

AN ORDINANCE AMENDING CHAPTER 13 FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI BY REPEALING ARTICLE III. FIRE CODE AND ADOPTING A NEW ARTICLE III PERTAINING TO THE SAME SUBJECT MATTER.

WHEREAS, the 2024 Edition of the International Fire Code, as revised, has been reviewed by the Fire Department, the Board of Appeals, Public Safety Advisory Board and the Community Economic Development Committee; and,

WHEREAS, after technical study and public input, the Fire Department, the Board of Appeals, Public Safety Advisory Board, and the Community Economic Development Committee believe it is in the best interests of the City of Lee's Summit to amend Chapter 13, Fire Prevention and Protection of the Code of Ordinances of the City of Lee's Summit, Missouri by repealing current Article III and reenacting Article III based on the 2024 International Fire Code, with amendments as set out below; and,

WHEREAS, based on staff reports and public comment, the City Council desires to protect the public health, safety, and welfare by amending Chapter 13 – Fire Prevention and Protection by repealing Article III in its entirety, and enacting a new Article III pertaining to the same subject matter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Chapter 13 – Fire Prevention and Protection of the Code of Ordinances of the City of Lee's Summit is hereby amended by repealing Article III and enacting a new Article III pertaining to the same subject matter, to read as follows:

Sec. 13-41. Title.

This article shall be known as the City's Fire Code and may be cited as such.

Sec. 13-42. Interpretation of Article.

Should any provision or specification contained in this article conflict with any provision or specification of the 2024 Edition of the International Fire Code, such provision or specification shall be considered as supplementary or an amendment to such code(s).

Sec. 13-43. International Fire Code – Adopted

The International Fire Code, 2024 Edition and appendices B and D as amended herein, C, and O as published by the International Code Council, is hereby adopted as the fire code of the City. Each and all of the regulations, provisions, penalties, conditions and terms of the Code are hereby adopted by reference and made a part of this article as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 13-44 of this Code. Three (3) copies of the International Fire Code are on file in the office of the City Clerk.

Sec. 13-44. Same – Amendments.

The International Fire Code, 2024 Edition, is amended in the following respects:

Administration.

Section 103.1 shall read as follows:

103.1 General. The Lee's Summit Fire Department Division of Fire Prevention is established within the jurisdiction under the direction of the Fire Chief. The function of the division shall be the implementation, administration and enforcement of the provisions of this code. All sworn members of the department shall assist the Fire Chief with the implementation, administration and enforcement of the provisions of this code.

Section 103.2 shall read as follows:

103.2 Appointment. The fire chief shall be the *fire code official* and shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

Section 103.3 shall read as follows:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees. The deputy code official shall also be known as the Assistant Chief of Fire Prevention (Fire Marshal).

Section 105.5 shall read as follows:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.5.2 through 105.5.57 as amended or deleted.

The following Operational Permits are deleted as follows: 105.5.17-105.5.21, 105.24-105.5.28, 105.5.31-105.5.33, 105.5.35, 105.5.37-105.37-43, and 105.5.45-105.5.57. Requirements in the code triggered by permit amounts listed in the deleted operational permits still apply.

The following operational permits are amended and shall read as follows:

105.5.16 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive material, fireworks, or pyrotechnic special effects within the scope of Chapter 56. See amended Section 5601 of the 2024 International Fire Code. An operational permit for blasting operations shall be obtained from the City of Lee's Summit Development Services to meet the permit requirements of Chapter 56, EXPLOSIVES and FIREWORKS. Development Services shall be the overseeing agency of blasting permitting and operations in accordance with the applicable provisions of Chapter 56 and other reference documents. Development Services shall notify the fire code official of any issued permits, violations, suspensions or revocations. Development Services shall be the repository of records related to blasting. The fire code official retains the right to enforce the provisions of this code delegated to Development Services.

Section 105.5.22 shall read as follows:

105.5.22 Hazardous materials. A Hazardous materials permit is required for the using, dispensing, transporting, handling, and/or storing of extremely hazardous substances. “Extremely Hazardous Substances (EHS) Facilities” are defined as facilities subject to the provisions of Superfund Amendments and Reauthorization Act of 1986 (SARA TITLE III), Section 302, for storing, dispensing, using, or handling of listed chemicals in excess of their threshold planning quantities (TPQ). See amended Section 5001.4 of the 2024 International Fire Code.

Section 105.5.23 shall read as follows:

105.5.23 HPM facilities. An operational permit is required to store, handle or use hazardous production materials. See amended Section 5001.4 of the 2024 International Fire Code.

Section 105.5.34 shall read as follows:

105.5.34 Mobile food preparation vehicles. A Heart of America (HOA) operational inspection permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease laden vapors

Section 105.5.36 shall read as follows:

105.6.36 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. Instructions and stipulations of the permit shall be adhered to. A permit is required for a recreational fire.

Section 105.6 shall read as follows:

Section 105.6 Required Construction Permits. The fire code official is authorized to issue a permit in conjunction with Development Services or a Released for Construction letter for work as set for in Sections 105.6.1 through 105.6.26.

Section 105.6.25 shall read as follows:

Section 105.6.25 Temporary membrane structures and tents. A construction permit is required to erect an air-supported temporary membrane structures (excluding bounce houses and similar structures), a temporary special event structure or a tent greater than 10,000 square feet.

Section 105.6.26 is enacted and shall read as follows.

Section 105.6.26- Battery Charging Stations. A construction permit is required to install Level 2 and/or Level 3 vehicle charging stations.

Section 106.1 shall read as follows:

Section 106.1 Submittals. Construction documents and supporting data shall be submitted electronically, or when approved, in two or more sets with each application for a permit and in

such form and detail as required by the *fire code official*. The construction documents shall be prepared by a *registered design professional* where required by the statutes of the jurisdiction in which the project is to be constructed.

Exception: The *fire code official* is authorized to waive the submission of *construction documents* and supporting data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

Section 112.1 shall read as follows:

112.1 Board of Appeals established. All decisions, orders, and/or determinations made by the fire chief relative to the interpretation of this code shall be governed by a board of appeals, as set forth in the Building Code of the City of Lee's Summit, as codified in Chapter 7, Article 1 of the City of Lee's Summit Code of Ordinances.

Section 113.4 shall read as follows:

113.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of an ordinance violation, punishable under Section 1-13.A of the Lee's Summit Code of Ordinances. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

General Precautions Against Fire.

Section 307.1.1 shall read as follows:

307.1.1 Prohibited open burning. Open burning, bonfires, recreational fires or portable outdoor fireplaces, shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous (determined using information from the National Weather Service or the National Oceanic and Atmospheric Administration (NOAA)).

Section 307.1.2 is enacted as follows:

307.1.2 Nature of material being burned. The burning of heavy smoke producing materials is prohibited. No processed construction wood products or trash shall be burned.

Section 307.2 shall read as follows:

307.2 Permit required. A permit shall be obtained from the *fire code official* in accordance with Section 105.5.36 prior to kindling a fire for recognized silvicultural or range management practices with a prescribed burn plan approved by the fire code official, or a fire for the purpose of brush removal from commercial excavation sites, or agricultural zoned locations, or on property greater than five acres with a predominate agricultural use and approved by the fire code official, or recreational fires. Application for such approval shall only be presented by and permits issued to the *owner* of the land upon which the fire is to be kindled, unless written permission is given to

the applicant by the property owner conduct such operations, or the applicant is working as an agent for the landowner.

Section 307.4.1 Bonfires, is deleted.

Open Flames

Section 307.4.2 shall read as follows:

307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition. Recreational fires shall not exceed a pile size of 3 feet in diameter and 2 feet in height.

Section 307.4.3 shall read as follows:

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 (3048 mm) of a structure or combustible material.

Section 323 including new definitions at new section 323.05 dealing with electric vehicle charging is enacted as follows:

SECTION 323 ELECTRIC VEHICLE CHARGING STATIONS

323.05 Definitions

ELECTRIC VEHICLE (EV)

An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, and electric motorcycles, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are electric vehicles having a second source of motive power. (CMP-12)

ELECTRIC VEHICLE CHARGING STATION (EVCS)

A public or private parking space that is served by battery charging station equipment, including any electrical component, assembly, or cluster of component assemblies, that is designed to, or has a primary purpose of, the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an EV.

LEVEL 1 ELECTRIC VEHICLE CHARGING STATION

An electric vehicle charging station that operates on a 15-to-20-amp breaker on a 120-volt AC circuit

LEVEL 2 ELECTRIC VEHICLE CHARGING STATION

An electric vehicle charging station that operates on a 40-to-100-amp breaker on a 220- or 240-volt AC circuit

LEVEL 3 ELECTRIC VEHICLE CHARGING STATION

An electric vehicle charging station that operates on a 60 amp or higher breaker on a 480 volt or higher three phase circuit with special grounding equipment. Level 3 stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outputs that allow for faster recharging of electric vehicles.

SURFACE PARKING LOT

Parking which is not enclosed or created by a structure and is an area 'at grade,' or on ground level.

STRUCTURED PARKING LOT

See Public Parking Garage, Private Garage, Open Parking Garage

Parking which is an above-grade, ramp access, open-air structure specifically designed to accommodate vehicle parking, a below-grade structure specifically designed to accommodate vehicle parking or on-grade parking that is sheltered under a building that is elevated on piers.

323.1 General. All Level 2 and Level 3 Electric Vehicle Charging Stations (EVCS) must adhere to the regulations outlined in Section 323.

323.2 Permitting Process of Electric Vehicle Charging Stations.

323.2.1. Approval Required. All EVCS required to have a permit, as set forth in Section 105.5 and 105.6 shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*.

323.3 General Requirements.

1. All EVCS shall meet the requirements of section 406.2.7 if the IBC.
2. Placement and installation of EVCS shall comply with and be installed per Section 323.

323.4 FIRE PROTECTION REQUIREMENTS

323.4.1 Technical opinion and report. A technical opinion and report complying with Section 104.2.2 shall be prepared to evaluate the fire and explosion risks associated with the EVCS and to make recommendations for fire and explosion protection. The report shall be submitted to the fire code official and shall require the fire code official's approval prior to issuance of a permit. In addition to the requirements of Section 104.2.2, the technical opinion and report shall specifically evaluate the following:

1. The potential for deflagration of flammable gases released during an electric vehicle thermal runaway event.
2. The basis of design for an automatic sprinkler system. Such design basis shall reference appropriate NFPA standards and relevant full-scale fire testing or another approved method of demonstrating sufficiency of the recommended design.

323.4.2. Standpipe Systems. All structured parking lots with two or more tiers with Level 2 and Level 3 electric vehicle charging stations shall be provided with a class 1-standpipe system in accordance with 905.3.8.

1. The standpipe connection shall be in an approved location not less than 20 feet and no more 100 feet from the electric vehicle charging stations.

323.4.3. Fire Blankets and Cabinets. Electric vehicle charging stations installed in a portion of a structured parking lots shall have a fire blanket(s) secured in a cabinet mounted in approved locations located not less than 20 feet and no more 100 feet from the charging stations.

1. The fire blanket shall be a minimum size of 20' x 26' and shall be listed for use on electric vehicles (EV-rated fire blanket) and approved by the *fire code official*.
2. The cabinet shall be an approved cabinet and be secured with a lock approved by the AHJ.
3. The number of fire blankets and cabinets required shall be determined by the AHJ.

323.4.4. Surface Parking Fire Hydrants. Where level 2 or level 3 electric vehicle charging stations are installed on a surface parking lot, fire hydrant placement must comply with section 507.5.

323.5 Placement of electric vehicle charging stations.

323.5.1. Prohibited Location. An EVCS providing a Level 3 charge, shall not be installed inside or under any structures or buildings, nor inside under, or on top of any structured parking lots.

Exception: When the top level of the parking structure is on or at street level on one entire side of the structure, the top level shall be treated as a surface parking lot.

323.5.2. Surface parking lot distance from EVCS to exposures. In a surface parking lot, the entirety of an EVCS providing a Level 2 or Level 3 charge, including the vehicle parking space area, shall be separated from the following materials and structures by the defined distance:

Item	Distance (ft)
Designated Means of Pedestrian Ingress/Egress or Emergency Exit Pathway	50
Buildings/Structures/Property lines	25
Utility Poles	25

Utility Distribution Infrastructure deemed to Pose a Potential Public Safety Hazard	25
Fuel Tank, Gas Pump or UST/AST Refueling Operations	50
Electrical Meters, Gas Meters, or Gas Pipes	25
Trees	10
Ground Vegetation or Mulching ¹	5

323.5.2. Structured parking lots distance from EVCS to exposures. In a structured parking lot, the entirety of an EVCS providing a Level 2 charge, including the vehicle parking area, shall be separated from the following materials and structures by the defined distance:

Item	Distance (ft)
Designated Means of Pedestrian Ingress/Egress or Emergency Exit Pathway	50
Utility Poles	25
Utility Distribution Infrastructure deemed to Pose a Potential Public Safety Hazard	25
Electrical Meters, Gas Meters, or Gas Pipes	25
Fuel Tank, Gas Pump or UST/AST Refueling Operations	50

323.6 Installation requirements.

323.6.1 Parking space size. All Level 2 and Level 3 EVCS shall be installed at parking spaces with at least a 9.5' x 19' parking stall.

323.6.2. Required signage. All Level 2 and Level 3 EVCS shall include the following information signage as a minimum for fire department response: voltage and amperage levels and contact information for reporting when the EVCS is not operating or other problems.

323.6.3. Emergency Disconnect. An emergency disconnect approved by Fire Code Official shall be installed per the locally amended section of Section 625.43 of the National Electrical Code (NEC). The emergency disconnect switch shall contain a readily legible sign that reads: "ELECTRIC VEHICLE EMERGENCY DISCONNECT."

Exceptions: These subsection requirements shall apply to parking and loading areas for all non-residential buildings and multifamily dwellings and shall not apply to single-family or two-family dwelling types.

Emergency Planning and Preparedness

Section 401.3.1 shall read as follows:

401.3.1 Fire Events. In the event of an unwanted fire, unauthorized release of hazardous material, or situation immediately dangerous to the health and safety of building occupants or public, the owner or occupant shall immediately report such condition to the fire department. Building employees and tenants shall implement the appropriate emergency plans and procedures.

Section 403.11.1 shall read as follows:

403.11.1 Fire watch personnel. Where, in the opinion of the *fire code official*, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall provide one or more fire watch personnel, as required and approved. Fire watch personnel shall comply with Sections 403.11.1.1 and 403.11.1.2. The *fire code official* may, based on the nature of an event, require the event to use fire department personnel for fire watch (fire guard) and crowd managers.

Fire Service Features.

Section 503.2.3 shall read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. The use of grass-paver type technologies shall not be used for fire apparatus access roads.

Section 503.3 shall read as follows:

503.3 *Marking*. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be always maintained in a clean and legible condition and be replaced or repaired when necessary to provide adequate visibility.

Fire lanes may be marked in one or a combination of methods as approved by the *fire code official*. Curbs. All curbs and curb ends shall be painted red with four inch (4") white lettering stating, "FIRE LANE—NO PARKING". Wording may not be spaced more than fifteen feet (15') apart. Where no curb exists or a rolled curb is installed, a 6-inch (6") wide painted red stripe applied to the concrete or asphalt with four inch (4") white lettering stating "FIRE LANE—NO

PARKING. "Signs. In areas where fire lanes are required, but no continuous curb is available, one of the following methods shall be used to indicate the fire lane. Option 1: A sign twelve inches (12") wide and eighteen inches (18") in height shall be mounted on a metal post set in concrete, a minimum depth of eighteen inches (18") set back one foot (1') in from the edge of the roadway with the bottom of the sign being seven feet (7') from finished grade. Signs shall face oncoming traffic. Spacing of signs shall not exceed fifty feet (50') between signs. Signs shall be reflective material with a white color background with symbols, letters and border in red color. "FIRE LANE—NO PARKING". Option 2: A sign twelve inches (12") wide and eighteen inches (18") in height shall be mounted on the side of a structure or other permanent fixture approved by the *fire code official*. The bottom of the sign being seven feet (7') from finished grade. Spacing of signs shall not exceed fifty feet (50') between signs. Signs shall be reflective material with a white color background with symbols, letters and border in red color. "FIRE LANE—NO PARKING".

Section 505.1 shall read as follows:

505.1 Address identification. New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the *fire code official*, address numbers shall be provided in additional *approved* locations to facilitate emergency response. Address numbers shall be- Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. In multi-tenant commercial buildings where tenants have multiple entrances located on different sides of the building, each door shall be addressed

Section 507.5.1 shall read as follows:

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 300 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*.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).

Section 507.5.2.1 is enacted to read as follows:

Section 507.5.2.1 Hydrants –Color. All public fire hydrants shall be painted optic yellow. All private fire hydrants shall be painted optic yellow with a silver bonnet. Private fire hydrants (yard hydrants) that are tied to the building's fire suppression system shall be painted red. Non-potable fire hydrants shall be optic yellow with a purple bonnet.

Section 901.5 shall read as follows:

901.5 Installation, acceptance, testing. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service

main and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified 48 hours before any required acceptance testing.

Section 901.7.4 shall read as follows

901.7.4 Preplanned impairment programs. Preplanned impairments shall be authorized by the impairment coordinator. Before authorization is given, a designated individual shall be responsible for verifying that all of the following procedures have been implemented:

1. The extent and expected duration of the impairment have been determined.
2. The areas or buildings involved have been inspected and the increased risks determined.
3. Recommendations have been submitted to management or the building *owner/manager*.
4. The fire department has been notified.
5. The insurance carrier, the alarm company, the building *owner/manager* and other authorities having jurisdiction have been notified.
6. The supervisors in the areas to be affected have been notified.
7. A tag impairment system has been implemented.
8. Necessary tools and materials have been assembled on the impairment site.
9. A fire watch log shall be maintained during the impairment.

Section 903.2.4 shall read as follows:

903.2.4 Group F-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group F-1 *fire area* is located more than two stories above *grade plane*.
3. The combined area of all Group F-1 *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group F-1 occupancy is used to manufacture lithium-ion or lithium metal batteries.
5. A Group F-1 occupancy is used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.

Section 903.2.7 shall read as follows:

903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group M *fire area* is located more than two stories above grade plane.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

Section 903.2.9 shall read as follows:

903.2.9.1 Repair garages. An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the *International Building Code*, as shown:

1. Buildings having two or more stories above grade plane, including *basements*, with a *fire area* containing a repair garage exceeding 5,000 square feet.
2. Buildings no more than one story above grade plane, with a *fire area* containing a repair garage exceeding 5,000 square feet (464 m²).
3. Buildings with repair garages servicing vehicles parked in *basements*.
4. A Group S-1 *fire area* used for the repair of commercial trucks or buses where the *fire area* exceeds 5,000 square feet (464 m²).
5. A Group S-1 *fire area* used for the storage of lithium-ion or lithium metal powered vehicles where the *fire area* exceeds 500 square feet (46.4 m²).

903.2.9 Group S-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group S-1 *fire area* is located more than two stories above *grade plane*.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).
5. A Group S-1 *fire area* used for the storage of lithium-ion or lithium metal powered vehicles where the *fire area* exceeds 500 square feet (46.4 m²).

Section 903.2.11.3 shall read as follows:

903.2.11.3 Buildings more than two stories in height. An automatic sprinkler system shall be installed throughout buildings greater than two stories in height above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

1. Airport control towers.
2. Occupancies in Group F-2

Section 903.3.7 shall read as follows:

903.3.7 Fire department connections. The location of fire department connections shall be approved by the *fire code official*. Connections shall be a 4-inch Storz type fitting and located within 100 feet of a fire hydrant, or as approved by the *fire code official*.

Section 903.4.1 shall read as follows:

903.4.1 Electronic supervision. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressure, and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems in accordance with Section 903.3.8, provided that backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked

in the open position unless supplying an occupancy required to be equipped with a fire alarm system, in which case the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.

4. Jockey pump control valves that are sealed or locked in the open position.

5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.

6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.

7. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

8. Underground key or hub gate valves in roadway boxes.

9. Isolation valves for the backflow prevention devices remotely located in pits which are locked and/or chained in the open position.

Section 903.4.3.1 is enacted and shall read as follows:

903.4.3.1 Notification devices. Where an automatic fire sprinkler system is installed in a new or existing building, audible and visible notification appliances shall be installed throughout the building as follows:

- 1 Audible notification appliances shall be installed so as to be audible at 15 dBa above sound pressure level throughout the building.
- 2 Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors and in accordance with NFPA 72.

Exception: The requirements of this section do not apply to Group R-3 occupancies.

Section 905.3.1 shall read as follows:

905.3.1 Height. Class III standpipe systems shall be installed throughout buildings where any of the following conditions exist:

1. Three or more stories are above or below *grade plane*.
2. The floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access.
- 3 The floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an *automatic sprinkler system* in accordance with [Section 903.3.1.1](#) or [903.3.1.2](#).
2. Class I standpipes are allowed in Group B and E occupancies.
3. Class I standpipes are allowed in parking garages.
4. Class I standpipes are allowed in *basements* equipped throughout with an *automatic sprinkler system*.
5. Class I standpipes are allowed in buildings where occupant-use hose lines will not be utilized by trained personnel or the fire department.

6. In determining the lowest level of fire department vehicle access, it shall not be require to consider either of the following:
- 6.1. Recessed loading docks for four vehicles or less.
 - 6.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

Section 905.3.4 shall read as follows:

905.3.4 Underground buildings. Underground buildings shall be equipped throughout with a Class I automatic wet or manual wet standpipe system. Subterranean spaces developed by the extraction of subsurface material from underground spaces shall also be regulated by the City of Lee's Summit Subterranean Building/Fire Code.

Section 905.5 is deleted. May be used as reference when indicated by other sections of this code.

Section 905.3.8 is enacted as follows:

905.3.8 Open Parking Garages. Open parking garages with two or more tiers shall be provided with a class 1 standpipe system in accordance with NFPA 14.

Section 907.2.7.1.1 shall read as follows:

907.2.7.1.1 Occupant notification. During times that the building is occupied, the initiation of a signal from a manual fire alarm box or from a waterflow switch shall not be required to activate the alarm notification appliances when an alarm signal is activated at a constantly attended location from which evacuation instructions shall be initiated over an emergency voice/alarm communication system installed in accordance with Section 907.5.2.2., and when approved by the fire code official.

Section 912.2 shall read as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The fire department connection shall be within 100 feet of an approved fire hydrant or as approved by the fire code official.

Section 1010.2.4 shall read as follows:

Section 1010.2.4 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exist:

1. Places of detention or restraint.
2. In Group I-1, Condition 2 and Group I-2 occupancies where the clinical needs of persons receiving care require containment or where persons receiving care pose a security threat, provided that all clinical staff can readily unlock doors at all times, and all such locks are keyed to keys carried by all clinical staff at all times or all clinical staff have the codes or other means necessary to operate the locks at all times.
3. The use of key-operated locking devices from the egress side is prohibited, unless approved by the fire code official.

4. Manual bolts, automatic flush bolts and constant latching bolts on the inactive leaf of a pair of doors in accordance with Table 1010.2.4, provided that the inactive leaf does not have a doorknob, panic hardware, or similar operating hardware.
5. Single exit doors complying with Section 1006.2.1 or 1006.3.4 from individual *dwelling* or sleeping units of Group R occupancies and equipped with a night latch, dead bolt or security chain that requires a second releasing motion, provided that such devices are openable from the inside without the use of a key or tool.
6. Fire doors after the minimum elevated temperature has disabled the unlatching mechanism in accordance with *listed* fire door test procedures.
7. Doors serving roofs not intended to be occupied shall be permitted to be locked, preventing entry to the building from the roof.
8. Other than *egress courts*, where occupants must egress from an exterior space through the building for *means of egress, exit access* doors shall be permitted to be equipped with an approved locking device where installed and operated in accordance with all of the following:
 - 8.1. The maximum *occupant load* shall be posted where required by Section 1004.9. Such sign shall be permanently affixed inside the building and shall be posted in a conspicuous space near all the *exit access doorways*.
 - 8.2. A weatherproof telephone or two-way communication system installed in accordance with Sections 1009.8.1 and 1009.8.2 shall be located adjacent to not less than one required *exit access door* on the exterior side.
 - 8.3. The egress door locking device is readily distinguishable as locked and shall be a key-operated locking device.
 - 8.4. A clear window or glazed door opening, not less than 5 square feet (0.46 m²) in area, shall be provided at each *exit access door* to determine if there are occupants using the outdoor area.
 - 8.5. A readily visible durable sign shall be posted on the interior side on or adjacent to each locked required *exit access door* serving the exterior area stating: "THIS DOOR TO REMAIN UNLOCKED WHEN THE OUTDOOR AREA IS OCCUPIED." The letters on the sign shall be not less than 1 inch (25.4 mm) high on a contrasting background.
 - 8.6. The *occupant load* of the occupied exterior area shall not exceed 300 occupants in accordance with Section 1004.
9. Locking devices are permitted on doors to balconies, decks or other exterior spaces serving individual *dwelling or sleeping units*.
10. Locking devices are permitted on doors to balconies, decks or other exterior spaces of 250 square feet (23.23 m²) or less, serving a private office space.

Section 1101.2 shall read as follows:

1101.2 Intent. The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying existing buildings by providing minimum construction requirements where such existing buildings do not comply with the minimum requirements of the *International Building Code*. Alterations or modifications to the use of an existing structure that is not a change in use shall meet the minimum requirements of this section as required by the fire code official and building official.

Section 1108.1 is enacted and reads as follows:

1108.1 Electric vehicle charging stations. Existing parking structures with Level 2 or Level 3 electric vehicle charging stations shall comply with Section 323.

Section 3310.1 shall read as follows:

3310.1. Required access. Approved vehicle access for firefighting and emergency responses shall be provided to all construction and demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loads under all weather conditions. Asphalt or concrete roadways shall be used for combustible construction. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

Section 4104.2 shall read as follows:

4104.2 Portable Fuel Fired Cooking Appliances. Charcoal burners and other open-flame cooking (including pellet grills/smokers and wood burning smokers) devices shall not be stored or operated on combustible balconies or within 10 feet of combustible construction.

Exceptions:

1. One- and two-family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

Section 4106.4.1 shall read as follows:

4106.4.1 The exhaust system, including hood, grease removal devices, fans, ducts, and other appurtenances, shall be inspected and cleaned in accordance with NFPA 96. If upon inspection, the exhaust system is found to be contaminated with deposits from grease-laden vapors, the contaminated portions of the exhaust system shall be cleaned. The commercial kitchen hood and exhaust systems shall be cleaned every 6 months for moderate volume cooking operations or annually for low volume cooking operations (seasonal) based on cleaning frequency requirements of NFPA 96 Section 12.4, Table 12.4. Grease filters shall be in place and free of the accumulation of grease. After an exhaust system is cleaned, the cleaning shall be documented with the date the service was performed and the name of the person performing the work. Documentation shall be produced upon request by the fire inspector.

Section(s) 4106.6- 4106.6.4.3 are enacted as follows:

4106.6 Electrical Equipment, Wiring, and Hazards in Mobile Food Preparation Vehicles
Electrical equipment, wiring, relocatable power taps, current taps, extension cords and other electrical systems shall be installed, used, and maintained in accordance with NFPA 70 and Sections 4106.6.1.

4106.6.1 Equipment and Wiring. All electrical equipment, wiring, devices, and appliances shall be tested, listed, and labeled; and installed, used and maintained in accordance with NFPA 70 and all instructions included as part of such listing.

4106.6.2 Abatement of unsafe conditions and electrical hazards. Conditions that constitute an

electrical shock hazard or fire hazard shall be abated.

4106.6.2.1 Modified or damaged. Electrical wiring, devices, equipment, and appliances that are modified or damaged, and constitute an electrical shock or fire hazard, shall not be used until properly repaired or replaced in accordance with this code and NFPA 70.

4106.6.2.2 Open electrical terminations. Open junction boxes and open wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlets.

4106.6.3 Relocatable power taps, current taps and extension cords. The construction and use of current taps, relocatable power taps, and extension cords shall be in accordance with NFPA 70, this code, and their respective listings.

4106.6.3.1 Listings. Relocatable power taps shall be listed and labeled in accordance with UL 1363. Extension cords shall be listed and labeled in accordance with UL 817.

4106.6.4 Application and use. Relocatable power taps and current taps shall be directly connected to a permanently installed receptacle. Extension cords shall be directly connected to an approved receptacle, relocatable power tap or current tap, and except for multi-plug extension cords shall serve only one appliance. The ampacity of extension cords shall not be less than the rated ampacity of the appliance or electrical equipment supplied by the cord. Extension cords marked for indoor use shall not be used outdoors.

4106.6.4.1 Installation. Relocatable power tap cords shall not extend through walls, ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage. Extension cords shall not be a substitute for permanent wiring and not be affixed to structures, extended through walls ceilings, floors, under doors or floor coverings, or be subject to environmental or physical damage.

4106.6.4.2 Maintenance. Relocatable power taps, current taps, and extension cords shall be maintained in good condition without splices, deterioration, or damage.

4106.6.4.3 Grounding. Relocatable power taps, current taps, and extension cords shall be properly grounded where serving grounded appliances or electrical equipment.

Section 5001.5 shall read as follows:

5001.5 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7. When required by the *fire code official*, permittees shall apply for approval to permanently close a storage, use or handling facility. Such application shall be submitted at least 30 days prior to the termination of the storage, use or handling of hazardous materials. The *fire code official* is authorized to require that the application be accompanied by an *approved* facility closure plan in accordance with Section 5001.6.3.

Section 5001.5 (a) GENERAL

Hazardous materials permit is required for the using, dispensing, transporting, handling, and/or storing of extremely hazardous substances. "Extremely Hazardous Substances (EHS) Facilities" are defined as facilities subject to the provisions of Superfund Amendments and Reauthorization

Act of 1986 (SARA TITLE III), Section 302, for storing, dispensing, using, or handling of listed chemicals in excess of their threshold planning quantities (TPQ). See amended Section 5001.5 of the 2024 International Fire Code. Any owner or operator of a facility that uses or dispenses liquefied propane gas for retail or commercial purposes above is required to obtain a permit per Section 5001.5 (b) The permit may limit the amount of hazardous materials to be stored or used at the facility and may require special safety measures and other conditions associated with the use, manufacture, and storage of such materials.

Section 5001.5 (b) HAZARDOUS MATERIAL PERMIT FOR LIQUEFIED PETROLEUM GAS (PROPANE)

Any owner or operator of a facility that uses or dispenses liquefied propane gas for retail or commercial purposes above 40 pounds and below the threshold quantities (TPQ) set forth in EPCRA, is required to obtain an Hazardous Materials Permit from the fire department. Permits shall be granted or denied administratively by the Chief of the Fire Department. Appeals from the Chief's decision shall be processed as any other hazardous materials permit All other requests for permits, those which are not within the Chief's discretion to administratively grant or appeals from the Chief's decision shall be considered by the Public Safety Advisory Board. The board shall make recommendations to the Mayor and City Council concerning the issuance of the permit and any applicable terms and conditions.

Section 5001.5 (c) APPLICATION AND ISSUANCE

An owner or operator shall apply for such a permit with the Fire Department. An application shall be completed and the request for the permit shall then be considered by the Public Safety Advisory Board of the City. The board shall make recommendations to the Mayor and City Council concerning the issuance of the permit and any applicable terms and conditions. The factors that the Public Safety Advisory Board shall utilize in evaluating the permit request shall include, but are not limited to:

1. The quantities and potential danger of the substances and their location on the site;
2. Proposed safety and containment measures, including any proposed on-site monitoring activities and operational and containment technology.
3. The potential numbers of people, structures, and land, which could be at, risk if there were a major accident.
4. The potential for odors and toxic fumes.
5. The location of the site in relation to identified areas of special environmental concern such as water course, water wells, underground aquifers, or fish and wildlife habitats.
6. The location of the site in relation to city-designated routes for the transport of hazardous materials; and/or
7. Any other significant factor relating to public safety, health, and welfare.

The recommendation of the Public Safety Advisory Board shall be forwarded to the Mayor and City Council for final action. The Mayor and City Council shall utilize the same evaluation factors for considering the approval of such hazardous materials permit and any applicable terms and conditions.

Section 5001.5(d) MODIFICATION AND/OR REVOCATION

The Fire Department reserves the right to modify the terms and conditions of the permit if substantial changes occur in the:

1. surrounding uses.
2. number, amount, and types of hazardous materials subject to EPA reporting requirements.
3. storage or location of the hazardous materials.
4. any other factor or circumstances that significantly impact the factors used by the Public Safety Advisory Board and the City Council in evaluating the initial issuance of the permit.
5. The Fire Chief may revoke a permit if the owner or operator of the facility fails to use, manufacture, or store hazardous materials in compliance with the terms and conditions of the permit.

In the event that the Chief of the Fire Department determines after investigation that a substantial change has occurred warranting a modification of the terms and conditions of the permit or that the owner/operator is not complying with the terms and conditions of the permit, the Chief of the Fire Department shall notify the owner/operator of his proposed action by certified mail, return receipt requested. The notice shall also inform the owner/operator that if the owner/operator does not agree with or desires to challenge the proposed action, the owner/operator must file a written request for review with the Fire Department within ten days of receipt of the notice. The request for review must include the reasons why the owner/operator does not agree with the Chief of the Fire Department's determination.

Upon receipt of the request for review, the Fire Department shall schedule a hearing before the City Council regarding the proposed modifications or revocation and, by written letter, notify the owner/operator of the date and time of said hearing. The owner/operator shall be provided with at least ten (10) days' notice of the hearing. The owner/operator shall have an opportunity to present the basis for challenging the Fire Chief's proposed modification and/or revocations. The City Council shall utilize the procedures mandated by the Missouri Administrative Procedure and Review Act, Ch. 536 Mo.R.S. for the conduct of such hearing. The City Council may affirm, reverse, or modify the Chief of the Fire Department's proposed action and its decision shall be final.

Section 5001.5 (e)

When required by the *fire code official*, permittees shall apply for approval to permanently close a storage, use or handling facility. Such application shall be submitted at least 30 days prior to the termination of the storage, use or handling of hazardous materials. The *fire code official* is

authorized to require that the application be accompanied by an *approved* facility closure plan in accordance with Section 5001.6.3.

Section 5001.5 (f)

Tables regarding the types and quantities of materials for permitting are adopted as reference.

Explosives and Fireworks

Section 5601.1.3 shall read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the corporate limits of the city, except as follows:

1. Except as authorized below for the storage and handling of certain Division 1.4G fireworks, the storage and handling of fireworks shall be permitted only in compliance with Section 5604.
2. The manufacture, assembly and testing of fireworks shall be permitted only in compliance with Section 5605.
3. The possession and use of Division 1.3G fireworks shall be permitted only in accordance with Section 5608.
4. The possession, storage, handling and use of certain Division 1.4G fireworks shall be permitted within the corporate limits of the city, provided such fireworks comply with Chapter 320 of the Revised Statutes of Missouri, 11 CSR 40-3.010, CPSC 16 CFR, Parts 1500-1507, DOT 49 CFR, Parts 100-178, and all applicable Ordinances and Codes of the City of Lee's Summit, Missouri, except that it shall be unlawful for any person to possess, store, handle, or use, within the corporate limits of the city, the following Division 1.4G fireworks:
 - a. Rockets on a stick;
 - b. Missiles with fins or rudders for the purpose of achieving aerodynamic flight; and
 - c. Roman Candles with or without spikes, identified by the word "Candle" on the label with the following wording on the caution label: "WARNING SHOOTS FLAMING BALLS" or "WARNING SHOOTS FLAMING BALLS AND REPORTS", and not including California Candles or Illuminating Torch with the following wording on the caution label: "CAUTION EMITS SHOWERS OF SPARKS" and
 - d. Single or multi-shot parachutes, with night effects.
5. The possession or discharge of Division 1.4G fireworks, as authorized by this Section shall be allowed only by permit. The permit shall contain the name, address, and location of the intended use and shall be in the form approved by the Director of Finance. The permit

may be obtained at the point of sale within the city, the city web page, or from the Director of Finance. One such permit shall be required per household or address at which the discharge will occur.

6. The use of Division 1.4G fireworks within the city limits shall only be permitted on July 2 and 3 of each year between the hours of 10:00 a.m. and 11:00 p.m., on July 4 of each year between the hours of 10:00 a.m. and Midnight, unless modified by the *fire code official* and the *city manager* to allow for the discharge of fireworks for three days including July 4, based on how the holiday falls around a weekend. The days of discharge shall be determined by April 1 of each year.
7. It shall be unlawful for any person to throw, use, explode, detonate, aim, point or shoot fireworks, including pyrotechnic devices, in such a manner that, after it is ignited, will propel it, or any part thereof, such that it, or any part thereof, lands on property not owned by the person shooting the fireworks.
8. It shall be unlawful for any person to throw, use, explode, detonate, or shoot fireworks within any structure.
9. It shall be unlawful for any person to throw, use, explode, detonate, or shoot fireworks within six hundred feet of any church, hospital, mental health facility, school, or within one hundred of any location where fireworks are stored, sold, or offered for sale.
10. No person shall use, explode, detonate, or shoot fireworks within, or throw the same from, a motorized vehicle including watercraft or any other means of transportation, except where a display permit has been issued for a floating vessel or floating platform, nor shall any person place or throw any ignited firework into or at a motorized vehicle including watercraft or any other means of transportation, or at or near any person, group of people, or animal.
11. No person shall throw, use, explode, detonate, or shoot fireworks within three hundred feet of any permanent storage of ignitable liquid, gases, gasoline pump, gasoline filling station, or any nonpermanent structure where fireworks are stored, sold or offered for sale.
12. Notwithstanding the provisions of the Lee's Summit City Code to the contrary, the prohibitions of Chapter 17, Article IX, "Regulations Regarding Control of Noise and Sound" shall not be applicable to any lawful discharge of Division 1.4G fireworks authorized by this Section 5601.1.3.
13. It shall be unlawful for any person under the age of 16 years, unless under the supervision of a parent or guardian, to possess or discharge Division 1.4G fireworks within the city limits.

Section 5601.2.2 shall read as follows:

5601.2.2 Sale and retail display.

1. General. No person, firm, or corporation shall construct a retail display for, sell, or offer for

sale, explosives, explosive materials, or fireworks within the corporate city limits, except as allowed for permitted blasting operations and commercial fireworks displays, and except that the retail display and sale of certain Division 1.4G fireworks shall be permitted within the corporate city limits by nonprofit, religious or community service organizations for the period beginning 6:00 a.m. on June 23 and extending through midnight on July 4 of each year. Notwithstanding the foregoing, it shall be unlawful for any person, firm, or corporation, including nonprofit, religious or community service organizations, to construct a retail display for, sell, or offer for sale, within the corporate city limits, the following Division 1.4G fireworks:

- A. Rockets on a stick;
 - B. Missiles with fins or rudders for the purpose of achieving aerodynamic flight; and
 - C. Roman Candles with or without spikes, identified by the word "Candle" on the label with the following wording on the caution label: "WARNING SHOOTS FLAMING BALLS" or "WARNING SHOOTS FLAMING BALLS AND REPORTS", and not including California Candles or Illuminating Torch with the following wording on the caution label: "CAUTION EMITS SHOWERS OF SPARKS".
 - D. Single or multi-shot parachutes, with night effects.
 - E. All nonprofit, religious or community service organizations selling Division 1.4G fireworks as authorized herein shall comply with Chapter 320 of the Revised Statutes of Missouri, 11 CSR 40-3.010, CPSC 16 CFR, Parts 1500-1507, DOT 49 CFR, Parts 100-178, and all applicable Ordinances and Codes of the City of Lee's Summit, Missouri.
2. Retail Sales License Required. No person shall construct a retail display for, sell, or offer for sale at retail, Division 1.4G fireworks as authorized by Subsection 1 of this Section 5601.2.2 without a license issued pursuant to this Subsection 2. It shall be unlawful for any person to sell fireworks from a car or truck or in any other manner except from a structure or stand licensed to sell fireworks pursuant to this Section.
- A. Application period, limitation on number of licenses and locations. The Director of Development Services or his or her designee will accept license applications between 8:00 a.m. on April 1st and 5:00 p.m. on April 3rd of each year. In the event that April 1, 2 or 3 for any given year falls on a Saturday, Sunday or legal holiday, the period for accepting license applications shall be proportionally extended so that a total of 3 business days shall be available for the submission of applications. No application will be accepted without a completed application in the form provided by the Director of Development Services, proof of state permit, proof of insurance, security plan, security deposit, and all necessary supporting documents. No more than twenty licenses shall be issued for the retail sale of fireworks in the City in any year. Only one application may be filed on behalf of an entity for a particular location, and any additional applications filed on behalf of the same entity for a particular location will not be considered. Once an application is filed, the information contained therein may not be revised or altered; provided, however, that the identity of an entity and the proposed

location may be changed by written request received by the Director of Development Services within forty-eight (48) hours of the filing of the application. Only one license can be issued for an application and only one license will be issued for each particular location. Each year nineteen (19) licenses shall be reserved for nonprofit, religious or community service organizations located and operating in either the City of Lee's Summit or the Lee's Summit R-7 School District ("Local Organizations") and one (1) licenses shall be reserved for a national nonprofit-organization which has an office located inside the City of Lee's Summit (e.g. the Red Cross) ("Outside Organization"). In the event that an application is not filed on behalf of an Outside Organization the remaining licenses may be granted to a Local Organization. In the event that nineteen (19) applications are not filed on behalf of Local Organizations the remaining licenses may be granted to Outside Organization. Applications to be considered for the 20 licenses shall be selected by lottery in the following manner. First, each applicant shall draw a number at random at the time of filing the application. The Director of Development Services, or his or her designee, shall record the number drawn with the applicant's application. The names of the applicants shall be listed in numerical, sequential order of the numbers drawn, together with the designation of whether the applicant is a Local Organization or Outside Organization. The first 19 Local Organizations listed, and the first Outside Organization listed shall be considered for the twenty available licenses. In the event that the number of Local Organizations and Outside Organizations applying do not meet the amount of licenses reserved for the respective class, the remaining licenses may be awarded to qualified applicants of the other class. The license fee must be paid prior to the erection of any tent or other such structure that will serve as the point of sale. All applicants who obtain a license under this section will also be required to obtain a Special Events Permit from Development Services and pay the Special Events Permit Fee. The Special Events Permit Fee must be paid within forty-eight (48) hours of notification of selection for issuance of a license or the application will be deemed denied and the next applicable application shall be considered in numerical, sequential order as determined by the lottery.

- B. Proof of State Permit. No application will be accepted without proof of a valid permit issued by the Missouri Department of Public Safety for the retail sale of consumer fireworks.
- C. Proof of Insurance. No application will be accepted without proof of general liability insurance in the amount of no less than \$1,000,000.00 per occurrence and a \$3,000,000.00 aggregate limit and covering liabilities arising from the retail sale of fireworks during the term of the coverage shall be submitted with every application. The amount of the insurance shall not be subject to reduction of the aggregate limit as a result of occurrences at locations not operated by the seasonal retailer.
- D. Setup and Removal of Stands - Bond or Security Required. No temporarily licensed stands, nor any signs approved as part of the Special Event Permit process, may be set up before June 23rd of the licensed year. All licensees must display at the stand location a 32 square foot banner which recites the identity of the licensee. This banner must be attached between two poles securely placed in the ground. All licensees must also display near the cash register (or other place of checkout) a sign of at least 12"

by 12” which recites the identity of the licensee. As a condition of approval of the license application, all licensees must immediately remove any sign after being informed by City staff that the sign violates the licensee’s approved sign plan. It shall be the duty of the licensee to completely remove all temporary licensed stands and signs, and to clear the site where such stand and signs were erected of all debris and trash on or before July 7th of the same year. All applicants for a license shall furnish a cash deposit, performance bond, letter of credit, or other security approved in content and form by the city attorney, in the face amount of \$1,000.00 to secure performance of the licensee's obligations under this section. If any persons licensed under this section shall fail to comply with any provisions of this section, then the bond or other security furnished with the license application shall be forfeited to the city.

- E. Security Plan. At the time of application, every applicant shall provide a narrative description of its security plan to secure the premises when not open to the public, including the evidence of the qualifications of the security guard or guards. At a minimum, the security plan shall provide the following:
- i. The stand/tent shall be secured, and a guard present any time the business is not open to the public.
 - ii. The security guard shall be properly and validly licensed pursuant to the City Code.

Section 5601.2.4 shall read as follows:

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

5601.2.4.1 shall read as follows:

5601.2.4.1 Blasting. The issuing of Blasting Permits and regulation and inspection of blasting operations, other than the storage and handling of explosives, is administered by Development Services and the State of Missouri. Before approval to do blasting is issued, the applicant for approval shall file a bond or submit a certificate of insurance in such form, amount, and coverage as determined by the legal department of the jurisdiction to be adequate in which case to indemnify the jurisdiction against any and all damages arising from permitted blasting.

Section 6101.2 shall read as follows:

6101.2 Permits. Permits shall be required as set forth in Sections 105.5 and 105.6. A permit is required for any facility that uses or dispenses liquefied petroleum gas (propane) for retail or commercial purposes in accordance with the Hazardous Material Permit section. Distributors

shall not fill or provide an LP-gas container for which a permit is required unless a permit has been issued for that location by the fire code official.

Chapter 80. "Referenced Standards - is amended as follows:

Lee's Summit Subterranean Space Building/Fire Code: Any Section of this code that dictates regulations for underground spaces shall cite this amendment to the 2018 International Fire Code

Appendices

The following appendix is not adopted as part of the Code of Ordinances of the City of Lee's Summit except as noted; however, the Fire Department shall use it as reference material:

Appendix A – Board of Appeals

The provisions of Appendices B through D, and O are adopted as part of the Code of Ordinances of the Lee's Summit except as amended.

Appendix B-Table B105 is amended as follows:

Table B105.2- Amend Chart values 25% to 50%.

The following appendix is amended as follows:

Appendix D- Fire Apparatus Access Roads

D103.4 is amended as follows:

D103.4 Dead-ends. Dead end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4., or as approved by the *fire code official*.

D104.3 and D106.3 are amended as follows:

D104.3 and D106.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses or as approved by the fire code official.

D107.1 shall read as follows:

ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are 50 or fewer dwelling units on a single public or private access way and all

dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

Any section of this code that dictates regulations for underground spaces shall be governed by Chapter 7, Article 13 of the Lee’s Summit Code of Ordinances – The Subterranean Space Building and Fire Code. In case of conflicting provisions in the Subterranean Space Building and Fire Code and the International Fire Code, the more restrictive provision(s) shall prevail.

SECTION 2. That it is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Lee’s Summit, Missouri.

SECTION 3. That if any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: Penalty Clause. Any person found guilty of violating this ordinance shall be penalized in accordance with Section 1-13 A. of the Municipal Code of the City of Lee’s Summit.

SECTION 5. This ordinance shall be in full force and effect on August 1, 2026.

PASSED by the City Council of the City of Lee’s Summit, Missouri, this _____ day of _____, 2026.

Mayor J. Beto Lopez

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2026.

Mayor J. Beto Lopez

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*