protect compressed gas containers, cylinders or tanks and systems in an approved manner	H
5303.5.3	Fail to secure compressed gas containers, cylinders and tanks from falling	H
5303.7	Fail to provide required separation of compressed gases from exposure hazards	H
5303.7.1	Fail to keep compressed gas containers, cylinders or tanks from incompatible materials	I
5303.7.3	Place or store compressed gas containers, cylinders or tanks near ledges, platforms or elevators	H
5303.7.4	Expose compressed gas cylinders, containers or tanks to extreme temperatures	I
5303.7.8	Expose compressed gas cylinders, containers or tanks to corrosive chemicals or fumes	I
5303.11	Fail to remove from service compressed gas cylinders, containers, tanks and systems after being exposed to fire	H
5303.12	Fail to remove from service compressed gas cylinders, containers, or tanks which are damaged, leak or corroded	H

Section	Description Of Violation	Class
5303.14	Fail to protect compressed gas containers, cylinders or tanks and systems from the weather elements	I
5304.1	Fail to store compressed gas containers, cylinders and tanks in an upright position	H
5305.6	Fail to use compressed gas containers, cylinders and tanks in an upright position	H
5305.10.2	Use unapproved lifting device for compressed gas cylinders, containers and tanks	H
5306.2	Stored medical compressed gas at an unapproved location	H
5307.2	Fail to provide approved mechanical ventilation in an indoor storage or use area	H
5404.2.1	Fail to provide secondary containment for aboveground outside storage tanks of corrosives over 1,000 gallons	I
5404.2.2	Store corrosive materials in an unapproved manner	I
5405.1.2	Fail to provide approved mechanical exhaust ventilation in an area using corrosive materials	I
5405.2.1	Use corrosive materials in an unapproved location	I
5503.4.1	Fail to provide required identification of cryogenic containers and systems	I
5503.5	Fail comply with security requirements for cryogenic containers and systems	H
5503.9	Fail to remove from service leaking, damaged or corroded cryogenic containers	H
5504.2.1.2	Store cryogenic containers indoors in an unapproved manner	H
5504.2.2	Store portable cryogenic containers in an unapproved manner	H
5504.3	Store cryogenic containers outdoors in an unapproved manner	H
5504.3.1	Fail to separate cryogenic containers and system in storage or use areas from hazardous conditions	H
5505.1.2	Fail to protect cryogenic piping system in an approved manner	H
5505.4.1.1	Fail to provide approved mechanical ventilation system for indoor areas where cryogenic fluids are dispensed	I
5608.2	Fail to comply with indoor display permit application requirements	I
5608.2.1	Fail to comply with outdoor display permit application requirements	I
5608.3	Operate a fire work display without having possession of the permit	I
5608.4	Allow unauthorized persons within the display area	I
5608.5.1	Leave the fireworks being used for a display unattended	H
5608.5.5	Store the fireworks being used for a display at an unapproved location	H
5608.8	Fail to discontinue a fireworks display because of a hazardous condition	I
5609.2	Fail to provide a fire extinguisher and no smoking signs at a retail firework display location	H
5609.4	Conduct an unauthorized fireworks wholesale operation	I
5609.5	Use or occupy any structure for wholesale fire work operations without a permit	I
5703.5	Fail to provide warning signs for flammable liquid storage or use	H
5703.5.1	Have unapproved sign for the use of flammable liquid storage	H
5703.5.3	Fail to identify, mark, label or placard flammable liquids containers, packages or cartons	H
5703.6.4	Fail to provide approved vehicle impact protection for flammable liquid piping, valves or fittings	H
5704.2.3.1	To provide no smoking or open flames sign in an area containing flammable liquid storage tanks or containers	H
5704.2.3.2	To provide product identification signage	H
5704.2.6	Fail to separate flammable or combustible liquids from incompatible materials	H
5704.2.7	Use an unapproved flammable liquid storage tank	I
5704.2.8.6	Fail to provide approved vehicle impact protection for a flammable liquid vault	H
5704.2.9.5	Use flammable or combustible liquid tank inside a building in an unapproved manner	I
5704.2.9.7.5	Fail to provide approved vehicle impact protection for above ground tanks outside of buildings	H
5704.2.10.4	Fail to remove combustible materials from a diked area	H
5704.2.13.1.3	Fail to remove underground storage tank out of service for 1 year	I



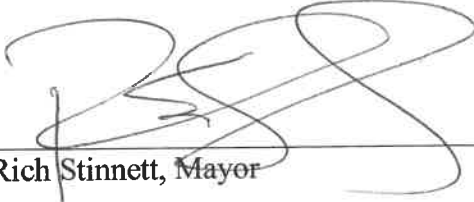
Section	Description Of Violation	Class
5704.2.13.2.3	Fail to remove above ground storage tank out of service for 1 year	I
5704.3.2.1.1	Fail to comply with liquid storage cabinet construction requirements	H
5704.3.2.2	Exceed allowable number of liquid storage cabinets	H
5704.3.3.3	Store flammable or combustible liquids near a means of egress	I
5704.3.3.5.	Use unapproved shelving material	H
5704.3.3.6	Fail to maintain required aisle width between rack storage	I
5704.3.3.7	Fail to maintain required separation of solid pile or palletized storage	I
5704.3.3.9	Fail to maintain required separation of empty or idle combustible pallets	I
5704.3.3.10	Fail to maintain pile stability	I
5704.3.4.2	Exceed occupancy storage quantity limits	I
5704.3.4.4	Fail to provide liquid storage cabinet	H
5704.3.5.1	Store flammable or combustible liquids in an unapproved manner in basements	I
5704.3.5.2	Exceed storage pile height	H
5704.3.5.3	Store containers too close to a ceiling or roof	I
5704.4.2.3	Fail to secure outside storage area in an approved manner	H
5704.4.2.4	Store tanks and containers too close to a building	H
5704.4.5	Fail to provide approved vehicle impact protection for exterior tanks	H
5704.4.6	Fail to maintain storage area clear of combustible materials	H
5705.3.3	Use unapproved liquid for heating, lighting or cooking inside a building or structure	I
5705.3.5.2	Exceed occupancy use amounts of flammable or combustible liquids	I
5705.3.6.2.6	Fail to provide approved ventilation when using a parts cleaning or degrease machine	H
5706.2.2	Fail to identify, mark, label or placard flammable liquids tank at a construction site	H
5706.2.4.3	Store Class I or II liquid storage tank too close to a building or combustible storage	H
5706.6.2.1	Leave a vehicle containing hazardous materials unattended in an unapproved manner	I
5803.1.1	Store or use flammable gases in Group A, B, E, I or R occupancies	H
5803.1.4	Fail to eliminate ignition sources in areas containing flammable gases	H
5804.1	Store flammable solids indoors in an unapproved manner	H
5804.2	Store flammable solids outdoors in an unapproved manner	H
5906.2	Store magnesium in an unapproved manner	H
5906.5.3	Fail to provide approved dust collection system magnesium grinding, buffing and wire brushing operations	I
5906.5.4	Fail to provide required power supply interlock device for magnesium machines	H
5906.5.5	Fail to comply with the electrical requirements when using magnesium processing machines	H
5906.5.6	Fail to provide an electrical ground for magnesium processing machines	H
5906.5.7	Fail to provide required fire extinguishing material by magnesium processing machines	H
6003.1	Store and use highly toxic and toxic solid and liquid materials indoors in an unapproved manner	I
6003.2	Store and use highly toxic and toxic solid and liquid materials outdoors in an unapproved manner	I
6004.1	Store and use highly toxic and toxic compressed gases in an unapproved manner	I
6004.2	Store and use highly toxic or toxic compressed gases indoors in an unapproved manner	I
6004.3	Store and use highly toxic and compressed gases outdoors in an unapproved manner	I
6103.2.1.1	Use LPG container in a basement, pit or similar location	H
6103.2.1.4	Use LPG container in Group E or I occupancy in an unapproved manner	H
6105.1	Use LPG with an unapproved device or equipment	H
6107.2	Post no smoking signs in areas where LPG is transferred or filled into containers	H
6108.2	Fail to provide required fire extinguisher at a LPG location	H
6109.2	Fail to protect LPG containers from excessive temperatures	H

Section	Description Of Violation	Class
6109.4	Store LPG containers indoors near exit doors, stairways or other areas intended as a means of egress	I
6109.7	Store LPG container in a basement, pit or similar location	H
6109.12	Store LPG container awaiting use, resale or exchange at an unapproved location	H
6109.13	Fail to protect LPG containers from tampering or vehicular damage	H
6109.14	Store LPG containers outdoors near exit doors, stairways or other areas intended as a means of egress	I
6111.2	Leave LPG tank vehicle unattended in an unapproved manner and or location	I
6203.1.1	Store or use indoors organic peroxides in an unapproved manner	I
6204.2	Store outdoors organic peroxides in an unapproved manner	I
6303.1.1.	Store and use indoors oxidizers at an unapproved location in an unapproved manner	H
6304.1	Allow the indoor storage of oxidizers in an unapproved manner or location	H
6304.2	Allow the outdoor storage of oxidizers in an unapproved manner or location	H
6404.1	Allow the indoor storage of Silane gas and gas mixtures in an unapproved manner	H
6404.1.2	Allow the indoor storage of pyrophoric materials in an unapproved manner or location	H
6404.2	Allow the outdoor storage of pyrophoric materials in an unapproved manner or location	H
6404.2	Allow the outdoor storage of Silane gas and gas mixtures in an unapproved manner or location	H
6503.1	Display cellulose nitrate articles in an unapproved manner	H
6503.2	Allow the storage of any item under tables displaying cellulose nitrate articles	H
6503.3	Allow the sale or display tables of cellulose nitrate articles which interfere with exiting from a room or building	H
6503.4	Allow lighting to be directly above the cellulose nitrate material	H
6504.1	Allow the use of raw cellulose nitrate material in an unapproved manner or at an unapproved location	H
6504.2	Fail to provide required fire protection system where cellulose nitrate articles are manufactured or stored	I
6603.1.2.1	Allow the indoor storage of unstable (reactive) material in Group A, E, I or U occupancies in an unapproved manner	I
6603.1.2.2	Allow the indoor storage or use of Class 3 or 4 unstable (reactive)) material in R occupancies	I
6603.1.2.3	Allow the indoor storage or use of Class 4 unstable (reactive) material in M occupancies	I
6603.1.2.4	Allow the indoor storage and use of Class 3 or r unstable (reactive) material in Group B,F,M,S occupancies offices	I
6603.1.2.5	Allow the indoor storage of class 3 or 4 unstable (reactive) materials in Group B,F,M occupancies classrooms in an unapproved manner	I
6604.2	Allow the outdoor storage of unstable (reactive) material in an unapproved manner of location	H
6704.1	Allow the indoor storage of water reactive solids and liquids in an unapproved manner or location	H
6704.2	Allow the outdoor storage of water reactive solids and liquids in an unapproved manner or location	H

**SECTION 2. Repealer.** Ordinance 5040-21, Section 1 is hereby repealed.

**SECTION 3.** This Ordinance shall take effect and be in force from and after summary publication in THE NEWTON KANSAN, the official newspaper of said City.

**PASSED AND ADOPTED** this 8th day of April 2025.

  
Rich Stinnett, Mayor

ATTEST:

  
Denise R. Duerksen, City Clerk