

(Published in the Topeka Metro News April 20, 2026)

ORDINANCE NO. 20648

AN ORDINANCE introduced by City Manager Dr. Robert M. Perez, adopting the 2024 International Building Code with local amendments, amending § 14.20.010 and § 14.20.060 of the Topeka Municipal Code and repealing original sections.

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

Section 1. That section 14.20.010, Adoption of building code, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Adoption of building code.

The ~~2021~~2024 International Building Code, first printing ~~October 2020~~December 2024, as amended by TMC 14.20.060, is hereby adopted by reference and incorporated herein as if fully set out in this chapter as the building code of the City. Additionally, the provisions contained in Appendix C, Group U – Agricultural Buildings, ~~J – Grading~~Appendix E, Supplementary Accessibility Requirements, and O – Appendix O, Performance-Based Application and Appendix P, Sleeping Lofts, are specifically adopted and incorporated herein and made a part of this code.

Section 2. That section 14.20.060, Amendments, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Amendments.

Local amendments to the International Building Code are set out in this section.

(a) 101.1, Title, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

These regulations shall be known as the Building Code of the City of Topeka, Kansas, hereinafter referred to as “this code.”

(b) 101.4.1, Gas, is hereby deleted in its entirety and the following provisions for Electrical shall be added:

Electrical. The provisions of the electrical code adopted by the City shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(c) 101.4.2, Mechanical, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

The provisions of the mechanical code adopted by the City shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems. All references to the International Mechanical Code contained herein shall instead refer to the mechanical code adopted by the City.

(d) 101.4.3, Plumbing, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

The provisions of the plumbing code adopted by the City shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. All references to the International Plumbing Code contained herein shall instead refer to the plumbing code adopted by the City.

(e) Section 103 is hereby deleted ~~in its entirety~~ and the provisions of TMC
14.20.030 shall be substituted therefore.

(f) 105.2, Work exempt from permit, is hereby deleted in its entirety and the
following provisions shall be substituted therefor:

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

Building:

1. One-story detached accessory structures used as tool and storage
sheds, playhouses and similar uses, provided the floor area is not
greater than 120 square feet (11 m²).
2. Oil derricks.
3. Retaining walls that are not over 4 feet (1,219 mm) in height
measured from the bottom of the footing to the top of the wall, unless
supporting a surcharge or impounding Class I, II or IIIA liquids.
4. Water tanks supported directly on grade if the capacity is not
greater than 5,000 gallons (18,925 L) and the ratio of height to
diameter or width is not greater than 2:1.
5. Painting, papering, tiling, carpeting, cabinets, counter tops and
similar finish work.
6. Temporary motion picture, television and theater stage sets and
scenery.

7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L) and are installed entirely above ground.

8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

9. Swings and other playground equipment accessory to detached one- and two-family dwellings.

10. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.

11. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119

- Gas:
1. Portable heating appliance.
 2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- Mechanical:
1. Portable heating appliance.
 2. Portable ventilation equipment.
 3. Portable cooling unit.
 4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
 5. Replacement of any part that does not alter its approval or make it unsafe.
 6. Portable evaporative cooler.
 7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.
- Plumbing:
1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

120 2. The clearing of stoppages or the repairing of leaks in pipes, valves
121 or fixtures and the removal and reinstallation of water closets,
122 provided such repairs do not involve or require the replacement or
123 rearrangement of valves, pipes or fixtures.

124 (g) Section 106, Floor and Roof Design Loads, is hereby deleted in its entirety.

125 (h) Section 107, Submittal Documents, is hereby amended by the addition of
126 the following provisions:

127 107.1.1 Code footprint. A code footprint shall be included with each set of
128 construction documents submitted for commercial building permit review and
129 approval. A code footprint shall mean a building and life safety code compliance
130 document that contains both graphic and narrative information and that meets
131 the requirements of this code section and department policy regarding format
132 and regulation.

133 Each code footprint shall be prepared by an architect registered with the State of
134 Kansas. A code footprint shall be prepared for all new buildings, new building
135 additions, changes in occupancy, or building renovation, with the exception of
136 buildings used solely as dwelling houses containing no more than two families.

137 (i) Section 109, Fees, is hereby deleted in its entirety and the following
138 provisions shall be substituted therefor:

139 109.1 General. Whenever any person shall erect, construct, enlarge, alter,
140 repair, move, improve, convert or demolish any building or structure, or
141 cause the same to be done, an application shall be made to the development
142 services office. A permit shall not be valid until the fees prescribed by law

have been paid, nor shall an amendment to a permit be released until the additional fee has been paid.

Exception: Repair or replacement of less than 50 percent (50%) of roof area will not require a roofing permit. Provided, however, repair or replacement of more than 5,000 square feet of any sized roof shall require a roofing permit.

109.2 Permit fees.

109.2.1 The fee for each permit issued for work to be commenced within the City of Topeka boundaries shall be as prescribed by the City's Fee Schedule based on the total valuation ranges set forth in the Table in 109.7, except as provided in 109.6.

109.2.2 The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

109.3 Plan review fees. When submittal documents are required by Section 107, a plan review fee s prescribed by the City's Fee Schedule shall be paid to the City. The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal

165 items as defined in Section 107.3.4.1, an additional plan review fee shall be
166 charged as prescribed by the City's Fee Schedule.

167 109.4 Expedited plan review. An applicant requesting a plan review by the
168 division of development services may request an expedited plan review.
169 Expedited plan review will be undertaken by qualified development services
170 employees outside of normal working hours and will not interfere with normal
171 plan review procedures or projects which have been submitted for plan
172 review. An applicant seeking expedited plan review will compensate the City
173 at the rate of two times the plan review fee for the expedited plan review.

174 109.5 Administrative and other inspection fees.

175 109.5.1 Administrative fees. In addition to the permitting and other fees
176 permitted in this section, the following fees and charges for services shall
177 also apply:

- Compliance letter:
- Floodplain verifications:
- Technology improvement for each permit or license:

178 109.5.2 Other inspection fees. The following fees shall apply to inspections or
179 certificates of elevators, dumbwaiters, escalators and moving walks:

Annual passenger elevator certificate per unit:	\$50.00
Annual freight elevator certificate per unit:	\$50.00

Annual escalator certificate per unit:	\$35.00
Annual dumbwaiter certificate per unit:	\$20.00
Annual access lift certificate per unit:	\$20.00
Full load test:	\$200.00
Reinspection fee:	\$50.00

109.6 Waiver of fees. Building permit fees and plan review fees as required by this section for building projects with a total valuation of five million dollars (\$5,000,000.00) or more may be modified by the City Manager to a lesser amount, such modification not to exceed twenty-five percent (25%) of the scheduled fees provided the City Manager determines the building project encourages economic development and creation of jobs. Modifications of building permit fees and plan review fees which exceed twenty-five percent (25%) of the scheduled fees shall be approved by the Governing Body. However, no modification of building permit fees and plan review fees shall be made if: 1) the applicant utilizes other available tax incentives and/or 2) the subject property is exempt from real estate taxation.

109.6.1 Building permit and plan review fees for projects identified by the Governing Body shall be waived provided and to the extent the Joint Economic Development Organization reimburses the City for such fees.

194 109.6.2. The City Manager is authorized to consider fee waivers in cases of:
195 (1) emergency situations; and (2) affordable or charitable housing projects
196 where materials and labor are donated.

197 109.7 Table.

198 **Building Permit Total Valuation Ranges**

\$1.00 to \$500.00
\$501.00 to \$2,000.00
\$2,001.00 to \$25,000.00
\$25,001.00 to \$50,000.00
\$50,001.00 to \$100,000.00
\$100,001.00 to \$500,000.00
\$500,001.00 to \$1,000,000.00
\$1,000,001.00 to \$30,000,000.00
\$30,000,001.00 or over

199 109.8 Work commencing before permit issuance. Any person who
200 commences any work on a building, structure, electrical, gas, mechanical or
201 plumbing system before obtaining the necessary permits shall be subject to a
202 fee as prescribed by the City’s Fee Schedule that shall be in addition to the
203 required permit fees.

204 109.9 Related fees. The payment of the fee for the construction, alteration,
205 removal or demolition for work done in connection to or concurrently with the
206 work authorized by a building permit shall not relieve the applicant or holder
207 of the permit from the payment of other fees that are prescribed by law.

109.10 Refunds. The building official is authorized to establish a refund policy.

(j) 110.3.9, Energy efficiency inspections, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation R- and U-values and fenestration U-value.

(k) 111.1, Change of occupancy, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

When issuance of a building permit is required and building official inspection approval is obtained, building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from permits in accordance with Section 105.2.

111.1.1 Except as provided in section 111.1.2, no certificate of occupancy shall be issued unless the driveway approaches have been installed and sidewalks constructed along all adjoining rights-of-way of the subject lot or all lots or portions thereof joined to it or are the subject of a contract as part of a

benefit district created pursuant to K.S.A. 12-6a01 et seq. or Appendix A, Article XII of the Topeka Municipal Code.

111.1.2 The Director of Planning or designee may waive the requirement of section 111.1.1 if either of the following conditions applies:

(1) The sidewalk is the subject of a waiver granted in conjunction with approval of the subdivision plat.

(2) Unique circumstances exist where the Director of Planning or designee determine that the subject sidewalk link would not be part of a viable sidewalk system in that community or conditions exist whereby construction of the sidewalk is impractical.

(3) Weather conditions prevented installation of the driveway approaches or construction of the sidewalks. However, in such event, the property owner shall install driveway approaches and construct sidewalks within 90 days from the date of the final inspection.

111.1.3 Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances.

(l) Section 113, Means of Appeals, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code shall be in accordance with TMC 2.235.010.

~~(m) 509.4.2, Protection, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Where Table 509.1 permits an automatic sprinkler system without a fire barrier, the incidental uses shall be separated from the remainder of the building by construction capable of resisting the passage of smoke. The walls shall extend from the top of the foundation or floor assembly below to the underside of the ceiling that is a component of a fire-resistance-rated floor assembly or roof assembly above or to the underside of the floor or roof sheathing, deck or slab above. Doors shall be self- or automatic-closing upon detection of smoke in accordance with Section 716.2.6.6. Doors shall not have air transfer openings and shall not be undercut in excess of the clearance permitted in accordance with NFPA 80. Walls surrounding the incidental use shall not have openings, air transfer openings, or duct openings unless provided with smoke dampers in accordance with Section 710.8.~~

~~(n) 703.5, Marking and identification, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Where there is an accessible concealed floor, floor-ceiling or attic space, fire walls, fire barriers, fire partitions, smoke barriers, and smoke partitions required to have protected openings or penetrations shall be effectively and permanently identified with signs or stenciling in the concealed space. Such identification shall:~~

~~1. Be located within 20 feet of the end of each wall and at intervals not exceeding 75 feet measured horizontally along the wall or partition on one wall/partition side only.~~

276 ~~2. Include lettering not less than 3 inches (76 mm) in height with a minimum 3/8-~~
 277 ~~inch (9.5 mm) stroke in a contrasting color incorporating the suggested wording,~~
 278 ~~“FIRE WALL AND/OR SMOKE PARTITION PROTECT ALL OPENINGS” or~~
 279 ~~commercially available sign approved by the building inspector.~~

280 (em) Commentary Figure 903.2 is hereby deleted in its entirety and the
 281 following provisions shall be substituted therefor:

282 **Commentary Figure 903.2**
 283 **SUMMARY OF OCCUPANCY-RELATED AUTOMATIC SPRINKLER**
 284 **THRESHOLDS**

285

Occupancy	Threshold	Exception
All occupancies	Buildings with floor level ≥ 55 feet above Fire Department vehicle access and occupant load ≥ 30.	Open parking structures. F-2
Assembly (A-1, A-3, A-4)	Fire area > 12,000 sq. ft. or fire area occupant load ≥ 300 or fire area above/below level of exit discharge. Multitheater complex (A-1 only)	None
Assembly (A-2)	Fire area > 5,000 sq. ft. or fire area occupant load > 300 100 or fire area above/below level of exit discharge.	None See exceptions in <u>903.2.1.2</u>
Assembly (A-5)	Accessory areas > 1,000	None

Occupancy	Threshold	Exception
	sq. ft. Enclosed spaces under grandstands or bleachers $\leq$ 1,000 sq. ft. and not constructed in accordance with Section 1029.1.1.1 or $>$ 1,000 sq. ft.	
Ambulatory care facility (B)	$\geq$ 4 care recipients incapable of self-preservation or any care recipients incapable of self-preservation above or below level of exit discharge.	None
Educational (E)	Fire area $>$ 12,000 sq. ft. or below level of exit discharge. Fire area occupant load $\geq$ 300.	Each classroom has exterior door at grade.
Factory (F-1) Mercantile (M) Storage (S-1)	Fire area $>$ 12,000 sq. ft. or building $>$ three stories or combined fire area $>$ 24,000 sq. ft. Woodworking $>$ 2,500 sq. ft. (F-1 only). Manufacture $>$ 2,500 sq. ft. (F-1), display and sale $>$ 5,000 sq. ft. (M), storage $>$ 2,500 sq. ft. (S-1) of upholstered furniture or mattresses.	Refer to Chapter 9 for thresholds and fire area criteria

Occupancy	Threshold	Exception
	Bulk storage of tires > 20,000 cu. ft. (S-1 only).	
High hazard (H-1, H-2, H-3, H-4, H-5)	Sprinklers required.	None
Institutional (I-1, I-2, I-3, I-4)	Sprinklers required.	Day Care at level of exit discharge and each classroom has exterior exit door.
Residential (R)	Sprinklers required.	Refer to <u>See exceptions in 903.2.8</u>
Repair garage (S-1)	Fire area > 12,000 sq. ft. or ≥ two stories (including basement) with fire area > 10,000 sq. ft. or repair garage servicing vehicles in basement or servicing commercial motor vehicles in fire area > 5,000 sq. ft.	None
Parking garage (S-1)	Commercial motor vehicles parking area > 5,000 sq. ft.	None
Parking garage (S-2)	Fire area > 12,000 sq. ft. or fire area > 5,000 sq. ft. for storage of commercial motor vehicles; or beneath other groups (enclosed parking)	Not if beneath Group R-3
Covered and open malls	Sprinklers required.	Attached open parking

Occupancy	Threshold	Exception
(402.5)		structures.
High-rises (403.3)	Sprinklers required.	Open garages; certain telecommunications buildings
Unlimited area buildings (507)	A-3, A-4, B, F, M, S: one story. B, F, M, S: two story.	One story F-2 or S-2.
Note: Thresholds located in Section 903.2 unless noted. See also Table 903.2.11.6 for additional required suppression systems. For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m ² .		

(p) 903.2.1.2, Group A-2, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

An automatic sprinkler system shall be provided ~~for~~ throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464.5 m²).
2. The fire area has an occupant load of ~~300~~ 100 or more.

Exception: The fire area occupant load may be allowed from 100 to 299 occupants with the following provisions:

- (i) Required exits provided are increased a minimum of 50%, in accordance with Sections 1007.1.2 and 1016.2.

298 (ii) A manual fire alarm system that activates occupant notification
299 system and automatic fire detection is install in accordance with Sections
300 907.4 and 907.5

301 3. The fire area is located on a floor other than the level of exit discharge
302 serving such occupancies.

303 (40) 903.2.8, Group R, is hereby deleted in its entirety and the following
304 provisions shall be substituted therefor:

305 An automatic sprinkler system installed in accordance with Section 903.3
306 shall be provided throughout all buildings with a Group R fire area.

307 Exceptions:

308 1. An automatic sprinkler system is not required for ~~a buildings containing not~~
309 ~~more than two (2) single-family dwelling units in combination with other~~
310 ~~nonresidential occupancies; provided, however, that a fire alarm and~~
311 ~~detection system shall be installed in the residential units as well as the~~
312 ~~nonresidential occupancy areas.~~a maximum of two (2) single family dwelling
313 units within a mixed use building with other nonresidential occupancies if the
314 following conditions are met:

315 (i) A fire alarm and detection system is installed in the residential
316 units as well as the nonresidential occupancy areas.

317 (ii) A fire-resistive barrier of 2-hour fire resistance as required by
318 Section 707 of the IBC, between commercial and residential occupancies.
319 And 1-hour fire resistance between dwelling units.

2. An automatic sprinkler system is not required for a buildings—consisting solely of four (4) units or less containing a maximum of four (4) single family dwelling units within single use building classified as R occupancy with dwelling units separated from each other by vertical wall assemblies having not less than a 2-hour fire-resistive barrier as required in Section 707 of the IBC. Where dwelling units are arranged above or below adjacent units, separation of units shall be provided with horizontal assemblies complying with Section 711.2, and are limited to two stories above grade plane. The following conditions must also be met:

(i) A interconnected smoke alarm installed in each dwelling unit.

(ii) Roofs shall have a minimum of Class C roof covering and the decking or sheathing shall be of a non-combustible materials or approved fire-retardant-treated wood for a distance of 4 feet on each side of the wall(s).

(iii) There shall be no penetrations through this area of the roof deck or sheathing within distances less than required by other provisions of the IBC.

(rp) Chapter 11, Accessibility 1101.1, Scope, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

The provisions of this chapter and Appendix E shall control the design and construction of facilities for accessibility for individuals with disabilities.

Accessibility under this code, including all references within this code, shall be governed by the applicable City ordinances, State and Federal statutes and implementing regulations.

(sq) Section 1808.1, General, is hereby amended by the addition of the following:

1808.1.1 Footing depth. Unless otherwise designed per provisions of a specific type of foundation, the minimum depth of footings shall be 36 inches (915 mm) below finished grade and bearing on undisturbed ground and shall conform to the design requirements per this section.

Exception: Only as determined and approved by the building official in accordance with design provisions of a specific type of foundation.

(tr) 1809.1, General, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Shallow foundations shall be designed and constructed in accordance with Sections 1808.1.1 and 1809.2 through 1809.13.

~~(u) Section 3001.4, Accessibility, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Passenger elevators required to be accessible or to serve as part of an accessible means of egress shall be governed by the applicable City ordinances, State and Federal statutes and implementing regulations.~~

(vs) 3104.1.1, General Application, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

~~This section shall apply to connections between buildings such as pedestrian walkways or tunnels, located at, above or below grade level, that are used as a means of travel by persons. The pedestrian walkway shall not contribute to the building area or the number of stories or height of connected buildings.~~

Pedestrian walkways shall be designed and constructed in accordance with Sections 3104.2 through 3104.9. Tunnels shall be designed and constructed in accordance with Section 3104.2 and 3104.10. Further, pedestrian walkways and tunnels which encroach into the City's right-of-way shall also comply with provisions of Chapter 32.

(wt) 3107.1, General, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

(xu) 3109.1, General, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

The design and construction of ~~Swimming~~ pools, spas and hot tubs shall comply with the International Swimming, Pool and Spa Code. Additionally, provisions of the International Property Maintenance Code adopted at TMC 8.60.010 as adopted are applicable.

(yv) 3201.3, Other laws, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Regulation of public rights-of-way; encroachments. The City has a right to regulate public rights-of-way for the benefit of the public. Encroachments into the public right-of-way that solely benefit a private person or organization will not be allowed unless the applicant demonstrates that any private benefit is incidental and there is an overall benefit to the public.

(zw) 3202.3, Encroachments 8 feet or more above grade, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Encroachments 8 feet (2,438 mm) or more above grade shall comply with Sections 3202.3.1 through 3202.3.4.

3202.3.1 Awnings, canopies, and marquees. Awnings, canopies, and marquees shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, and marquees with less than 15 feet (4,572 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that support awnings, canopies, marquees and signs shall be located not less than 2 feet (610 mm) in from the curb line.

3202.3.2 Windows, balconies, architectural features, signs and mechanical equipment. Where the vertical clearance above grade to projecting windows, balconies, architectural features, signs or mechanical equipment is more than 8 feet (2,438 mm), 1 inch (25 mm) of encroachment is permitted for each additional 1 inch (25 mm) of clearance above 8 feet (2,438 mm), but the maximum encroachment shall be 4 feet (1,219 mm).

3202.3.3 Encroachments 15 feet or more above grade.

3202.3.3.1 Encroachment of awnings, canopies, or marquees 15 feet or more above grade. Awnings, canopies, and marquees shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, marquees and signs with 15 feet (4,572 mm) or more clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that

support awnings, canopies, or marquees shall not be located or placed in the public right-of-way.

3202.3.3.2 Encroachments of windows, balconies, architectural features, signs, and mechanical equipment 15 feet or more above grade. Encroachment of windows, balconies, architectural features, signs, and mechanical equipment of 15 feet (4,572 mm) or more above grade shall be limited to 4 feet and the encroachment shall not be supported by columns, stanchions or other vertical supports placed or located in the public right-of-way.

3202.3.5 Pedestrian walkways. The vertical clearance from the public right-of-way to the lowest part of a pedestrian walkway shall be 15 feet (4,572 mm) minimum.

(~~aa~~x) Chapter 35, Referenced Standards, is hereby amended to include the NFPA 54, National Fuel Gas Code, as a referenced standard.

Section 3. That original § 14.20.010 and § 14.20.060 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 4. This ordinance shall take effect and be in force effective 90 days after its passage, approval and publication in the official City newspaper.

Section 5. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 6. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

433 PASSED AND APPROVED by the Governing Body on April 14, 2026.

434
435 CITY OF TOPEKA, KANSAS

436
437
438
439 _____
440 Spencer L. Duncan, Mayor

441 ATTEST:
442
443 _____
444 Brenda Younger, City Clerk