



AIA Kansas

*A Chapter of the American
Institute of Architects*

March 13, 2012

TO: Representative Huebert and Members of the House Local Government Committee

FROM: Trudy Aron, Hon. AIA, CAE

RE: Opposition to HB 2776

Good Afternoon Mr. Chairman and Members of the Committee. I am Trudy Aron, Executive Director, of the American Institute of Architects in Kansas (AIA Kansas.) Thank you for allowing me to testify against HB 2776.

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AIA Kansas is a statewide association of architects and intern architects. Most of our 600 members work in over 100 private practice architectural firms designing a variety of project types for both public and private clients. Our members are designing tomorrow's buildings today, aiming to meet the "triple bottom line:" buildings that are affordable, protect the health of the building occupants, and respect our environment.

AIA Kansas hereby opposes this bill. The adoption of the 2006 IBC by KSFM was the first update in nearly two decades, eliminating many building code regulations which were obsolete and sometimes inapplicable to current design and life-safety strategies. However, many jurisdictions are simply unable to meet its requirements – specifically water pressure and flow rates relative to building sprinkler systems, which inherently presented conflict between local code adoption/compliance and the of the KSFM requirements applicable to the entire state. The KSFM recognizes these conflicts, and are presently working with some jurisdictions to provide variances or exemptions. While life safety is certainly a priority, they recognize certain instances exist where strict compliance is impossible, but there are methods to address life safety to an extent which acknowledges the intent of code, thereby making those buildings safer for the user.

Architects may also formally request a variance or exemption as well as the individual jurisdictions. KSFM requires any local jurisdiction (or any architect, designer, etc. representing the jurisdiction) who wishes to change, modify, or be exempt from a state adopted code to provide, in writing, a detailed explanation as to what is being changed, modified, etc. and the reasons for the modification.

- The applicant (jurisdiction or representative) submit their proposed modification, which is then reviewed by the Chief of the division, the Attorney, and the Fire Marshal for approval. After a detailed review, the modification will either be determined acceptable in its entirety or returned with required changes.
- The proposed modifications must outline all areas where the modification is made, provide pertinent code references, and provide justification for the modification indicating how the modification addresses the intent of the code.
- This approval process has been well underway and successfully operated to date. Once an amendment or modification has been approved, it will be posted on the KSFM website, and may be formally integrated into the local jurisdictions respective building code ordinance(s).

AIA Kansas opposes the removal of the 2006 international fire code (IFC), international code council, 2006 edition even with the exceptions in the bill, for the above-stated reasons. Building and fire codes are adopted to protect the citizens of Kansas; these codes must be updated periodically to acknowledge new materials, construction methods, technology, and life safety systems. Without these updates, our buildings would be unable to utilize these new

innovations in order to provide safer buildings. However, we agree that there must be accommodations to allow a variance or exemption for certain areas of the State unable to meet the currently adopted fire code. Moreover, there is a process already in place administered by the KSFM which introduces this flexibility in particular circumstances to provide the essential life-safety aspects intended by the Code, without deferring to an obsolete set of antiquated regulations.

It is also important to note that the State of Kansas Office of Facilities Management has adopted exclusively the 2006 International Code Council family of codes, including the 2006 IFC and the 2006 IBC. To not include those codes in the Kansas Fire Code would seem to be a conflict.

Thank you for allowing us to testify against HB 2776.