

(Published in the Topeka Metro News February 11, 2009)

**ORDINANCE NO. 19215**

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., repealing City of Topeka Code § 26-501.1 through § 26-501.5 and § 26-502 concerning the amendments to the 1997 Uniform Mechanical Code.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 26-501.1, Section 303.1.1, prohibited installations, of

The Code of the City of Topeka, Kansas, is hereby repealed:

**~~Section 303.1.1, prohibited installations.~~**

~~Section 303.1.1, prohibited installations, is hereby amended to read as follows:~~

~~Section 303.1.1 Prohibited installations. No vented or direct fired fuel-burning equipment shall be installed or used to provide comfort heating within any occupancy group other than Group F, S or U.~~

~~Exception. Unvented gas appliances. An unvented gas appliance may be used provided it complies with the following conditions:-~~

~~1. An unvented gas appliance shall not be used as the sole source of comfort heating in a dwelling unit.~~

~~2. Unvented gas appliances shall not have an input rating in excess of 40,000 BTU/H.~~

~~3. The aggregate input rating of all unvented appliances installed in a room or space shall not exceed 20 BTU/H per cubic foot of volume of such room or space. Where the room or space in which the equipment is installed is directly connected to another room or space by a doorway, archway or to the opening of comparable size that~~

cannot be closed, the volume of such adjacent room or space shall be permitted to be included in the calculations.

~~4. Unvented gas appliances shall be equipped with an oxygen-depletion-sensitive safety shut off system. The system shall shut off the gas supply to the main and pilot burners when the oxygen in the surrounding atmosphere is depleted to the percent concentration specified by the manufacturer, but not lower than 18 percent. The system shall not incorporate a field adjustment means capable of changing the set point at which the system acts to shut off the gas supply to the appliance.~~

~~5. Unvented gas appliances shall not be installed within occupancies in use groups A, E, and I.~~

~~6. Unvented appliances shall not be located in or obtain combustion air from any of the following rooms or spaces:~~

~~A. Sleeping rooms.~~

~~B. Bathrooms.~~

~~C. Toilet rooms.~~

~~D. Storage closets.~~

~~7. Unvented gas appliances shall be listed and labeled and shall be installed in accordance with the conditions of the listing and the manufacturer's instructions. Such appliances shall be tested in accordance with ANSI Z21.11.2.~~

Section 2. That section 26-501.2, Section 303.2, conflicts, of The Code of the City of Topeka, Kansas, is hereby repealed:

**~~Section 303.2, conflicts.~~**

~~Section 303.2, conflicts, is hereby amended to read as follows:~~

Where ~~conflicts between this code and the conditions of listing or the manufacturer's installation instructions occur, the least restrictive provisions may be followed as determined by the building official after consideration of all other adopted codes.~~

Section 3. That section 26-501.3, Section 309.4, evaporative coolers and cooling towers, of The Code of the City of Topeka, Kansas, is hereby repealed:

**~~Section 309.4, evaporative coolers and cooling towers.~~**

~~Section 309.4, evaporative coolers and cooling towers, is hereby amended to read as follows:~~

~~Blowdown from evaporative coolers or air washers and cooling towers shall be collected and discharged to an approved plumbing fixture.~~

Section 4. That section 26-501.4, Section 402.2, screened openings, of The Code of the City of Topeka, Kansas, is hereby repealed:

**~~Section 402.2, screened openings.~~**

~~Section 402.2, screened openings, is hereby amended to read as follows:~~

~~Inlets and outlets of ventilation air supply systems shall be equipped with screen, grills or louvers to prevent the introduction of foreign materials and to deny vermin admission to the system. Screens, grills or louvers shall not pass an object larger than a 1/4 inch diameter (6.4 mm) sphere.~~

~~*Exception:* An outside air inlet serving a nonresidential portion of a building may be covered with screen having openings larger than 1/4 inch, but in no case larger than 1 inch.~~

Section 5. That section 26-501.5, Sections 404.1(7), (8) and (8), of The Code of the City of Topeka, Kansas, is hereby repealed:

**~~Sections 404.1(7), (8) and (8).~~**

Sections 404.1(7), (8) and (9) are hereby amended to read as follows:

~~404.1#7 Closet, bathroom, toilet room or dwelling unit kitchen.~~

~~404.1#8 Corridors shall not be used to convey air to or from rooms if the corridor is required to be of fire-resistive construction by Section 1004.3.4 of the Building Code.~~

~~404.1#9 Return air from one dwelling unit shall not be discharged into another dwelling unit through the heating/cooling system.~~

Section 6. That section 26-502, Section 807, room heaters, of The Code of the City of Topeka, Kansas, is hereby repealed:

**~~Section 807, room heaters.~~**

~~Section 807, Room Heaters (c), 1991 Edition, Uniform Mechanical Code, unvented, is amended by the addition of the following language:~~

~~*Exception.* Unvented gas appliances. An unvented gas appliance may be used provided it complies with the following conditions:~~

~~1. An unvented gas appliance shall not be used as the sole source of comfort heating in a dwelling unit.~~

~~2. Unvented gas appliances shall not have an input rating in excess of 40,000 BTU/H.~~

~~3. The aggregate input rating of all unvented appliances installed in a room or space shall not exceed 20 BTU/H per cubic foot of volume of such room or space.~~

~~Where the room or space in which the equipment is installed is directly connected to another room or space by a doorway, archway or to the opening of comparable size that~~

97 cannot be closed, the volume of such adjacent room or space shall be permitted to be  
98 included in the calculations.

99 ~~4. Unvented gas appliances shall be equipped with an oxygen-depletion-~~  
100 ~~sensitive safety shut off system. The system shall shut off the gas supply to the main~~  
101 ~~and pilot burners when the oxygen in the surrounding atmosphere is depleted to the~~  
102 ~~percent concentration specified by the manufacturer, but not lower than 18 percent. The~~  
103 ~~system shall not incorporate a field adjustment means capable of changing the set point~~  
104 ~~at which the system acts to shut off the gas supply to the appliance.~~

105 ~~5. Unvented gas appliances shall not be installed within occupancies in use~~  
106 ~~groups A, E, and I.~~

107 ~~6. Unvented appliances shall not be located in or obtain combustion air from~~  
108 ~~any of the following rooms or spaces:~~

109 ~~A. Sleeping rooms.~~

110 ~~B. Bathrooms.~~

111 ~~C. Toilet rooms.~~

112 ~~D. Storage closets.~~

113 ~~7. Unvented gas appliances shall be listed and labeled and shall be~~  
114 ~~installed in accordance with the conditions of the listing and the manufacturer's~~  
115 ~~instructions. Such appliances shall be tested in accordance with ANSI Z21.11.2.~~

Section 7. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the City Council February 3, 2009.

CITY OF TOPEKA, KANSAS

William W. Buntin, Mayor

ATTEST:

Brenda Younger, City Clerk