

# Code Connection

The customer newsletter for the construction and development community

CITY OF FOUNTAINS  
HEART OF THE NATION



KANSAS CITY  
MISSOURI

NOVEMBER 2000

## HOLIDAY SCHEDULE:

Department of Codes  
Administration (DCA) offices will be  
closed on the following date:

**Thursday, November 23, 2000**  
Thanksgiving

**Monday, December 25, 2000**  
Christmas

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- Code Chat
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- ICBO and ICC Committee Appointments
- DCA Turnaround Times
- KIVA Conference
- International Residential Code Seminar
- DCA Salutes Veterans

## LIMITED SERVICE & REPAIR PERMIT PROGRAM RECEIVES AWARD

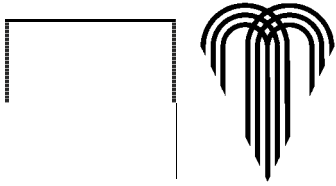
**D**CA's Limited Service & Repair (LSR) Permit Program has been recognized as a national streamlining initiative and model program by the "Streamlining the Nation's Building Regulatory Process" project administered by the National Conference of States on Building Codes and Standards (NCSBCS). This program was recognized by the presentation of the *Streamlining Achievement Award* during the NCSBCS 33rd Annual Conference on October 17, 2000, in Providence, Rhode Island. **Richard H. Usher**, CBO, Division Manager of Permits, was responsible for implementation of this program, which has been utilized by DCA's customers for the last four years.

The LSR Permit program allows minor projects to be completed by licensed electrical, plumbing and mechanical contractors prior to or after a permit is issued and then allows the contractor to certify that the completed work is in compliance with the Kansas City Building Code without requiring an inspection by DCA. The property owner is notified by DCA of the satisfactory completion of the work and acceptance of the contractor's inspection certification and is given thirty (30) days to schedule an inspection by DCA, if he or she so desires. (DCA inspections of repair/replacement of building sewers and sewer changeovers are not eligible for the LSR program.) Random inspections are conducted by DCA for quality control of the program.

This program benefits the property owner by ensuring the work is done by licensed contractors in compliance with the Kansas City Building Code. The LSR Permit program benefits contractors through cost savings by eliminating the need to keep someone at the project to meet the DCA inspector and by allowing the contractors to respond to the needs of their customers quickly, without concern that they are violating the code by working without a permit. The program benefits DCA by minimizing the number of "no access" inspections, which are typical of this type of work, and provides more time for all other inspections.

For more information on this program, see **Information Bulletin No. 108** at [www.kcmo.org/codes/](http://www.kcmo.org/codes/). □

**CODE CONNECTION**  
**NOVEMBER 2000**



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Administration

**Director**

J. Barry Archer, P.E., C.B.O.  
513-1472  
FAX 513-1457  
e-mail [barry\\_archer@kcmo.org](mailto:barry_archer@kcmo.org)

**Deputy Director**

Donald N. Booth, P.E., C.B.O.  
513-1500, option 4  
FAX 513-1505  
e-mail [donald\\_booth@kcmo.org](mailto:donald_booth@kcmo.org)

**Division Manager of Business Services**

Tom Briggs  
513-1500, option 3  
FAX 513-1457  
e-mail [tom\\_briggs@kcmo.org](mailto:tom_briggs@kcmo.org)

**Division Manager of Inspections**

Greg Franzen, P.E., C.B.O.  
513-1500, option 2  
FAX 513-1536  
e-mail [greg\\_franzen@kcmo.org](mailto:greg_franzen@kcmo.org)

**Division Manager of Investigations**

Wilson Winn, C.B.O.  
513-1500, option 2  
FAX 513-1536  
e-mail [wilson\\_winn@kcmo.org](mailto:wilson_winn@kcmo.org)

**Division Manager of Permits**

Rick Usher, C.B.O.  
513-1500, option 3  
FAX 513-1456  
e-mail [richard\\_usher@kcmo.org](mailto:richard_usher@kcmo.org)

**Division Manager of Plans Review**

Gary Marker, R.A.  
513-1500, option 4  
FAX 513-1484  
e-mail [gary\\_marker@kcmo.org](mailto:gary_marker@kcmo.org)

**Subscriptions, Address Changes**

Pat Williams  
513-1472  
e-mail [pat\\_williams@kcmo.org](mailto:pat_williams@kcmo.org)

## ***DCA INITIATES NEW "REVIEW COMMENT RESOLUTION" PROCEDURE***

In order to be more proactive in reducing the time needed to obtain building permits when detailed plans review is required, DCA is pleased to announce its newly implemented Review Comment Resolution procedure. This customer service initiative is as follows:

In the event that a DCA plans review, subsequent to the first review, is not approved, the Plans Examiner will arrange a personal meeting with the Supervisor of Plans Review (or, in his absence, the Division Manager of Plans Review) to discuss the difficulties the applicant is having in obtaining approval. Arrangements for this meeting will be made immediately upon completion of the review and will result in a call from the Plans Examiner or a member of management, as necessary, to the applicant to ensure that he fully understands what is required to resolve the remaining review comment(s). If necessary, a meeting may be arranged with the applicant to facilitate this process. The Plans Examiner will then redline the required changes on the plans, if appropriate, or request a resubmittal from the design professional of record. **If a resubmittal is necessary, the scheduled turnaround time for this review will be reduced from the normal two-week process to ONE WEEK!**

In addition, the Plans Management Branch Supervisor will monitor the status of reviews performed by other City departments. In the event a review is not approved after the first resubmittal, the Plans Management Branch Supervisor will call or meet with other City department representatives and/or the applicant, as necessary, to ensure that there is a clear understanding of what is required to resolve the review comment(s).

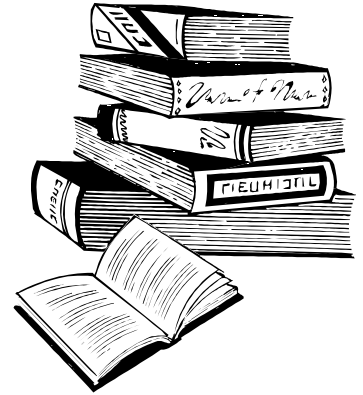
So don't be alarmed if you get a call from DCA for a friendly "code chat" someday soon. It is simply another effort by DCA to streamline the development review process for our valued customers. For any questions regarding this policy or any other issues relating to the Plans Review process, please call (816) 513-1500, option 5, and then option 1. □

**2001 ICC Code Development  
Public Hearings  
March 17-31, 2001  
DoubleTree Hotel  
Portland, Oregon**



## **CODE CHAT**

by Gary Marker, R.A.  
Division Manager of Plans Review



## **CODE MODIFICATIONS**

One of the most common complaints heard by building officials (right after “Why can’t my plan review be done today?”) regards the perceived inflexibility of the adopted codes and ordinances. While options may be limited in some cases, Section 18-6 of the KCMO Code of Ordinances may provide some relief. This section states that the Director of Codes Administration may grant “modifications” provided that the modification is in conformity with the intent and purpose of the code, and that such modification does not lessen health, life and fire safety requirements or any degree of structural integrity. Notice that this does *not* state that the building official has the authority to grant variances or waivers to code requirements.

Code modifications generally fall into one or more of three categories. First, the applicant may demonstrate through calculations or analysis that a building design or element thereof is capable of achieving the results intended by code. An example of such a proposal might be a timed egress study which shows that all occupants can exit a space in the amount of time intended by the code, though the exit width may not meet the letter of the code. Second, the applicant may choose to employ a new form of technology through the use of a product or material which, while not specifically allowed by current code, has been shown through the testing and listing process to be capable of the desired performance. Finally, the applicant may seek permission to employ the provisions of the latest edition of the adopted codes, provided that the applicant demonstrates equivalency to the provisions and/or intent of the currently adopted code. One would not, however, be permitted to “pick and choose” requirements from various codes. Rather, if a relaxation of a particular requirement in the latest edition of a code is dependent upon compliance with other provisions of that document, DCA would expect and require such additional provisions.

Fine, you say, the code says I may use alternate methods. Now all I have to do is go out and build it. Well, almost. KCMO Code of Ordinances, Section 18-6, also states that “The details and actions of granting modifications shall be recorded and entered in the files of the Department of Codes Administration.” Doing so permits one to rationalize any apparent code discrepancies by investigating the files for the building in question. In order to facilitate this, DCA employs the Code Modification Request process wherein the applicant submits a form stating the location of the property, the applicant name and the proposed code alternate. Once this form is submitted along with the required application fee, the request is reviewed and either approved, conditionally approved or denied. In the event a proposed modification is denied, it may be brought before the Building and Fire Codes Board of Appeals, at the request of the applicant, for a hearing and final determination. Approved code modifications shall be reflected on the construction documents for verification in the field.

Complete instructions and forms for the Code Modification process can be found in DCA **Information Bulletin Number 101**, which is available on the DCA web site at [www.kcmo.org/codes](http://www.kcmo.org/codes) and at all DCA offices. For any questions regarding this subject or any other code requirements, feel free to call the DCA Plans Review office at 513-1500 and select option 5, and then option 1, where helpful associates stand ready to provide assistance in applying code interpretations to individual situations. □

# IN THE ZONE

By Wilson Winn, C.B.O.  
Division Manager of Investigations

"Who is your boss?" and "Who is your supervisor?" are phrases heard daily by those of us engaged in the business of enforcing codes. What the person asking this question usually seeks is a means to appeal the determination or decision that has been rendered by the Department of Codes Administration (DCA) associate with whom they are dealing.

Staff members of DCA are representatives of the Director of Codes Administration and, as such, are authorized to make decisions and determinations on his behalf. However, if you, as a customer, question the associate's decision, you are encouraged to get a "second opinion" from the associate's direct supervisor. If still dissatisfied with the decision, ask for the supervisor's division manager, followed by the deputy director, and director, if necessary. Even at that point, you still have options available if still not satisfied. Section 80-310 of the Code of Ordinances, *Appeals from decisions of director of codes administration*, outlines the process for appealing any decision or determination of the codes administrator in the enforcement of this chapter.

Section 80-310 states that any person aggrieved by any officer, department, board or bureau of the city affected by the decision of the Director of Codes Administration made in the enforcement of the Zoning Ordinance may appeal the decision to the board of zoning adjustment (BZA). The appeal shall be filed with the BZA within 15 days of the decision, and a copy of the decision shall be included with the appeal.

An appeal stays all proceedings against the appellant in furtherance of the action, unless the Director of Codes Administration determines a stay would cause imminent peril to life or property. In such a case, the director will certify to the board the facts stated in the certificate, and the proceedings shall not be stayed unless a restraining order is granted by the board or by the circuit court of the county in which the property is situated.

A hearing before the BZA will be scheduled in a reasonable time after public notice has been given, as well as notice to the parties in interest. Any party may appear in person or by agent or by attorney before the board. The board will decide the appeal within a reasonable time.

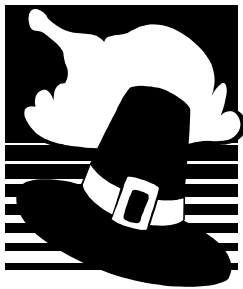
There you have it. Hopefully after reading this article you will have a better understanding of the process available to appeal any determination or decision of DCA on zoning issues.

The above is a general overview of the appeals process outlined in Section 80-310. Chapter 80 of the Code of Ordinances should be consulted when determining compliance. To obtain a copy of the Zoning Ordinance, please contact the City Planning and Development Department at 513-2846. To request a zoning determination, contact DCA at 513-1500 and then select option 3. □



## DCA INTERPRETATIONS

| <u>#/CODE</u>   | <u>QUESTION</u>   | <u>ANSWER</u>   |
|---|---|---|
| CI2001-008<br>Code of Ordinances<br>Section 18-16 (b)     | Must all changes to previously approved construction documents be made by the architect or engineer of record?                                | No. Changes that do not involve structural or life-safety issues may be made by registered professional architects or engineers other than the design professional of record.   |
| CI2001-009<br>Code of Ordinances<br>Section 18-15 (b)(1)  | Is a permit required for the replacement of roof coverings or exterior wall coverings (siding) on any building?                               | No. Provided that no structural work is involved, including the replacement of sheathing materials, a permit is not required.<br><br>However, all installations shall meet the requirements of the building code as to type of material, attachment, combustibility, fire resistance, etc.  |
| CI2001-010<br>1991 UBC<br>Section 1706 (c)<br>Paragraph 1 | Are enclosures provided around elevator or other shaft openings which penetrate only one floor required to be of fire-resistive construction? | Yes. DCA considers the enclosure walls to be a building construction assembly which is enclosing the floor opening. Per UBC Section 1706(c), paragraph 1, openings which penetrate only one floor and are not connected with openings communicating with other stories or basements need not be enclosed, only when the openings are not concealed within building construction assemblies. Therefore, the shaft enclosure shall be of the fire-resistive rating specified in Table 17-A.<br><br>Openings for individual penetrating items may be protected in accordance with the provisions of UBC 1706(c), paragraphs 3 through 6. |



## DCA INTERPRETATIONS

### #/CODE

### QUESTION

### ANSWER

CI2001-011  
Code of  
Ordinances  
Sections  
80-20, 80-41  
(3) b. 3.

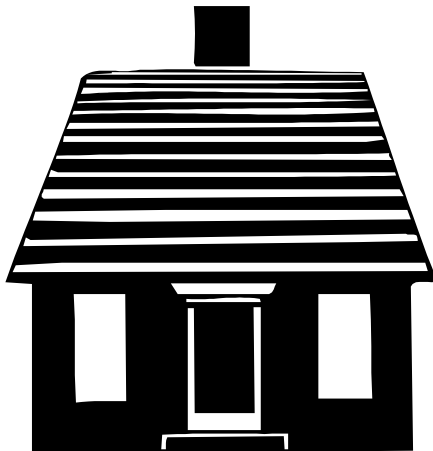
For the purposes of clarifying the definition of a corner lot with respect to the use conditions contained in Section 80-41 (3) b. 3., may a lot located at the point where a single street changes direction be considered to be a corner lot.

Yes, provided the change of direction in the public street is approximately 90 degrees. The intent of the provision that such uses are permitted without Board of Zoning Adjustment approval on corner lots adjacent to or across from a public park, public playground or on a parkway is that with two property lines situated on public streets, the use will have less obtrusive access for parking, a focal point of connection with similar community uses, and promote surrounding residential development. Such changes in direction of public streets may be a part of or may promote surrounding land development such that the 90-degree turn will become part of a future 3 or 4 way intersection.

CI2001-012  
Code of  
Ordinances  
Section  
80-42 (c) (1)

What evidence establishes a legal use of servants' quarters?

This section of the Zoning Ordinance allows servants' quarters within a principal residence or within a detached accessory building complying with restrictions on use, area and location on the property. Servants' quarters may include living areas, sleeping rooms, kitchens and bathrooms separate from or within the principal residence. Persons residing within servants' quarters must be "servants working on the premises or members of their immediate family." Therefore, the occupant of a servants' quarters must be principally employed to perform work on the premises where they reside and such work must be of a nature to be performed on the premises on which the servant resides. Common examples of individuals who perform work on site include, but are not limited to, nannies, cooks, gardeners, chauffeurs, caretakers, watchmen and butlers. Employment can be established by a letter from the property owner describing the employment of the servant, means of compensation and the work for which they are employed. A copy of an employment contract, social security tax payments by the employer and any other information documenting the person's employment on the premises may be required to establish the person's employment as a servant on the premises. Compensation may include room and board.



## DCA INTERPRETATIONS

| <u>#/CODE</u>                        | <u>QUESTION</u>  | <u>ANSWER</u>  |
|--------------------------------------|--|--|
| CI2001-013<br>Sections<br>18-5, 18-6 | May a provision found in a newer edition of an adopted model code be proposed as an alternate? | Yes, provided that equivalency to the adopted code is demonstrated. The KCBC provides that alternate materials and methods of construction may be accepted, provided that the alternate is “the equivalent of that prescribed” by the adopted code, and “does not lessen health, life and fire safety requirements or any degree of structural integrity.” |

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## *ICBO AND ICC COMMITTEE APPOINTMENTS*

DCA is pleased to announce that the board of directors of the International Conference of Building Officials made the following committee appointments for 2000 - 2001:

- Major Jurisdictions Advisory Committee - **Barry Archer**
- International Building Code Means of Egress Committee - **Bill Watson**
- International Zoning Code Interpretation Committee - **Rick Usher**
- ICBO Education Committee - **Barry Archer** (Chairperson)

Congratulations guys for your involvement and hard work at the national level!

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## *DCA PLANS REVIEW AVERAGE TURNAROUND TIMES*

### *FOUR-WEEK AVERAGES AS OF OCTOBER 15, 2000*

|  |                |
|--|----------------|
| New Commercial Buildings and Additions ..... | 3.3 weeks/plan |
| One- and Two-Family Dwellings .....          | 1 day/plan     |
| All other Projects .....                     | 0.7 week/plan  |

## ***KIVA USER GROUP CONFERENCE HOSTED BY KCMO***

**T**he City hosted the annual Kiva User Group Conference on October 18 – 20, 2000 at the Hyatt Regency Crown Center Hotel. KIVA is the land and development permit tracking system utilized by all City departments involved in land development, permitting, inspections and service action request tracking. The Department of Codes Administration began using the KIVA system for plans review, permitting, inspections and service action requests in the Spring of 1999.

**Richard H. Usher**, C.B.O., Division Manager of Permits, is the President of the Kiva User Group and was responsible for conference planning. This year's conference was co-sponsored by the Greater Kansas City Chamber of Commerce. The focus of this year's conference was on customer service, and the inclusion and attendance of Chamber members at the conference's opening day emphasized this point. First day events included a presentation on the future of e-commerce by G. Curtis Clark, e-Business Solutions Executive, IBM.

In addition to hosting this year's conference at the Hyatt Regency Crown Center, the City provided Maui County, Hawaii attendees with a tour of the citywide KIVA implementation, including a visit with City Manager Bob Collins and representatives of Mayor Kay Barnes' office. The City also provided attendees from the cities of Atlanta, GA, and Henderson, NV, with a short tour on Friday afternoon.

This year's conference was attended by 115 representatives of 16 cities and counties, including Atlanta, GA; Bernalillo, NM; Charlotte, NC; Flagstaff, NM; Glendale, CA; Henderson, NV; Kansas City, MO; Kent, WA; Los Alamos, NM; Lubbock, TX; Martin County, FL; Maui County, HI; Minneapolis, MN; Phoenix, AZ; San Diego County, CA; and, Topeka, KS. □

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## ***2000 INTERNATIONAL RESIDENTIAL CODE SEMINAR SCHEDULED FOR DECEMBER 13-14, 2000***

**A** seminar explaining the provisions of the 2000 International Residential Code (IRC) has been scheduled for December 13-14, 2000, at the Johnson County Community College Carlsen Center Building at 12345 College Boulevard in Overland Park, Kansas. This training program addresses many of the major elements of the International Residential Code, including code administration, building planning, plumbing, mechanical, energy, fuel gas, electrical and adopted standards. DCA has proposed the 2000 IRC for adoption by the City of Kansas City, MO. If adopted, the IRC would apply to the construction of detached one and two family dwellings and some attached townhomes.

The program is sponsored by the Metropolitan Kansas City Chapter of the ICBO, the Johnson County Building Officials Association and the Home Builders Association of Greater Kansas City. Representatives from the International Conference of Building Officials (ICBO), Building Officials and Code Administrators International (BOCA), and National Association of Home Builders (NAHB) will be involved in the presentation of this seminar.

For additional information contact Bill Watson at (816) 513-1574; e-mail Bill at [bill\\_watson@kcmo.org](mailto:bill_watson@kcmo.org); or visit DCA's website at [www.kcmo.org/codes](http://www.kcmo.org/codes). □

# ***DCA SALUTES ITS VETERANS ON***



## **VETERANS DAY**

### **ARMY**

Barry Archer, Director  
David Binneboese, Construction Code Inspector I  
David Carlisle, Construction Code Insp. Supv.  
Charles Evans, Construction Code Insp. Supv.  
James Finney, Construction Code Inspector I  
Everett Johnson, Construction Code Inspector I  
Jerome Ritchie, Construction Code Inspector I  
Larry Sams, Construction Code Insp. Supv.  
Carl Spahn, Construction Code Inspector III  
Steve Young, Construction Code Inspector I

### **NAVY**

Vernon Livergood, Construction Code Inspector I  
Todd Shields, Construction Code Inspector I

### **AIR FORCE**

Tim Brookhouser, Construction Code Insp. Supv.  
Glenn Longworth, Construction Code Inspector I  
Mark White, Construction Code Inspector I  
Ronald Williams, Construction Code Inspector I  
Wilson Winn, Division Manager of Investigations

### **MARINES**

Lynn Gant, Systems Analyst

# Code Connection

**Department of Codes Administration**  
**18th Floor, City Hall**  
**414 East 12th Street**  
**Kansas City, Missouri 64106**

ADDRESS CORRECTION REQUESTED

**DCA's on the Internet at [www.kcmo.org/codes/](http://www.kcmo.org/codes/)**

## DCA Telephone Numbers: Area Code 816

Director's Office..... 513-1472  
Deputy Director's Office ..... 513-1500 (option 4)  
City Hall Permit Center ..... 513-1500 (option 3)  
Plans Review Permit Center ..... 513-1500 (option 5)  
Commercial Plans Review ..... 513-1500 (option 5)  
One & Two Family Plans Review ..... 513-1500 (option 5)  
Inspections Division ..... 513-1500 (option 2)  
Special Inspections ..... 513-1500 (option 2)  
Investigations Division ..... 513-1500 (option 2)  
Business Services Division ..... 513-1500 (option 3)  
Contractor Licensing & Registration..... 513-1500 (option 6)

### FAX Services:

FAX Permit Process..... FAX 513-1456  
FAX Inspection Requests ..... FAX 513-1536  
FAX Publications Purchases..... FAX 513-1456  
FAX One- and Two-Family Plans Branch..... FAX 513-1505  
FAX Plans Review Comments  
Call to request your comments ..... 513-1500 (option 4)

### Code Information:

Zoning, Floodplain, Airport Height Zone,  
Permit Application Information ..... 513-1500 (option 3)  
Code Questions, Plans Submittal Information,  
Plans Review Status..... 513-1500 (option 5)

## Publication Ordering Information:

The following publications are available from DCA.

1. **Chapter 18, Kansas City Building Code** and related ordinances.  
This is the building code adopting ordinance and contains local amendments to the adopted model codes. Price:..... \$6.00
2. **Special Inspections Program Manual.** Price:..... \$5.00
3. **Fee Schedule.** Price:..... \$2.50

To order, send a check payable to "City Treasurer" to:

|                             |                      |
|-----------------------------|----------------------|
| Publications Order          | You may FAX          |
| DCA City Hall Permit Center | your order and pay   |
| 18th Floor, City Hall       | by credit card. Call |
| 414 East 12th Street        | 513-1500 for forms.  |
| Kansas City, Missouri 64106 | We'll FAX to you.    |

The following publications are available from the City Planning & Development Department 513-2846 FAX 513-2838).

1. **Chapter 80, Kansas City Zoning Ordinance.** Price: . . . \$25.00
2. **Chapter 66, Subdivision Regulations.** Price: . . . \$6.00

The following publications may be available from the International Conference of Building Officials Local Office (455-3330 FAX 454-8887).

1. **1991 Uniform Building Code**
2. **1993 National Electrical Code**
5. **1992 CABO One & Two Family Dwelling Code**
6. **1993 Amendments to the CABO One & Two Family Dwelling Code**
7. **1997 Uniform Plumbing Code**
8. **1997 Uniform Mechanical Code**