

ORDINANCE NO. 2623

AN ORDINANCE AMENDING CHAPTER 15.44 OF THE DERBY MUNICIPAL CODE, INCORPORATING BY REFERENCE THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION, WITH CERTAIN AMENDMENTS AND DELETIONS THERETO, ALL PERTAINING TO THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, AND USE OR MAINTENANCE OF CERTAIN STRUCTURES WITHIN THE CITY OF DERBY; AMENDING AND REPEALING ORIGINAL SECTIONS 15.44.010 AND 15.44.020 OF THE DERBY MUNICIPAL CODE AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR.

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

Section 1. Section 15.44.010 of the Derby Municipal Code is hereby amended to read as follows:

“15.44.010 –International Residential Code.

(a.) Adoption. There is hereby incorporated by reference for the purpose of providing minimum regulations for the construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and use or maintenance of any building or structure, the International Residential Code, 2024 Edition, excluding its several appendices, a uniform code prepared and published by the International Code Council, Inc., save and except such articles, sections, parts or portions as are hereinafter omitted, deleted, modified or changed. Any errata officially published by the International Code Council, Inc. shall become part of the International Residential Code when placed on file by the Development Director of the City of Derby, Kansas. One official copy of said International Residential Code shall be marked or stamped “Official Copy as Incorporated by Reference by Ordinance No. 2623,” with all sections or portions thereof intended to be deleted, changed, or amended clearly marked to show any 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 enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such International Residential Code similarly marked, deleted, and changed as may be expedient.”

Section 2. Section 15.44.020 of the Derby Municipal Code is hereby amended to read as follows:

“15.44.020 - Amendments to the 2024 International Residential Code.

The 2024 International Residential Code as adopted by reference in Section 15.44.010 shall be amended as follows:

A. Section R101.1 of the 2024 International Residential Code is hereby amended to read as follows:

R101.1 Title. These regulations shall be known as the City of Derby, Kansas Residential Code.

B. Section R102.4 of the 2024 International Residential Code is hereby amended to read as follows:

R102.4 Referenced codes.

R102.4.1 Electrical. Whenever used in the Residential Code, the term “ICC Electrical Code” shall be construed to mean the current City of Derby, Kansas Electrical Code, which shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

R102.4.2 Gas. Whenever used in the Residential Code, the term “International Fuel Gas Code” shall be construed to mean the current City of Derby, Kansas Fuel Gas code, which shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connection of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

R102.4.3 Mechanical. Whenever used in the Residential Code, the term “IMC” shall be construed to mean the current City of Derby, Kansas Mechanical Code, which shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilations, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy related systems.

R102.4.4 Plumbing. Whenever used in the Residential Code, the term “IPC” shall be construed to mean the current City of Derby, Kansas Plumbing Code, which shall apply to the installation, alterations, repairs, replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, where connected to a water or sewage system, and all aspects of a medical gas system.

C. Section R102.6 of the 2024 International Residential Code is hereby amended to read as follows:

R102.6. Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

D. Section R104.8 of the 2024 International Residential Code is hereby amended to read as follows:

R104.8 Liability. The Code Official and any officer, employee or agents enforcing this code on behalf of the City of Derby, while acting within the scope of his or her employment, shall not be personally liable for his or her acts or omissions in accordance with the Kansas Tort Claims Act, as the same may from time to time be amended.

E. Section R105.2 of the 2024 International Residential Code is hereby amended to read as follows:

R105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

BUILDING:
1. One-story detached accessory structures, provided

the floor area does not exceed 200 square feet (18.58 m2) and an accessory structure permit is obtained from the City prior to installation.

Exception: Non-fixed and movable storage cabinets equipped with doors that conceal the contents within and having a footprint not exceeding 25 square feet (2.32 m2), shall not require the issuance of an accessory structure permit.

All detached accessory structures greater than 25 square feet (2.32 m2) but equal to or less than 400 square feet (37.16 m2) shall be attached to a permanent concrete foundation per R403.1.6 or shall be tied down to the earth using anchoring methods described below:

Table with 4 columns: Building Size (Width, Length), # of Anchors Required, Capacity of each Anchor. Rows include 12'-0" x 24'-0", 12'-0" x 20'-0", 12'-0" x 20'-0", 12'-0" x 16'-0", and 10'-0" x 16'-0".

- a. Anchors shall be located within 12” of corners of the building.
b. Anchors shall be located at equal distance between ends of structure.
c. Anchors shall be attached to building with cable having a minimum capacity of 800 lbs.
d. Anchors shall be Minute Man Anchor Model No. 4430-DH 5/8” (or equivalent), 2’ minimum.
e. 2 clamps per anchor.

- 1.1. Playhouses or tree houses having single or multi-level floors with or without roofs.
1. Concrete or masonry fences not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall and other fences not over 8 feet (2438 mm) high.
2.1. Concrete or masonry monument sign bases not 4 feet (1219 mm) in height measured from the lowest point of the adjoining grade.
2. Concrete or masonry fences not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall and other fences not over 8 feet (2438 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
6. Decks, stoops, and porches not more than 30 inches (762 mm) above adjacent grade without overhead structures and not over any basement or story below.
7. Replacement of floor covering, painting, papering, tiling, carpeting, cabinets, counter tops, paneling and similar finish work.
8. Prefabricated swimming pools that are less than 24 inches (610 mm) deep and the capacity does not exceed 5,000 gallons (18,925 L) in which the pool walls are entirely above ground.
9. Swings and other playground equipment accessory to a one- or two-family dwelling.
10. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
11. Emergency board-up, or securing temporary bracing of a building after a fire, storm, vehicle damage or other disaster which caused the building to be open or unsafe.
12. Repair or replacement of roofing and/or siding materials not exceeding 400 square feet (37.16 m2) within any 12 month period.
13. Repair or replacement of interior gypsum wall-board on non-fire rated walls or ceilings when the total area does not exceed 250 square feet (23.2 m2) within any 12-month period and provided that no framing electrical, mechanical or plumbing changes are made.
14. Replacement of windows or doors or replacement of roof skylights or equipment with the same size or smaller unit(s) that does not involve the removal, cutting, alteration or replacement of any building structural member; including but not limited to studs, headers, girders, beams, joists, rafters, cripples, jacks or other supporting framing member(s).
15. “Hoop Houses” shall be excluded from building code requirements.

ELECTRICAL: Exemptions for electrical permits shall be as governed by the current City of Derby, Kansas Electrical Code.

- GAS:
1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

- MECHANICAL:
1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this Code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, water or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this Code. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

F. Section R105.5 of the 2024 International Residential Code is hereby amended to read as follows:

R105.5 Expiration: Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of issuance, or if the building or work authorized by such permit is suspended or abandoned at any time after the work has commenced. Work shall be considered to have been suspended or abandoned if there has been 180 days since the last required inspection. Before work can be recommenced, a new permit shall be first obtained, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such period of suspension or abandonment has not exceeded one year. In order to resume work after suspension or abandonment for a period exceeding one year, a new permit shall be required. Upon receipt of a written request for an extension of time, the building official is authorized to grant, upon demonstration of justifiable cause, one or more extensions of time for periods not to exceed 180 days each.

G. Section R106.1.4 of the 2024 International Residential Code is hereby amended to read as follows:

R106.1.4 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. Applications for reconstruction, rehabilitation, addition or other improvements of existing buildings or structures located in an area prone to flowing as established by the City of Derby, Kansas Flood Plain District.

H. Section R106.3.1 of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

I. Section R106.5 of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

J. Section R108.2 of the 2024 International Residential Code is hereby amended to read as follows:

R108.2 Payment of fees. Fees for permits required hereby shall be assessed in accordance with the provisions of a fee resolution adopted by the City’s Governing Body, as the same may from time to time be amended.

K. Section R109.1.3 of the 2024 International Residential Code is amended to read as follows:

R109.1.3 Floodplain inspections. Floodplain inspections shall be governed by the current City of Derby Utilities Department.

L. Section R112 of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

M. Section R113.4 of the 2024 International Residential Code is amended to read as follows:

R113.4 Violation(s).
(a) Any person or entity who violates a provision of this chapter or code, fails to comply with any of the requirements thereof; or erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or a directive of the building official or of a permit or certificate issued under the provisions of this code shall be subject to the violation and penalty provisions found in Section 15.04.130 of the Derby Municipal Code.
(b) In addition to the violation and penalty provisions found in Section 15.04.130 of the Derby Municipal Code, any person or entity who violates a provision of this chapter or code, fails to comply with any of the requirements thereof; or erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or a directive of the building official or of a permit or certificate issued under the provisions of this code shall be subject to issuance of a stop work order as provided in Section 15.04.120, suspension or revocation of said license or permit, or such other remedies as may be found within Title 15 of the Derby Municipal Code or otherwise allowed by law.

N. Section R301.1 of the 2024 International Residential Code is amended to read as follows:

R301.1 Application. Buildings and structures, and all parts thereof, shall be constructed to safely support all loads, including dead loads, live loads, roof loads, flood loads, snow loads, wind loads and seismic loads as prescribe in Table 301.1 of this chapter or as otherwise prescribed in this code. The construction of buildings and structures in

accordance with the provisions of this code shall result in a system that provides a complete load path that meets all requirements for the transfer of all loads from their point of origin through the load-resisting elements to the foundation. Buildings and structures constructed as prescribed by this code are deemed to comply with the requirements of this section.

Table R301.2(1) Climatic and Geographic Design Criteria. Columns: Parameter, Value. Rows include Ground Snow Load (15 psf), Wind Speed (76 w/90-3 sec. gust), Seis. Design Cat. (A), Weathering (Severe), Frost Line Depth (24 inches), Termite (Moderate/Severe), Winter Design Temp (97.50% - 7), Ice Barrier (None Required).

Table with 2 columns: Design Temperature Criteria, Value. Rows include Air Freezing Temp (400), Mean Air Temp (55-60 degrees), Summer (98 - 2.50% dry bulb), Winter (76 - 2.50% wet bulb), Heating Degree Days (4,620).

Table with 3 columns: Minimum Load Requirements, Roof - 10 lb. psf, Floor - 10 lb. psf. Rows include Dead Load, Live Load, Roof - 20 lb. psf, Floor - 40 lb. psf.

* For footnotes, refer to Table R301.2(1) of the 2024 International Residential Code

O. Section R301.1.1 of the 2024 International Residential Code is amended to read as follows:

R301.1.1 Alternative provisions. As an alternative to the requirements in Section R301.1 the following standards are permitted subject to the limitations of this Code and the limitations therein. Where engineered design is used in conjunction with these standards the design shall comply with the International Building Code.

- 1. American Forest and Paper Association (AAF&PA) Wood Frame Construction Manual (WFCM).
2. American Iron and Steel Institute (AISI) Standard for Cold-Formed Steel Framing - Prescriptive Method for One- and Two-Family Dwellings (COFS/PM) with Supplement to Standard for Cold-Formed Steel Framing - Prescriptive Method for One- and Two-Family Dwellings.
3. The Wichita Foundation, Basement and Slab-on-Grade Standards for One- and Two-Family Dwellings (August 30, 2011).
4. The City of Wichita Standard for Residential Wood Framed decks – Deck Standards dated November 1, 2010.

P. Section R301.5 of the 2024 International Residential Code is amended to read as follows:

R301.5 Live load. The minimum uniformly distributed live load shall be as provided in Table R301.5.

TABLE R301.5 MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS. Columns: USE, LIVE LOADS (POUNDS PER SQ. FT.). Rows include Attics with limited storage, Attics without storage, Decks, Exterior balconies, Fire escapes, Guardrails and handrails, Guardrails in-fill components, Passenger vehicle garages, Rooms other than sleeping rooms, Sleeping rooms, Stairs.

- For SI: 1 pound per square foot = 0.0479 kN/m2, 1 square inch = 645 mm2, 1 pound = 4.45 N.
a. Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a 20-square-inch area.
b. Attics without storage are those where the maximum clear height between joist and rafter is less than 42 inches, or where there are not two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high by 2 feet wide, or greater, located within the plane of the truss.
c. Individual stair treads shall be designed for the uniformly distributed live load or a 300 pound concentrated load acting over an area of 4 square inches, whichever produces the greater stresses.
d. A single concentrated load applied in any direction at any point along the top.
e. See Section R507.1 for decks attached to exterior walls.
f. Guard in-fill components (all those except the handrail), balusters and panel fillers shall be designed to withstand a horizontally applied normal load of 50 pounds on an area equal to 1 square foot.
g. For attics with limited storage and constructed with trusses, this live load need be applied only to those portions of the bottom chord where there are two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high or greater by 2 feet wide or greater, located within the plane of the truss.
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outside air duct shall be provided with a 0.25-inch mesh inlet screen. The outside air duct shall not draw air from contaminated sources.

Z. Section R325.2 of the 2024 International Residential Code is amended to read as follows:

R325.2 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 (0.3 m²) square feet, one-half of which must be openable.

Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be 50 cubic feet per minute (24 L/s) for intermittent ventilation or 20 cubic feet per minute (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or into a properly ventilated attic when all of the following are met:

1. The duct(s) conveying exhaust into the attic shall terminate a minimum of 36 inches above the top of the ceiling framing members, and shall not discharge upon any building element.
2. Attics into which bath and/or toilet room exhausts are discharged must be properly ventilated, in accordance with Section R806, and shall not discharge into an unvented attic assembly.
3. The exhaust duct(s) shall terminate above the top of the attic insulation with a "goose-neck" installed to prevent infiltration of insulating material into the duct.
4. Exhaust duct(s) run above the insulation inside of attics, with a developed length greater than 5 feet, shall be insulated.

AA. Section R329 of the 2024 International Residential Code is hereby deleted in its entirety.

AB. Section R403.1.1 of the 2024 International Residential Code is hereby amended to read as follows:

R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1(1) through R403.1(3). For construction of one- and two-family dwelling habitable spaces, the Wichita Foundation, Basement and Slab-on-Grade Standards for One- and Two-Family Dwellings (August 30, 2011) shall apply.

The footing width, W, shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Spread footings shall be at least 6 inches (152 mm) thick. Footing projections, P, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1(2) and R403.1(3).

AC. Section R403.1.3.3 of the 2024 International Residential Code is hereby amended to read as follows:

R403.1.3.3 Slabs-on-grade with turned-down footings and slabs-on-grade cast monolithically with a footing. For slabs-on-grade with turned-down footings and slabs-on-grade cast monolithically with a footing, construction of one- and two-family dwelling habitable spaces shall comply with the Wichita Foundation, Basement and Slab-on-Grade Standards for One- and Two-Family Dwellings (August 30, 2011).

AD. Section R403.1.4 of the 2024 International Residential Code is hereby amended to read as follows:

R403.1.4 Minimum depth. All exterior footings shall be placed at least 24 inches (610 mm) below the undisturbed ground surface. For construction of one- and two-family dwelling habitable spaces, the Wichita Foundation, Basement and Slab-on-Grade Standards for One- and Two-Family Dwellings (August 30, 2011) shall apply. Where applicable, the depth of footings shall also conform to Sections R403.1.4.1

AE. Section R403.1.4.1 of the 2024 International Residential Code is hereby amended to read as follows:

R403.1.4.1 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extended below the frost line specified in Table R301.2.(1), per amended Table footnote "b." and the Wichita Foundation, Basement and Slab-on-Grade Standards for One- and Two-Family Dwellings (August 30, 2011);
2. Constructing in accordance with Section R403.3;
3. Constructing in accordance with ASCE 32; or
4. Erected on solid rock

Exceptions:

1. Protection of freestanding accessory structures with an area of 400 square feet (36.2 m²) or less, of light-framed construction, with an eave height of 10 feet (3048 mm) or less shall not be required.
2. Protection of freestanding accessory structures with an area of 400 square feet (36.2 m²) or less, of other than light-framed construction, with an eave height of 10 feet (3048 mm) or less shall not be required.

Footings shall not bear on frozen soil. Frost depth in Derby is 24 inches.

AF. Section R403.1.8 of the 2024 International Residential Code is hereby amended to read as follows:

R403.1.8 Foundations on expansive soils. Foundations and floor slabs for buildings located on expansive soils shall be designed in accordance with Section 1808.6 of the International Building Code or as specified in the Wichita Foundation, Basement and Slab-on-Grade Standards for One- and Two-Family Dwellings (August 30, 2011).

AG. Section R405.1. of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AH. Section R501.3 of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AI. Section R507 of the 2024 International Residential Code is hereby amended to read as follows:

R507 Decks. The "City of Wichita Standard for Residential Wood Framed Decks" may be used to design and construct decks to comply with the requirements of this section. Decks which fall outside of the scope of the standard will require design by a Kansas licensed architect or engineer. Where supported by attachment to an exterior wall, decks shall be positively anchored to the primary structure and designed for both vertical and lateral loads as applicable. Such attachment shall not be accomplished by the use of toenails or nails subject to withdrawal. Where positive connection to the primary building structure cannot be verified during inspection, decks shall be self-supporting. For decks with cantilevered framing members, connections to exterior walls or other framing members, shall be designed and constructed to resist uplift resulting from the full live load specified in Table R301.5 acting on the cantilevered portion of the deck.

AJ. Part IV – Energy Efficiency Code of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AK. Part V – Mechanical, of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AL. Part VI – Fuel Gas, of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AM. Part VII – Plumbing, of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AN. Part VII – Electrical, of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AO. Section G2401.1 (101.2) of the 2024 International Residential Code is amended to read as follows:

G2401.1 (101.2) Application. This chapter covers fuel-gas utilization appliances and related accessories, venting systems and combustion air configurations most commonly encountered in the construction of one- and two-family dwellings and structures regulated by this Code. Requirements for gas appliances and related accessories shall include installation, combustion and ventilation air and venting. Fuel gas piping, systems, and connections for buildings governed by the International Residential Code, shall be regulated by Article 3 of this Code. The omission from this chapter of any material or method of installation provided for in the International Fuel Gas Code shall not be construed as prohibiting the use of such material or method of installation. Fuel-gas piping systems, fuel-gas appliances and related accessories, venting systems and combustion air configurations not specifically covered in these chapters shall comply with the applicable provisions of the International Fuel Gas Code.

Gaseous hydrogen systems shall be regulated by Chapter 7 of the International Fuel Gas Code.

This chapter shall not apply to the following:

1. Liquefied natural gas (LNG) installations.
2. Temporary LP-gas piping for buildings under construction or renovation that is not to become part of the permanent piping system.
3. Except as provided in Section G2412.1.1, gas piping, meters, gas pressure regulators, and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-gas.
4. Portable LP-gas equipment of all types that is not connected to a fixed fuel piping system.
5. Portable fuel cell appliances that are neither connected to a fixed piping system nor interconnected to a power grid.
6. Installation of hydrogen gas, LP-gas and compressed natural gas (CNG) systems on vehicles.

AP. Section G2404.10 (307.5) of the 2024 International Residential Code is amended to read as follows:

G2404.10 (307.5) Auxiliary drain pan. Category IV condensing appliances shall have an auxiliary drain pan when located above finished ceilings or furred spaces. These pans shall be installed in accordance with the applicable provisions of Section M1411.

Exception: An auxiliary drain pan shall not be required for appliances that automatically shut down operation in the event of a stoppage in the condensate drainage system.

AQ. Section G2406.2 (303.3) of the 2024 International Residential Code is amended to read as follows:

G2406.2 (303.3) Prohibited locations. Appliances shall not be located in or obtain combustion air from sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens into such rooms or spaces, except where the installation complies with one of the following:

1. The appliance is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.
2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of Section G2407.5.
3. A single wall-mounted unvented room heater is installed in a bathroom and such unvented room heater is equipped as specified in Section G2445.6 and has an input rating not greater than 6,000 Btu/h (1.76 kW). The bathroom shall meet the required volume criteria of Section G2407.5.
4. A single wall-mounted unvented room heater is installed in a bedroom and such unvented room heater is equipped as specified in Section

G2445.6 and has an input rating not greater than 10,000 Btu/h (2.93 kW). The bedroom shall meet the required volume criteria of Section G2407.5.

5. The appliance is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an approved self-closing device. All combustion air shall be taken directly from the outdoors in accordance with Section G2407.6 or other approved areas.
6. Replacement of fuel fired appliances installed in toilet rooms if approved by the building official.

AR. Section G2408.4 (305.7) of the 2024 International Residential Code is amended to read as follows:

G2408.4 (305.7) Clearances from grade. The placement of appliances in relation to ground level shall be governed by the City of Derby, Kansas Mechanical Code.

AS. Section G2410 (309) of the 2024 International Residential Code is amended to read as follows:

Section G2410 (309) Electrical shall be regulated by the City of Derby, Kansas Electrical Code.

AT. Section G2410.2 (309.2) of the 2024 International Residential Code is amended to read as follows:

G2410.2 (309.2) Connections. Electrical connections between gas appliances and the building wiring, including the grounding of the appliances, shall conform to the City of Derby, Kansas Electrical Code.

AU. Section G2411 (310) of the 2024 International Residential Code is amended to read as follows:

Section G2411 (310) Electrical Bonding shall be regulated by the City of Derby, Kansas Electrical Code.

AV. The following sections of Chapter 24 (regulating gas piping) of the 2024 International Residential Code shall each be amended to read as follows:

Sections G2412 (401), G2413 (402), G2414 (403), G2415 (404), G2416 (405), G2417 (406), G2418 (407), G2419 (408), G2420 (409), G2421 (410), G2422 (411), G2423 (413) and G2424 (415) of the 2024 International Residential Code shall be regulated by the City of Derby, Kansas Plumbing Code.

AW. Section G 2426.4 (502.4) of the 2024 International Residential Code is hereby omitted and deleted in its entirety.

AX. Section G 2436.2 (608.2) of the 2024 International Residential Code is amended to read as follows:

G2436.2 (608.2) Venting. Vented wall furnaces shall be vented in accordance with Section G2427. The wall cavity directly above the wall furnace shall be ventilated by a 26 gage (0.016 inch) (0.4 mm) metal thimble into attic; or, an 8-inch (203 mm) by 14-inch (356 mm) metal grill a minimum of 12 inches (305 mm) below the ceiling.

AY. Section G 2437.1 (609.1) of the 2024 International Residential Code is amended to read as follows:

G2437.1 (609.1) General. Floor furnaces shall be tested in accordance with ANSI Z21.86/CSA 2.32 and shall be installed in accordance with the manufacturer's installation instructions. Replacement of floor furnaces with the same or lesser B.T.U. rating may be installed in the same location with prior approval by the building official.

AZ. Section G2448 (624) of the 2024 International Residential Code is hereby amended to read as follows:

Water heaters shall be regulated by the City of Derby, Kansas Plumbing and City of Derby, Kansas Fuel Gas Codes.

Section 3. Repeal
Original sections 15.44.010 and 15.44.020 of the Derby Municipal Code are hereby repealed and replaced as provided for in this ordinance. All other provisions of the Municipal Code of the City of Derby, Kansas shall remain in full force and effect except as specifically amended herein.

Section 4. This ordinance shall supersede all ordinances, resolutions or rules or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. Severability
Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provisions herein.

Section 6. Effective Date
This Ordinance shall take effect and be in force from and after its passage and publication of the ordinance once in the City's official newspaper as provided by state law.

PASSED by the City Council this 9th day of December, 2025 and **SIGNED** by the Mayor.

/s/Mark A. Staats
Mayor

Attest:

/s/Lynn Ciarleglio
City Clerk

Approved as to form:

/s/Jacqueline R. Butler
Jacqueline R. Butler, City Attorney