

HOUSE BILL No. 2739

By Committee on Commerce, Labor and Economic Development

Requested by Representative Tarwater

2-6

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

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

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

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

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

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

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

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

Sec. 3. K.S.A. 31-132a is hereby amended to read as follows: 31-132a. (a) *Except as provided by subsection (b)*, every building or other 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.