

HOUSE BILL No. 2739

By Committee on Commerce, Labor and Economic Development

Requested by Representative Tarwater

2-6

1 AN ACT concerning housing; relating to fire safety and prevention;
2 providing that fire sprinkler systems shall not be required in this state
3 for multi-family dwellings of four attached units or fewer; prohibiting
4 municipal fire sprinkler requirements for multi-family dwellings of four
5 or fewer attached living units; defining apartment buildings for
6 purposes of the fire code; amending K.S.A. 12-16,219 and 31-132a and
7 repealing the existing sections.
8

9 *Be it enacted by the Legislature of the State of Kansas:*

10 New Section 1. Notwithstanding any other provision of law,
11 installation of a multi-purpose residential fire protection sprinkler system
12 or any other fire sprinkler protection system in any multi-family dwelling
13 of four attached units or fewer shall not be required in this state. Nothing
14 in this section shall prohibit any person from voluntarily installing a multi-
15 purpose residential fire protection sprinkler system or any other fire
16 sprinkler protection system.

17 Sec. 2. K.S.A. 12-16,219 is hereby amended to read as follows: 12-
18 16,219. (a) As used in this section:

19 (1) "Municipality" means any city or county.

20 (2) "Residential structure" means any improvement to real property to
21 be used or occupied as a single-family dwelling or multi-family dwelling
22 of ~~two~~ four attached living units or ~~less~~ fewer or any manufactured home.

23 (b) No municipality shall adopt or enforce any ordinance, order, code,
24 standard or rule requiring the installation of a multi-purpose residential fire
25 protection sprinkler system or any other fire sprinkler protection system in
26 any residential structure. Nothing in this section shall prohibit any person
27 from voluntarily installing a multi-purpose residential fire protection
28 sprinkler system or any other fire sprinkler protection system in a
29 residential structure.

30 (c) No municipality shall require the installation of a multi-purpose
31 residential fire protection sprinkler system in any residential structure as a
32 condition for consideration or approval of any building permit or plat.

33 Sec. 3. K.S.A. 31-132a is hereby amended to read as follows: 31-
34 132a. (a) *Except as provided by subsection (b), every building or other*
35 *structure, together with any building or structure used in connection*

1 therewith, kept, used, maintained, advertised, or held out to the public to
2 be a place where furnished or unfurnished living accommodations other
3 than sleeping accommodations for transient guests may be rented as a
4 single room or as a suite of rooms, containing three-~~(3)~~ or more single
5 units or suites, ~~or both~~, regardless of the number of tenants therein, and
6 regardless of whether any such room or suite of rooms is occupied by an
7 owner or operator of such a building or structure, shall, for the purpose of
8 this act, be deemed an apartment house.

9 (b) *Townhouses and townhouse units shall not be considered*
10 *apartment houses.*

11 (c) *As used in this section:*

12 (1) *"Townhouse" means a building that contains three or more*
13 *attached townhouse units; and*

14 (2) *"townhouse unit" means a single-family dwelling unit in a*
15 *townhouse that extends from the foundation to the roof, is separated from*
16 *any adjacent townhouse unit by a fire separation wall and has a yard or*
17 *public way on not fewer than two sides.*

18 Sec. 4. K.S.A. 12-16,219 and 31-132a are hereby repealed.

19 Sec. 5. This act shall take effect and be in force from and after its
20 publication in the statute book.