

# Code Connection

The customer newsletter for the construction and development community.

CITY OF FOUNTAINS  
HEART OF THE NATION



KANSAS CITY

NOVEMBER 2005

## Holiday Schedule:

Development Services offices will be closed on the following dates:

**Friday, November 11, 2005**

Veteran's Day

**Thursday, November 24, 2005**

Thanksgiving

**Monday, December 26, 2005**

Christmas Holiday

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## CONTRACTOR LICENSE AND CERTIFICATE PEDDLING

Contractor license and certificate peddling – using one's qualifications to fraudulently obtain construction permits to allow work to be done by unlicensed contractors – is a violation of the Kansas City Building and Rehabilitation Code (KCBRC), Chapter 18, Code of Ordinances, and is punishable by prosecution in Housing Court and/or suspension or revocation of contractor licenses or certificates of qualification. Permit peddling is also an ethical breach of the trust established between the contractor, the City and the property owner.

Construction permits are issued to ensure that the work complies with the regulations of the KCBRC. Compliance is reviewed by City Planning & Development - Development Services (CPD-DS) plans review and inspections staff. However, full compliance with the KCBRC is the responsibility of the permit holder, the licensed contractors obtaining construction permits and their qualified supervisors. These are the people who are on the job full-time ensuring safe construction and compliance with the construction documents reviewed for code compliance.

Permit peddling removes this on-the-job connection of responsible and qualified individuals performing permitted work and jeopardizes the quality of construction and the life-safety of individuals occupying buildings where these violations have occurred.

Please familiarize yourself with the responsibilities of permit holders, licensed contractors and certified supervisors, as described in Sections 18-17, 18-332 and 18-341 of the KCBRC. Please contact CPD-DS's Investigations Division if you suspect violations of the KCBRC and contact CPD-DS's Contractor Licensing Branch if you have questions concerning these provisions. Both offices can be reached at 816-513-1500.

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## STATE TO ADOPT A NEW ELEVATOR SAFETY CODE

The Elevator Safety Board of the State of Missouri has begun reviewing the latest supplement to *ASME A17.1-2004 Safety Code for Elevator and Escalators* in preparation to update the elevator safety code for the state. The Board intends to review the latest edition of the code, *ASME A17.1-2004 Safety Code for Elevators and Escalators* (and Supplements), in its entirety before making a recommendation. The new codes have many changes and updates that will impact the safety of elevator equipment in buildings throughout the state of Missouri.

The review process will take several months and will be included on the Board agenda until the Board has agreed on a recommendation for adoption. In keeping with Kansas City's agreement with the state, City Planning & Development - Development Services (CPD-DS) will begin the code update process for the City of Kansas City, Missouri, soon after the new code is adopted at the state level.

Anyone interest in proving input to this process is encouraged to attend a board meeting and make their concerns known. Comments may also be submitted to the Elevator Safety Board, c/o Larry Watson, Deputy Chief, P.O. Box 884, Jefferson City, MO 65102-0844 or firesafe@dfs.state.mo.gov.

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## OPTIONS FOR INTERIOR BRACED WALLS

The 2003 *International Residential Code* (IRC) provides various prescriptive options for wall bracing. The purpose of the wall bracing requirements is to resist lateral loads (wind or seismic) imposed on the structure. One of the methods, found in IRC Section R602.10.5, is the "continuous structural panel sheathing" method. Under this method, all sheathable exterior wall areas are sheathed with wood structural panels.

When this method is used for the exterior walls, CPD-DS will accept the use of other means of bracing for interior braced wall lines (where interior braced wall lines are required). Any of the prescriptive bracing methods found in IRC Section R602.10.3, or a bracing method designed for the particular structure, will be accepted for an interior braced wall line.

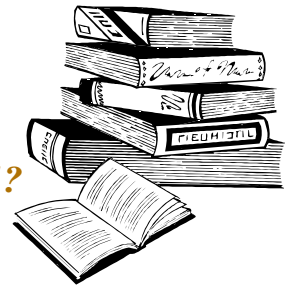
When using the "continuous structural panel sheathing" method, the IRC allows for reduction in the length of individual braced wall segments and in the overall percentage of wall required to be braced. This allows a builder or designer greater flexibility in the placement and size of door and window openings.

For additional information regarding allowable wall bracing options under the IRC, please consult **Information Bulletin 100**, Requirements for Plans Review Submittal, One- and Two-Family Dwellings.



## CODE CHAT

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



### WHAT'S NEW WITH ...ELEVATOR LOBBIES?

The recently adopted 2003 *International Building Code* (IBC) has many similarities with the previously adopted 2000 IBC. However, in the interest of keeping the code current with the state of technology, some changes are made in each three-year code development cycle. This article will attempt to highlight some of those changes as they apply to the subject of elevator lobbies.

#### What is the purpose of elevator lobbies?

Requirements for elevator lobbies are included in the IBC to address hazards posed by the propagation of smoke and heat throughout multi-story buildings through the elevator shafts, specifically as related to fire-resistance-rated egress corridors. While elevator car doors typically have fire ratings, they are not listed as smoke and draft control assemblies. Therefore, the purpose of elevator lobbies is to prevent the contamination of egress corridors with smoke distributed through elevator shafts.

#### Where are elevator lobbies required?

Both the 2000 and 2003 IBC Section 707.14.1 require that elevators opening into required fire-resistance-rated corridors be provided with an elevator lobby at each floor containing such a corridor. Both the 2000 and 2003 IBC contain four exceptions that permit the omission of elevator lobbies:

- office buildings for the street floor elevator lobby, provided the entire street floor is equipped with an automatic sprinkler system.
- any elevator that is not required to be located in a shaft enclosure.
- the “lobby” is permitted to be formed by a door of the appropriate rating installed directly across the opening to the elevator, on the corridor side of the elevator car door.
- any building of other than Group I-3 occupancy or that is more than four stories above the lowest level of fire department vehicle access, where the entire building is provided with an automatic sprinkler system throughout.

#### What are the Significant Changes?

The most significant change to IBC Section 707.14.1 relates to the required fire-resistive rating of the elevator lobby separation. While both editions require not less than one-hour fire-resistive walls, the 2000 IBC required the wall to be a “fire barrier” while the 2003 IBC requires this assembly to be a “fire partition.” While 2000 IBC Table 714.2 required a ¾ hour-rated opening protection assembly (for a fire barrier), 2003 IBC Table 715.3 requires only a 1/3 hour-rated (20 minute) assembly for a fire partition. This change recognizes that the intent of the elevator lobby requirement is to address smoke control as opposed to fire concerns, since elevator doors are already fire-resistive assemblies.

While code requirements for elevator lobbies change from time to time to address new technologies and terminology, the intent is the same—to achieve a high level of life safety while permitting flexibility in design. For questions regarding this subject or any other code requirements, feel free to call the City Planning & Development – Development Services Code Question Hotline at (816) 513-1511, where a helpful associate stands ready to provide assistance in applying code interpretations to individual situations, or you may obtain e-mail answers to code questions from [gary\\_marker@kcmo.org](mailto:gary_marker@kcmo.org).

***FROM THE FILES...  
REAL CODE MODIFICATION REQUEST CASE HISTORIES***

***KITCHEN EXHAUST DUCT TERMINATION***

**By Gary Marker, R.A.,  
Division Manager of Plans Review**

**T**he KCMO Code of Ordinances, Section 18-6, states that “The details and actions of granting modifications (to code requirements) shall be recorded and entered in the files of City Planning & Development - Development Services (CPD-DS).” Doing so permits one to rationalize any apparent code discrepancies by investigating the files for the building in question. In order to facilitate this, CPD-DS 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. The Code Modification Request process is outlined in CPD-DS **Information Bulletin Number 101** (available on the web at [www.kcmo.org](http://www.kcmo.org)). However, I am frequently asked, “What makes a “good” Code Modification Request?” This is another installment in a series of articles to attempt to answer that question by presenting actual case histories of CMR’s that have been APPROVED by CPD-DS.

The subject of this request is a proposed restaurant tenant space within a new, 10 tier, fully sprinklered parking garage. The scope of work includes the installation of a Type II kitchen exhaust hood serving a pizza oven. *2000 International Mechanical Code*, Sections 401.5 and 506.4.1, require that the exhaust duct serving this hood terminate at the exterior of the building. In lieu thereof, the applicant proposes to terminate the exhaust duct within the open parking garage portion of the building, approximately 28 feet from the exterior. The applicant believes that this installation would be safe and pose no danger to the public since the hood is a Type II and, therefore, has no airborne particulates such as smoke or grease. This request was determined to meet the intent of the code and was, therefore, approved.

This approval recognized that the intent of the code is to prevent the discharge of kitchen exhausts in an area that could cause a nuisance or a hazard and that permitting the relatively benign exhaust from a Type II exhaust hood into an open parking garage environment posed no public hazard or nuisance while providing a safe path of discharge to the exterior environment. Be sure to watch future editions of the *Code Connection* for more informative and interesting tales from the CMR files.

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***STAFF CHANGES***

**David Panek** was promoted from Development Specialist I in the Permits Division, Plans Management Branch to Principal Engineering Technician in the Land Development Division, Permits Branch.

**Paul Garten** was promoted from Engineering Technician II to Engineering Technician III in the Land Development Division, Permits Branch.

**Azad Fattah** joined the Land Development Division, Permits Branch as Engineering Technician II.

**Angela Williams, Trish Breiner, and Catherine Reid** left to pursue other opportunities.

## ***CITY PLANNING & DEVELOPMENT - HOUSING DIVISION***

**T**he mission of the City Planning and Development Housing Division is to provide programs and policies which facilitate the development of viable urban neighborhoods by providing quality affordable housing, a suitable enhanced living environment, and expanding economic development opportunities for persons of low to moderate incomes.

This mission is accomplished through the use of federal Community Development Block Grant and HOME program funds that total approximately \$14,000,000. The Department of Housing and Urban Development (HUD) allocates these funds to recipients on a formula basis.

The Housing Division of City Planning and Development will use its 2005 Community Development Block Grant and HOME funds to assist 460 families and individuals in the Minor Home Repair Program, including Barrier Removal and Home Rebate activities. HOME funds will be used to provide second mortgages for approximately 33 qualified low and moderate income homebuyers. American Dream Downpayment Initiative (ADDI) funds will be used to assist approximately 85 first time homebuyers with down payment assistance.

Finally, the Program/City has improved its working relationship with key public and private housing stakeholders, such as the Housing Authority of Kansas City (HAKC), Missouri Housing Development Commission (MHDC), Housing and Urban Development (HUD), philanthropic organizations, and affordable housing developers.

A total of 784 homes and multifamily housing units will be assisted with the CDBG and HOME funds.

Additionally, the Housing Division will fund public service organizations that will provide assistance to over 75,000 individuals in the form of homeownership training, utility assistance, tenant/landlord resolution assistance, meals on wheels, food pantry, clothing, holiday assistance, and school supplies. Included also are senior recreation and adult day care.

Currently, the Housing Division is accepting RFP's for HUD funding for 2006. This process allows citizens an opportunity to provide the Housing Division with input on future programs and neighborhood needs. Housing is in the process of reforming and the new Housing Administrator has begun to rebuild housing capacity with the hiring of three new people and the restructuring of contracts to include performance measures for agencies funded with federal funds. Additionally, future programs will be designed around Comprehensive Healthy Neighborhood Concepts.

The Housing Division has executed over \$3,000,000 in contracts to construct nearly 30 affordable for sale housing units as well as 25 units for minor home repair and construction or rehabilitation of over 150 multi-family rental units. Additional housing units will be rehabilitated through the City's Brownfield, lead abatement and tax abatement programs. \$750,000 has been earmarked for establishing 16 new businesses and promoting economic growth.

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### ***CPD-DS ASSOCIATE PASSES PROFESSIONAL ENGINEERING EXAMINATION***

City Planning & Development is pleased to announce that Tom Nguyen, P.E., Review Engineer in the Plans Review Branch of the Land Development Division passed the state of Missouri Professional Engineers Examination and in July was promoted from Graduate Engineer to Registered Engineer. Tom began working in Land Development in late 2002. After many long hours of studying, Tom passed this very difficult exam on his first try. On behalf of the Division and Department, we congratulate Tom for his commitment and successful efforts.

## **QUALITY CONTROL REVIEW NOTICES AND SUBMITTAL CHECKLIST UPDATES**

The Land Development Division is in the process of changing and updating its former “Public Works Department Quality Control Review (QCR) Checklist - Bulletin 7 submittal checklist document (<http://www.kcmo.org/pubworks/stds/bul/07-QCR-5.pdf>) to clean up any old department designations or references and to update the 26 occurrences of the term “Easement.” The cleanup changes are needed to reflect Land Development Division’s (LDD) (formerly Public Works Department Development Services) move into the City Planning & Development Department. The updates related to easement(s) are primarily to deal with ensuring that the checklist instructions refer to current and best practices on how to address easements within the review, platting, and permitting process. Please note the following from the KCMO Code of Ordinances.

The Code, Section 66-43, (d) (11), 80-270, (b) (11), and other similar sections require that a development plan depict the location and width of all proposed easements in an effort to draw attention early in the development process to possible challenges the project and developer may face in acquiring needed easements. Easements, particularly acquiring off-site easements from owners not related to the development, can prove to be a significant challenge for any developer, not to mention getting subordinations on existing easements when dedicating right-of-way. Also of note in the Code is Section 64-4, (d) (9), which states that “a. The plans shall have cross sections, profiles and other information as are ordinarily included in plans prepared in the office of the director for like work. The plans and work shall conform to the standard specifications of the city for public work of like character. b. All work shall be subject to the direction and supervision and to the satisfaction of the director.” LDD in its efforts to help clarify what *Other Information* means, and to expedite plan application entry and review for permit issuance, has included a significant number of references to easements in the checklist document, covering when and what form easement(s) are required, and how easement(s) are to be processed once received. We also provide links to our standard easement forms on our website (see <http://www.kcmo.org/pubworks.nsf/web/PWEstandardeasement?opendocument>). With the changes to reflect current practices, we will be asking all applicants to submit any needed off-site easement(s) for the infrastructure improvement in a “Fully Executed and Recorded” form with the plans application package. Most projects involve several months of preparation time between the preparation of the development plan application and when engineering plans are actually ready for submittal to the City--allowing ample time for these off- easement(s) to be prepared and recorded in advance of infrastructure plan submission. The Developer and City are at risk in acquiring and receiving, respectively, an easement(s) when 1) an agreement is executed but not recorded and 2) during our processing of the plans and easements for permitting, when the property owner who signed the easement sells the property before the easement(s) can be recorded. We are also at risk if an unacceptable easement is provided after review of the plans has occurred. By easement we mean temporary construction and permanent easement required to allow construction and maintenance of the infrastructure being permitted. In an effort to be sensitive to the affect this change may have on projects that will be submitted over the next few week, we will continue to accept only the executed off-site easements (not yet recorded) with the plan application until January 1, 2006. However, applicants shall record their easement(s) to be included in any resubmittal application, if applicable, and/or prior to issuance of any permit requiring the easement, which ever occurs first. Please look for these changes and updates in the upcoming release of the checklist to be posted in the next few weeks. If you have any questions, please feel free to contact Dion Waldon, Division Manager, at 513-2604.

# Code Connection

City Planning & Development Department  
Development Services  
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Kansas City, Missouri 64106

ADDRESS CORRECTION REQUESTED

Visit CPD-DS on the Internet at [www.kcmo.org/codes](http://www.kcmo.org/codes)

## Telephone Numbers: Area Code 816

Development Services Manager ..... 513-1472  
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)  
Land Development ..... 513-2593

## FAX Services/Numbers:

FAX Permit Process ..... 513-1456  
FAX Inspection Requests ..... 513-1536  
FAX Publication Purchases ..... 513-1456  
FAX One- and Two-Family Plans Branch ..... 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 at either CPD-DS office.

You may also call 513-1500 (option 3) and request a credit card authorization form and then place your order via Fax.

1. **Chapter 18, Kansas City Building and Rehabilitation Code** and related ordinances. (Chapter 18 adopts the model codes by reference and identifies local amendments to the model codes.) Price: \$6.00
2. **Special Inspections Program Manual.** Price: \$5.00
3. **Fee Schedule.** Price: \$2.50

The following publications are available from the City Planning and Development Department (513-2846).

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

The following publications are available from the International Code Council Regional Office (455-3330).

1. *2003 International Building Code*
2. *2003 Uniform Plumbing Code*
3. *2003 International Mechanical Code*
4. *2002 National Electrical Code*
5. *2003 International Residential Code*