

CITY OF TONGANOXIE, KANSAS

FINANCIAL STATEMENT
(with Independent Auditors' Report thereon)

For the Year Ended December 31, 2017

CITY OF TONGANOXIE, KANSAS
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INDEPENDENT AUDITORS' REPORT

Mayor and City Council
City of Tonganoxie, Kansas

REPORT ON THE FINANCIAL STATEMENT

We have audited the accompanying fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances of the City of Tonganoxie, Kansas (the City), as of and for the year ended December 31, 2017 and the related notes to the financial statement.

Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with the *Kansas Municipal Audit and Accounting Guide* as described in Note 1 to meet the financial reporting requirements of the State of Kansas; this includes determining that the regulatory basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of the financial statement that is free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on the financial statement based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the *Kansas Municipal Audit and Accounting Guide*. Those standards require we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement.

An audit includes performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement. The procedures selected depend on auditors' judgment, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statement.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles

As described more fully in Note 1 of the financial statement, the financial statement is prepared by the City to meet the requirements of the State of Kansas on the basis of the financial reporting provisions of the *Kansas Municipal Audit and Accounting Guide*, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the "Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles" paragraph, the financial statement referred to above does not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the City as of December 31, 2017, or changes in financial position and cash flows thereof for the year then ended.

Opinion on Regulatory Basis of Accounting

In our opinion, the financial statement referred to above presents fairly, in all material respects, the aggregate cash and unencumbered cash balance of the City as of December 31, 2017, and the aggregate receipts and expenditures for the year then ended in accordance with the financial reporting provisions of the *Kansas Municipal Audit and Accounting Guide* described in Note 1.

REPORT ON REGULATORY-REQUIRED AND OTHER SUPPLEMENTARY INFORMATION

Our audit was conducted for the purpose of forming an opinion on the fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances (basic financial statement) as a whole. The summary of regulatory basis expenditures - actual and budget, individual fund schedules of regulatory basis receipts and expenditures - actual and budget, and schedule of regulatory basis receipts and disbursements - agency funds are presented for analysis and are not a required part of the basic financial statement, however are required to be presented under the provisions of the *Kansas Municipal Audit and Accounting Guide*. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statement. The information has been subjected to the auditing procedures applied in the audit of the basic financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statement or to the basic financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statement as a whole, on the basis of accounting described in Note 1.

Kramer & Associates CPAs, LLC
Leavenworth, Kansas
November 2, 2018

CITY OF TONGANOXIE, KANSAS
 Summary Statement of Receipts, Expenditures, and Unencumbered Cash
 Regulatory Basis
 For the year ended December 31, 2017

Funds	Beginning unencumbered cash balance	Prior year cancelled encumbrances	Receipts	Expenditures	Ending unencumbered cash balance	Add encumbrances and accounts payable	Ending cash balance
Governmental type funds:							
General fund:							
General	\$ 433,820	\$ -	\$ 2,816,539	\$ 2,719,264	\$ 531,095	\$ (3,879)	\$ 527,216
Special purpose funds:							
Special parks and recreation	15,042	-	3,517	4,866	13,693	-	13,693
Special highway	148,974	-	225,589	83,112	291,451	-	291,451
Library operations	11,403	-	346,592	343,585	14,410	-	14,410
Police equipment reserve	15,610	-	54,960	34,814	35,756	(1,500)	34,256
Fire equipment reserve	96,450	-	250,354	230,957	115,847	-	115,847
Law enforcement trust	1,606	-	100	-	1,706	-	1,706
Transient guest tax	1,528	-	715	-	2,243	-	2,243
Water park sales tax	6,820	-	417,137	313,153	110,804	-	110,804
Insurance proceeds	24,434	-	12,755	-	37,189	-	37,189
Debt proceeds	-	-	1,002,929	1,002,929	-	-	-
Gallagher Park	14,957	-	800	516	15,241	-	15,241
Festival/Event	10,273	-	33,095	31,098	12,270	-	12,270
Industrial Park Development Fund	-	-	5,000,000	1,460,615	3,539,385	-	3,539,385
Debt service fund:							
Bond and interest	249,921	-	716,121	814,496	151,546	-	151,546
Capital projects funds:							
Capital projects	177,234	-	569,022	392,510	353,746	-	353,746
Capital reserve	915	-	-	-	915	-	915
Business funds:							
Water operations	362,025	-	1,172,084	1,160,747	373,362	1,268	374,630
Water capital improvement	273,325	-	43,286	49,842	266,769	-	266,769
Sewer operations	273,232	-	818,596	790,322	301,506	4,186	305,692
Sewer capital improvement	308,032	-	59,100	66,869	300,263	-	300,263
Sanitation	120,860	-	346,890	345,626	122,124	-	122,124
Total reporting entity (excluding agency fund)	<u>\$ 2,546,461</u>	<u>\$ -</u>	<u>\$13,890,181</u>	<u>\$ 9,845,321</u>	<u>\$ 6,591,321</u>	<u>\$ 75</u>	<u>\$6,591,396</u>

Composition of cash:

General checking	\$6,510,199
Certificate of deposit	63,847
Revolving loan	47,670
Investments	116,507
Total cash	6,738,223
Less agency funds	(146,827)
Total reporting entity (excluding agency funds)	<u>\$6,591,396</u>

CITY OF TONGANOXIE, KANSAS
Notes to the Financial Statement
For the year ended December 31, 2017

1. Summary of significant accounting policies

a. Municipal financial reporting entity

The City of Tonganoxie, Kansas, (the City), is a municipal corporation governed by an elected mayor and five-member council. This financial statement presents the City (the primary government) and excludes all related municipal entities of which the City appointed a voting majority of the unit's board and the City is either able to impose its will on the unit or a financial benefit or burden relationship exists. The financial statement of the City consists only of the funds of the primary government.

b. Related Municipal Entity That is Not Presented

The Tonganoxie Public Library (the Library) serves the citizens within the City's jurisdiction. Acquisition or disposition of real property by the Library must be approved by the City. Bond issues must be approved by the City. The Library is not included in the report of the primary government. Financial statements for the Library may be obtained at the Library's office in Tonganoxie, Kansas.

c. Basis of accounting

Regulatory Basis of Accounting and Departure from Accounting Principles Generally Accepted in the United States of America. The Kansas Municipal Audit and Accounting Guide (KMAAG) regulatory basis of accounting involves the recognition of cash, cash equivalents, marketable investments, and certain accounts payable and encumbrance obligations to arrive at a net unencumbered cash and investments balance on a regulatory basis for each fund, and the reporting of changes in unencumbered cash and investments of a fund resulting from the difference in regulatory basis revenues and regulatory basis expenditures for the fiscal year. All recognized assets and liabilities are measured and reported at cost, unless they have been permanently impaired and have no future cash value or represent no future obligation against cash. The KMAAG regulatory basis does not recognize capital assets, long-term debt, accrued receivables and payables, or any other assets, liabilities, or deferred inflows or outflows, other than those mentioned above.

The City has approved a resolution that is in compliance with K.S.A. 75-1120a (c), waiving the requirement for application of generally accepted accounting principles and allowing the City to use the regulatory basis of accounting.

1. Summary of significant accounting policies (continued)

e. Governmental fund types

In governmental accounting, a fund is defined as an independent fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.

The following types of funds comprise the financial activities of the City for the year ended December 31, 2017:

- a. General fund - the chief operating fund. Used to account for all resources except those required to be accounted for in another fund.
- b. Special purpose fund - used to account for the proceeds of specific tax levies and other specific regulatory receipts sources (other than capital projects and tax levies for long-term debt) that are intended for specified purposes.
- c. Bond and interest fund - used to account for the accumulation of resources, including tax levies, transfers from other funds and payment of general long-term debt.
- d. Capital projects fund - used to account for the debt proceeds and other financial resources to be used for acquisition or construction of major capital facilities or equipment.
- e. Business fund - funds financed in whole or in part by fees charged to users of the goods or services (i.e. enterprise and internal service fund, etc.)
- f. Agency fund - funds used to report assets held by the City in a purely custodial capacity (payroll clearing fund, county treasurer tax collection accounts, etc.).

1. Summary of significant accounting policies (continued)

f. Ad valorem tax revenues

The determination of assessed valuations and the collection of property taxes for all political subdivisions in the State of Kansas are the responsibility of the various counties. The County Appraiser annually determines assessed valuations on January 1 and the County Clerk spreads the annual assessment on the tax rolls. Property taxes are levied as of November 1 and become delinquent, with penalty, December 21. Payments of 50% are accepted through December 20, with the second 50% then being due on or before May 10 of the following year.

The County Treasurer is the tax collection agent for all taxing entities within the County. The initial distribution to the subdivisions, including the City, is on or before January 20 of the ensuing year. Additional amounts are distributed on four (4) subsequent dates throughout the calendar year.

2. Stewardship, compliance, and accountability

a. Budgetary information

Kansas statutes require that an annual operating budget be legally adopted for the general fund, special purpose funds (unless specifically exempted by statute), bond and interest funds, and business funds. Although directory rather than mandatory, the statutes provide for the following sequence and timetable in the adoption of the legal annual operating budget:

1. Preparation of the budget for the succeeding year on or before August 1st.
2. Publication in local newspaper on or before August 5th of the proposed budget and notice of public hearing on budget.
3. Public hearing on or before August 15th, but at least ten days after publication of notice of hearing.
4. Adoption of the final budget on or before August 25th.

The statutes allow for the city council to increase the originally adopted budget for previously unbudgeted increases in revenue other than ad valorem property taxes. To do this, a notice of public hearing to amend the budget must be published in the local newspaper. At least ten days after publication the hearing may be held and the governing body may amend the budget at that time. There were no such budget amendments for this year.

The statutes permit transferring budgeted amounts between line items within an individual fund. However, such statutes prohibit expenditures in excess of the total amount of the adopted budget of expenditures of individual funds. Budget comparison schedules are presented for each fund showing actual receipts and expenditures compared to legally budgeted receipts and expenditures.

2. Stewardship, compliance, and accountability (continued)

a. Budgetary information (continued)

All legal annual operating budgets are prepared using the regulatory basis of accounting, in which regulatory receipts are recognized when cash is received and expenditures include disbursements, accounts payable, and encumbrances, with disbursements being adjusted for prior year's accounts payable and encumbrances. Encumbrances are commitments by the City for future payments and are supported by documents evidencing the commitment, such as a purchase order or contract. Any unused budgeted expenditure authority lapses at year-end.

A legal operating budget is not required for capital project funds, agency funds, and certain special purpose funds as follows: Police Department Equipment Reserve Fund, Fire Department Equipment Reserve Fund, Law Enforcement Trust Fund, Insurance Proceeds, Debt Proceeds, Gallagher Park Fund, Festival/Event Fund and the Water Park Sales Tax Fund.

Spending in funds which are not subject to the legal annual operating budget requirement is controlled by federal regulations, other statutes, or by the use of internal spending limits established by the city council.

b. Compliance with Kansas Statutes

Deposits at First State Bank & Trust were under secured for the months of June and July 2017, violating K.S.A. 9-1402. Management is not aware of any other violations.

3. Deposits and investments

As of December 31, 2017, the City had the following investments with maturities less than one year:

<u>Investment Type</u>	<u>Fair Value</u>	<u>Rating</u>
Kansas Municipal Investment Pool	\$ 116,507	S&P AA Af/S1+
Total	<u>\$ 116,507</u>	

Deposits. K.S.A. 9-1401 establishes the depositories which may be used by the City. The statute requires banks eligible to hold the City's funds have a main or branch bank in the county in which the City is located, or in an adjoining county if such institution has been designated as an official depository, and the banks provide an acceptable rate of return on funds. In addition, K.S.A. 9-1402 requires the bank to pledge securities for deposits in excess of FDIC coverage. The City has no other policies that would further limit interest rate risk.

3. Deposits and investments (continued)

Investments. K.S.A. 12-1675 limits the City's investment of idle funds to time deposits, open accounts, and certificates of deposit with allowable financial institutions; U.S. government securities; temporary notes; no-fund warrants; repurchase agreements; and the Kansas Municipal Investment Pool. The City has no investment policy that would further limit its investment choices.

Some of the City's investments are of bond proceeds invested pursuant to K.S.A. 10-131. This statute allows additional investment authority beyond that of K.S.A. 12-1675. Investments of bond proceeds may follow K.S.A. 12-1675 or include other investments such as the KMIP, direct obligations of the US government or any agency thereof, investment agreements with a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody's investors service or Standard and Poor's corporation, and various other investments as specified in K.S.A. 10-131.

Concentration of credit risk. State statutes place no limit on the amount the City may invest in any one issuer as long as the investments are adequately secured under K.S.A. 9-1402 and 9-1405. The City's allocation of investments as of December 31, 2017, is as follows:

<u>Investments</u>	<u>Percentage of Investments</u>
Kansas Municipal Investment Pool	<u>100%</u>

Custodial credit risk - deposits. Custodial credit risk is the risk that in the event of a bank failure, the City's deposits may not be returned to it. State statutes require the City's deposits in financial institutions to be entirely covered by federal depository insurance or by collateral held under a joint custody receipt issued by a bank within the State of Kansas, the Federal Reserve Bank of Kansas City, or the Federal Home Loan Bank of Topeka. Deposits were legally secured at December 31, 2017 except for the months of June and July.

At December 31, 2017, the City's carrying amount of deposits was \$6,620,717 and the bank balance was \$6,555,808. The bank balance was held by one bank resulting in a concentration of credit risk. Of the bank balance, \$250,000 was covered by federal depository insurance, and the remaining \$6,305,808 was collateralized with securities held by the pledging financial institutions' agents in the City's name.

Custodial credit risk - investments. For an investment, this is the risk that, in the event of the failure of the issuer or counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. State statutes require investments to be adequately secured.

3. Deposits and investments (continued)

At December 31, 2017, City had invested \$116,507 in the State's municipal investment pool. The municipal investment pool is under the oversight of the Pooled Money Investment Board. The board is comprised of the State Treasurer and four additional members appointed by the State Governor. The board reports annually to the Kansas legislature. State pooled monies may be invested in direct obligations of, or obligations that are insured as to principal and interest, by the U.S. government or any agency thereof, with maturities up to four years. No more than ten percent of those funds may be invested in mortgage-backed securities. In addition, the State pool may invest in repurchase agreements with Kansas banks or with primary government securities dealers. The fair value of the City's position in the municipal investment pool is substantially the same as the value of the pool shares.

4. Long-term debt

General obligation bonds. The City issues general obligation bonds to provide funds for the acquisition and construction of major capital facilities. General obligation bonds have been issued for both general government and proprietary funds if they are expected to be repaid from proprietary fund revenues.

General obligation bonds are direct obligations and pledge the full faith and credit of the City. These bonds generally are issued with equal amounts of principal maturing each year.

Capital leases. The City has entered into lease agreements as lessee for financing the acquisition of equipment. These lease agreements qualify as capital leases for accounting purposes.

On November 21, 2017, the City issued \$1,860,000 in general obligation bonds for the purpose of refunding \$990,000 of Series 2007A bonds outstanding and \$830,000 of Series 2009A bonds outstanding. Proceeds for redeeming the Series 2007A bonds with maturity dates September 1, 2018 through September 1, 2022 were held in the Kansas Municipal Investment Pool (MIP) for availability to redeem the bonds shortly after the January 1, 2018 call date. Proceeds for redeeming the Series 2009A General Obligation bonds are deposited with Security Bank of Kansas City as escrow agent to be held until the call date of September 1, 2019 for bonds scheduled to mature in the years 2020 through 2029.

General obligation bonds currently outstanding and a summary of changes in leases for the year ended December 31, 2017 are presented on the following pages.

4. Long-term debt (continued)

a. Changes in long-term liabilities for the City for the year ended December 31, 2017, were as follows:

Issue	Interest rate	Date of issue	Amount of issue	Date of final maturity	Balance beginning of year	Additions	Reductions/ payments	Balance end of year	Interest Paid
General obligation bonds:									
Series 2000	4.85%-6.50%	12/01/2000	\$ 630,000	09/01/2021	\$ 55,000	\$ -	\$ (10,000)	\$ 45,000	\$ 3,162
Series 2002	3.50%-4.50%	12/01/2002	\$1,510,000	12/01/2016	-	-	-	-	-
Series 2006A	3.70%-4.10%	07/15/2006	\$ 370,000	09/01/2016	-	-	-	-	-
Series 2007A	3.55%-3.95%	10/15/2007	\$1,720,000	09/01/2022	1,135,000	-	(145,000)	990,000	43,570
Series 2007B	3.50%-3.70%	10/15/2007	\$2,990,000	09/01/2017	460,000	-	(460,000)	-	17,020
Series 2009A	2.80%-4.75%	04/01/2009	\$1,350,000	09/01/2029	1,020,000	-	(60,000)	960,000	43,642
Series 2010A	2.25%-3.15%	05/10/2010	\$1,075,000	09/01/2020	825,000	-	(85,000)	740,000	24,185
Series 2013A	2.25%-4.30%	01/29/2013	\$1,760,000	07/01/2033	1,615,000	-	(80,000)	1,535,000	55,568
Series 2013B	2.00-2.70%	01/29/2013	\$6,355,000	08/01/2031	5,320,000	-	(385,000)	4,935,000	110,878
Series 2017A	3.00%	11/21/2017	\$1,860,000	09/01/2029	-	1,860,000	-	1,860,000	-
Capital leases:									
2006 Fire Trucks	4.93%	12/01/2006	\$ 400,000	09/17/2017	23,539	-	(23,539)	-	684
2011 Ford F250	3.72%	05/17/2010	\$ 35,000	07/01/2018	5,702	-	(5,702)	-	162
Motorola Radios	0.00%	08/27/2010	\$ 87,537	08/01/2017	15,147	-	(15,147)	-	-
Police Department and City Hall	2.44%	02/16/2016	\$1,100,000	09/01/2035	1,046,212	-	(41,854)	1,004,358	25,528
Total long-term debt					<u>\$11,520,600</u>	<u>\$1,860,000</u>	<u>\$(1,311,242)</u>	<u>\$12,069,358</u>	<u>\$ 324,399</u>

4. Long-term debt (continued)

b. Current maturities of long-term debt and interest for the next five years and five year increments through maturity are as follows:

	Year ended December 31,								Total
	2018	2019	2020	2021	2022	2023-2027	2028-2032	2033-2037	
Principal:									
G.O. Bonds:									
Series 2000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ 45,000
Series 2006A	-	-	-	-	-	-	-	-	-
Series 2007A	150,000	190,000	205,000	220,000	225,000	-	-	-	990,000
Series 2009A	65,000	65,000	70,000	70,000	75,000	420,000	195,000	-	960,000
Series 2010A	235,000	250,000	255,000	-	-	-	-	-	740,000
Series 2013A	80,000	80,000	85,000	80,000	85,000	465,000	540,000	120,000	1,535,000
Series 2013B	385,000	395,000	400,000	555,000	560,000	2,065,000	575,000	-	4,935,000
Series 2017A	145,000	195,000	280,000	300,000	305,000	440,000	195,000	-	1,860,000
Capital leases:									
2006 Fire Trucks	-	-	-	-	-	-	-	-	-
Motorola Radios	-	-	-	-	-	-	-	-	-
Police Department and City Hall	43,089	44,360	\$ 45,668	47,016	48,403	264,292	305,644	205,886	1,004,358
Total principal	1,113,089	1,229,360	1,350,668	1,287,016	1,298,403	3,654,292	1,810,644	325,886	12,069,358
Interest:									
G.O. Bonds:									
Series 2000	\$ 2,588	\$ 2,012	\$ 2,300	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,900
Series 2006A	-	-	-	-	-	-	-	-	-
Series 2007A	38,205	32,580	51,715	-	-	-	-	-	122,500
Series 2009A	41,603	39,262	36,825	34,095	31,260	105,300	13,965	-	302,310
Series 2010A	22,230	15,533	8,032	-	-	-	-	-	45,795
Series 2013A	53,767	51,968	49,968	47,418	45,017	153,310	115,177	15,208	531,833
Series 2013B	103,177	95,477	87,577	79,577	68,478	178,445	35,875	-	648,606
Series 2017A	43,400	51,450	45,600	37,200	28,200	69,750	8,850	-	284,450
Capital leases:									
2006 Fire Trucks	-	-	-	-	-	-	-	-	-
Motorola Radios	-	-	-	-	-	-	-	-	-
Police Department and City Hall	24,506	23,455	\$ 22,373	21,258	20,111	82,128	47,925	10,144	251,900
Total interest	329,476	311,737	304,390	219,548	193,066	588,933	221,792	25,352	2,194,294
Total payments	\$1,442,565	\$1,541,097	\$1,655,058	\$1,506,564	\$ 1,491,469	\$4,243,225	\$ 2,032,436	\$ 351,238	\$14,263,652

5. Interfund transfers

Operating transfers were as follows:

<u>From</u>	<u>To</u>	<u>Statutory Authority</u>	<u>Amount</u>
Water Operations	General	K.S.A. 12-825d	\$ 150,080
Sewer Operations	General	K.S.A. 12-825d	72,540
Water Park Sales Tax	Bond and Interest	Bond Ordinance	313,153
Water Operations	Capital Projects	K.S.A. 12-825d	100,000
Total fund transfers			<u>\$ 635,773</u>

6. Compensated absences

It is the City's policy to permit employees to earn non-cumulative vacation at different intervals based on length of service. The liability for compensated vacation time at December 31, 2017 is \$79,038. Sick leave accrues at 12 days per year and accumulates to a maximum of 90 days. No liability is reported for unpaid accumulated sick leave. Floating holiday is 8 hours of vacation pay per year that is assigned January 1, 2018 to all full time employees and operated with a use it or lose it approach over the year.

7. Defined benefit pension plan

a. Plan description

The City participates in the Kansas Public Employees Retirement System (KPERS), a cost-sharing multiple-employer defined benefit pension plan as provided by K.S.A. 74-4901, et seq. Kansas law establishes and amends benefit provisions. KPERS provides retirement benefits, life insurance, disability income benefits, and death benefits. Kansas law establishes and amends benefit provisions. KPERS issues a publicly available financial report that includes financial statements and required supplementary information. KPERS' financial statements are included in its Comprehensive Annual Financial Report which can be found on the KPERS website at www.kpers.org or by writing to KPERS(611 South Kansas, Suite 100, Topeka, KS 66603) or by calling 1-888-275-5737.

7. Defined benefit pension plan (continued)

b. Contributions

K.S.A. 74-4919 and K.S.A. 74-49,210 establish the KPERS member-employee contribution rates. KPERS has multiple benefit structures and contribution rates depending on whether the employee is a KPERS 1, KPERS 2 or KPERS 3 member. KPERS 1 members are active and contributing members hired before July 1, 2009. KPERS 2 members were first employed in a covered position on or after July 1, 2009, and KPERS 3 members were first employed in a covered position on or after January 1, 2015. Effective January 1, 2015, Kansas law established the KPERS member-employee contribution rate at 6% of covered salary for KPERS 1, KPERS 2 and KPERS 3 members. Member contributions are withheld by their employer and paid to KPERS according to the provisions of Section 414(h) of the Internal Revenue Code.

State law provides that the employer contribution rates for KPERS 1 and KPERS 2 and KPERS 3 be determined based on the results of each annual actuarial valuation. Kansas law sets a limitation on annual increases in the employer contribution rates. The actuarially determined employer contribution rate and the statutory contribution rate was 8.46% for the fiscal year ended December 31, 2017. Contributions to the pension plan from the City were \$174,839 for the year ended December 31, 2017.

c. Net pension liability

At December 31, 2017, the City's proportionate share of the collective net pension liability reported by KPERS was \$1,344,094. The net pension liability was measured as of June 30, 2017, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2016, which was rolled forward to June 30, 2017. The City's proportion of the net pension liability was based on the ratio of the City's contributions to KPERS, relative to the total employer and non-employer contributions of the Local subgroup within KPERS. Since the KMAAG regulatory basis of accounting does not recognize long-term debt, this liability is not reported in these financial statements.

The complete actuarial valuation report including all actuarial assumptions and methods, and the report on the allocation of the KPERS collective net pension liability to all participating employers are publicly available on the website at www.kpers.org or can be obtained as described above.

8. County Road No. 1 contract

In 2009, the City entered into an Interlocal agreement with Leavenworth County, Kansas to pay for the City's share of the cost of improvements to County Road No. 1. Under the \$1.5 million agreement, the City will pay \$100,000 each year for 10 years, with the final payment due on September 1, 2019. The remaining \$500,000 will be paid by the City from its share of development fees collected within the boundaries of the corridor, and is due no later than September 30, 2020.

9. Recreation Commission COP's

The City has entered into an Interlocal agreement with the Tonganoxie Recreation Commission (TRC) to open a line of credit. The recreation commission is assuming these payments as part of a lease purchase agreement with the city. The debt has been issued to purchase land for the construction of athletic facilities. The following is a summary of the changes in the line of credit for 2017:

<u>Issue</u>	<u>Beginning principal</u>	<u>Additions (reductions)</u>	<u>Ending principal outstanding</u>
TRC Lease	\$ 261,642	\$ (72,503)	\$ 189,139

10. Other post employment benefits

As provided by K.S.A. 12-5040, the local government allows retirees to participate in the group health insurance plan. While each retiree pays the full amount of the applicable premium, conceptually, the local government is subsidizing the retirees because each participant is charged a level of premium regardless of age. However, the cost of this subsidy has not been quantified in this financial statement.

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), the government makes health care benefits available to eligible former employees and eligible dependents. Certain requirements are outlined by the federal government for this coverage. The premium is paid in full by the insured. There is no cost to the government under this program.

11. Subsequent event

Management has evaluated the effects on the financial statement of subsequent events occurring through the date of this report, which is the date at which the financial statement was available to be issued, and no matters were noted.

CITY OF TONGANOXIE, KANSAS
 Summary of Expenditures - Actual and Budget
 Regulatory Basis
 For the year ended December 31, 2017

Funds	Certified budget	Adjustment for qualifying budget credits	Total budget for comparison	Expenditures chargeable to current year	Variance - over (under)
Governmental type funds:					
General funds:					
General	\$ 2,916,958	\$ —	\$ 2,916,958	\$ 2,719,264	\$ (197,694)
Special purpose funds:					
Special parks and recreation	\$ 5,000	\$ —	\$ 5,000	\$ 4,866	\$ (134)
Special highway	\$ 169,500	\$ —	\$ 169,500	\$ 83,112	\$ (86,388)
Library operations	\$ 377,852	\$ —	\$ 377,852	\$ 343,585	\$ (34,267)
Transient guest tax	\$ 1,500	\$ —	\$ 1,500	\$ —	\$ (1,500)
Debt service funds:					
Bond and interest	\$ 864,496	\$ —	\$ 864,496	\$ 814,496	\$ (50,000)
Capital projects fund	\$ 482,092	\$ —	\$ 482,092	\$ 392,510	\$ (89,582)
Business Funds:					
Water operations	\$ 1,204,308	\$ —	\$ 1,204,308	\$ 1,160,747	\$ (43,561)
Sewer operations	\$ 800,000	\$ —	\$ 800,000	\$ 790,322	\$ (9,678)
Sanitation	\$ 345,655	\$ —	\$ 345,655	\$ 345,626	\$ (29)

CITY OF TONGANOXIE, KANSAS
 GENERAL FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual	Budget	Variance - over (under)
Cash receipts:			
Taxes	\$ 1,438,463	\$ 1,573,812	\$ (135,349)
Intergovernmental	558,728	526,000	32,728
Licenses and permits	91,908	60,400	31,508
Fines and fees	173,312	210,000	(36,688)
Use of money and property	61,787	30,377	31,410
Charges for services	118,874	-	118,874
Miscellaneous	150,847	180,900	(30,053)
Transfers in	222,620	222,620	-
Total cash receipts	<u>2,816,539</u>	<u>\$ 2,804,109</u>	<u>\$ 12,430</u>
Expenditures:			
Administration	297,182	\$ 305,504	\$ (8,322)
Code enforcement	57,538	78,773	(21,235)
City planning and development	52,969	-	52,969
Police department	967,308	1,080,571	(113,263)
Fire department	642,420	683,444	(41,024)
Highway and streets	319,908	356,530	(36,622)
Swimming pool	148,697	145,284	3,413
Court services	95,931	118,948	(23,017)
Animal control	22,390	21,383	1,007
Mayor and council	20,019	2,000	18,019
Debt management	94,902	99,521	(4,619)
Total expenditures	<u>2,719,264</u>	<u>\$ 2,891,958</u>	<u>\$ (172,694)</u>
Receipts over (under) expenditures	97,275		
Unencumbered cash, beginning of year	<u>433,820</u>		
Unencumbered cash, end of year	<u>\$ 531,095</u>		

CITY OF TONGANOXIE, KANSAS
 SPECIAL PARKS AND RECREATION FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual	Budget	Variance - over (under)
Cash receipts:			
Intergovernmental	\$ 3,517	\$ 5,000	\$ (1,483)
Total cash receipts	<u>3,517</u>	<u>\$ 5,000</u>	<u>\$ (1,483)</u>
Expenditures:			
Contractual services	3,006	\$ 4,600	\$ (1,594)
Commodities	<u>1,860</u>	<u>400</u>	<u>1,460</u>
Total expenditures	<u>4,866</u>	<u>\$ 5,000</u>	<u>\$ (134)</u>
Receipts over (under) expenditures	(1,349)		
Unencumbered cash, beginning of year	<u>15,042</u>		
Unencumbered cash, end of year	<u>\$ 13,693</u>		

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CITY OF TONGANOXIE, KANSAS
 SPECIAL HIGHWAY FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual	Budget	Variance - over (under)
Cash receipts:			
Intergovernmental	\$ 225,589	\$ 167,210	\$ 58,379
Total cash receipts	<u>225,589</u>	<u>\$ 167,210</u>	<u>\$ 58,379</u>
Expenditures:			
Capital outlay	36,036	122,423	(86,387)
Debt service	47,076	47,077	(1)
Total expenditures	<u>83,112</u>	<u>\$ 169,500</u>	<u>\$ (86,388)</u>
Receipts over (under) expenditures	142,477		
Unencumbered cash, beginning of year	<u>148,974</u>		
Unencumbered cash, end of year	<u>\$ 291,451</u>		

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CITY OF TONGANOXIE, KANSAS
 LIBRARY OPERATIONS FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Current year		
	Actual	Budget	Variance - over (under)
Cash receipts:			
Taxes	\$ 312,391	\$ 251,602	\$ 60,789
Reimbursements	34,201	-	34,201
Total cash receipts	<u>346,592</u>	<u>\$ 251,602</u>	<u>\$ 94,990</u>
Expenditures:			
Contractual services	<u>343,585</u>	<u>373,698</u>	<u>(30,113)</u>
Total expenditures	<u>343,585</u>	<u>\$ 373,698</u>	<u>\$ (30,113)</u>
Receipts over (under) expenditures	3,007		
Unencumbered cash, beginning of year	<u>11,403</u>		
Unencumbered cash, end of year	<u>\$ 14,410</u>		

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CITY OF TONGANOXIE, KANSAS
 POLICE EQUIPMENT RESERVE FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

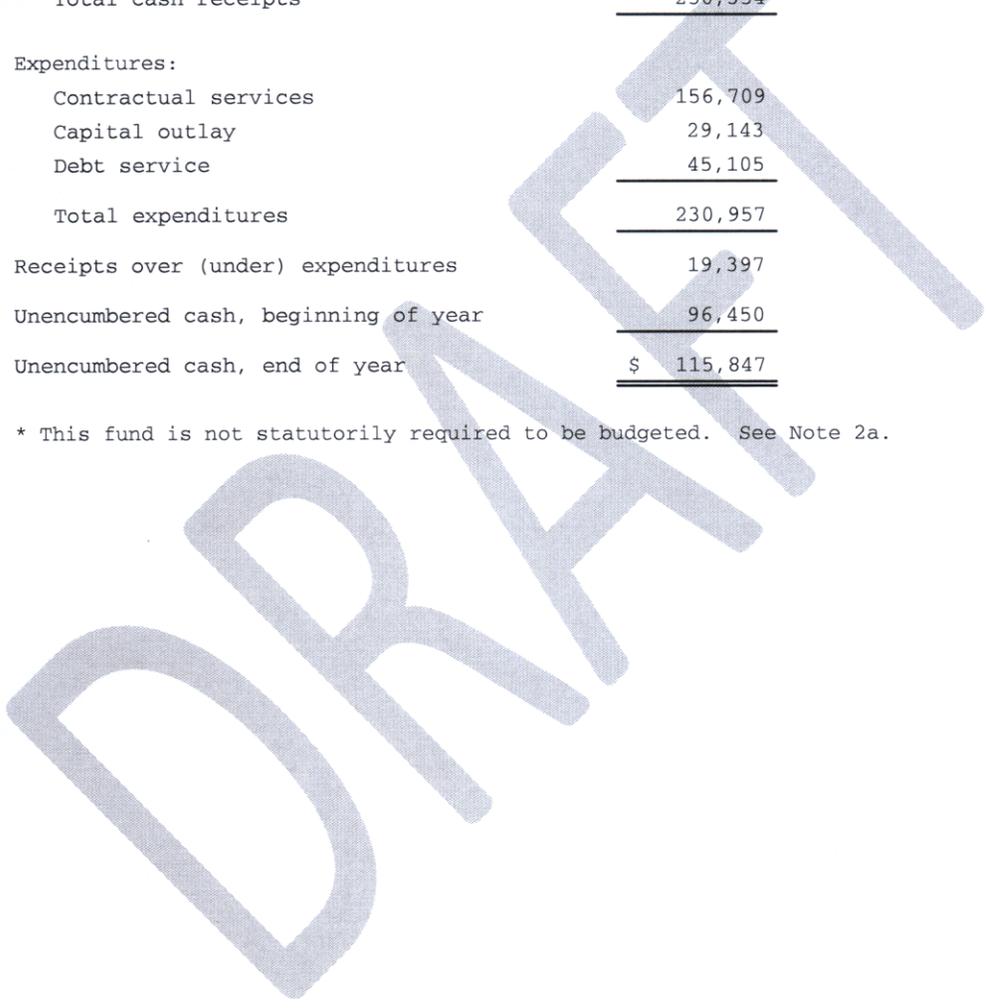
	Actual
Cash receipts:	
Fines and fees	\$ 25,587
Grants and donations	942
Reimbursements	3,995
Miscellaneous	24,436
Total cash receipts	54,960
Expenditures:	
Commodities	6,347
Capital outlay	3,174
Automotive equipment	25,293
Total expenditures	34,814
Receipts over (under) expenditures	20,146
Unencumbered cash, beginning of year	15,610
Unencumbered cash, end of year	\$ 35,756

* This fund is not statutorily required to be budgeted. See Note 2a.

CITY OF TONGANOXIE, KANSAS
 FIRE EQUIPMENT RESERVE FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Special assessments	\$ 250,354
Miscellaneous	-
Total cash receipts	250,354
Expenditures:	
Contractual services	156,709
Capital outlay	29,143
Debt service	45,105
Total expenditures	230,957
Receipts over (under) expenditures	19,397
Unencumbered cash, beginning of year	96,450
Unencumbered cash, end of year	\$ 115,847

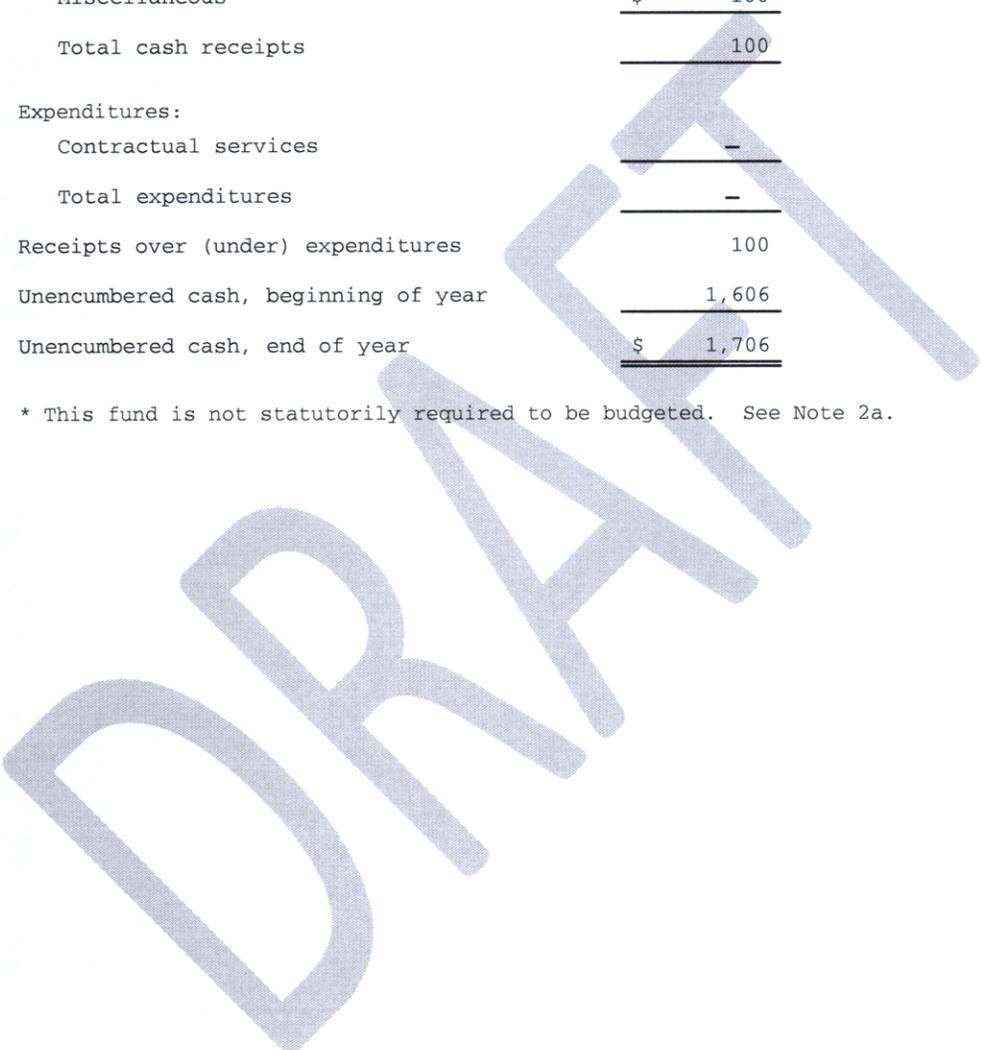
* This fund is not statutorily required to be budgeted. See Note 2a.



CITY OF TONGANOXIE, KANSAS
 LAW ENFORCEMENT TRUST FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Miscellaneous	\$ 100
Total cash receipts	100
Expenditures:	
Contractual services	-
Total expenditures	-
Receipts over (under) expenditures	100
Unencumbered cash, beginning of year	1,606
Unencumbered cash, end of year	\$ 1,706

* This fund is not statutorily required to be budgeted. See Note 2a.



CITY OF TONGANOXIE, KANSAS
 TRANSIENT GUEST TAX FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual	Budget	Variance - over (under)
Cash receipts:			
Intergovernmental	\$ 715	\$ 1,500	\$ (785)
Total cash receipts	<u>715</u>	<u>\$ 1,500</u>	<u>\$ (785)</u>
Expenditures:			
Contractual services	-	\$ 1,500	\$ (1,500)
Total expenditures	<u>-</u>	<u>\$ 1,500</u>	<u>\$ (1,500)</u>
Receipts over (under) expenditures	715		
Unencumbered cash, beginning of year	<u>1,528</u>		
Unencumbered cash, end of year	<u>\$ 2,243</u>		

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CITY OF TONGANOXIE, KANSAS
 WATER PARK SALES TAX FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Sales tax	\$ 417,137
Total cash receipts	417,137
Expenditures:	
Transfer out	313,153
Total expenditures	313,153
Receipts over (under) expenditures	103,984
Unencumbered cash, beginning of year	6,820
Unencumbered cash, end of year	\$ 110,804

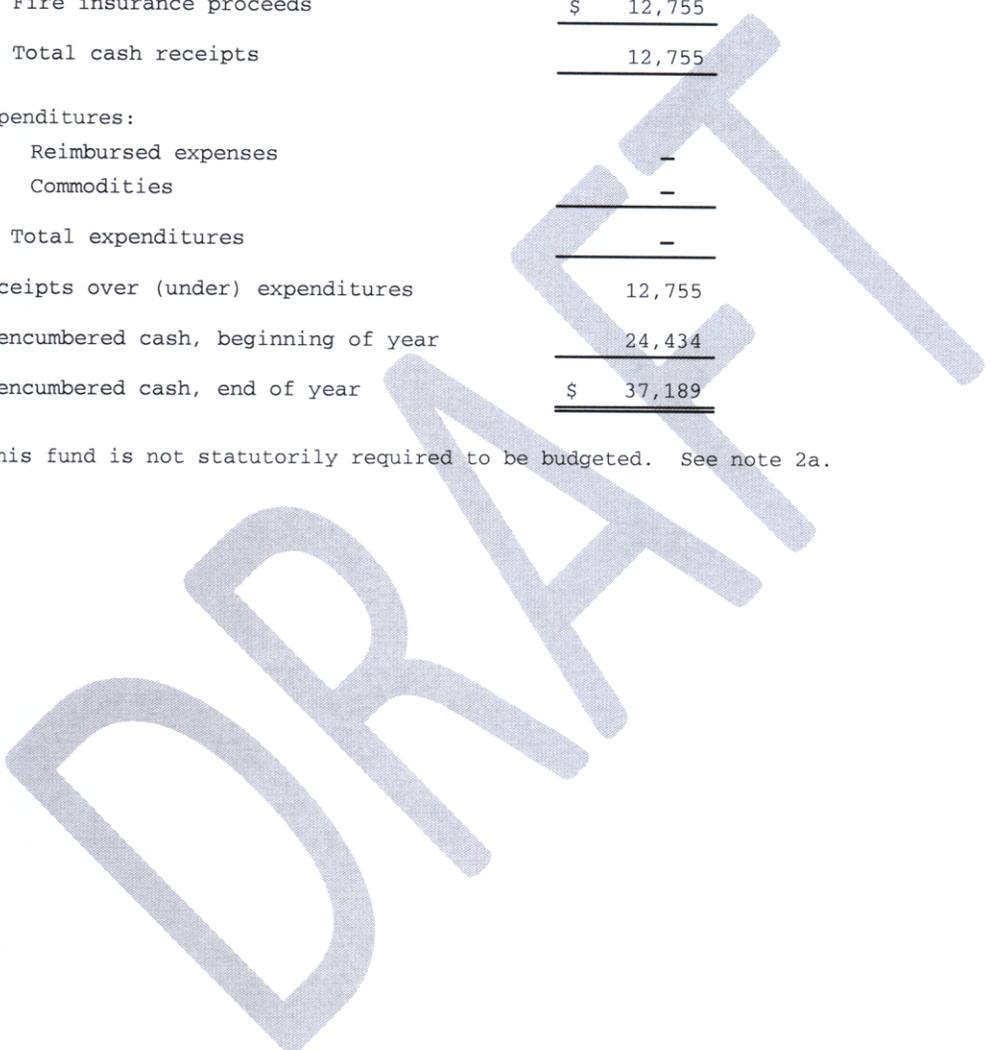
* This fund is not statutorily required to be budgeted. See Note 2a.

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CITY OF TONGANOXIE, KANSAS
 INSURANCE PROCEEDS FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Current year actual
Cash receipts:	
Fire insurance proceeds	\$ 12,755
Total cash receipts	12,755
Expenditures:	
Reimbursed expenses	-
Commodities	-
Total expenditures	-
Receipts over (under) expenditures	12,755
Unencumbered cash, beginning of year	24,434
Unencumbered cash, end of year	\$ 37,189

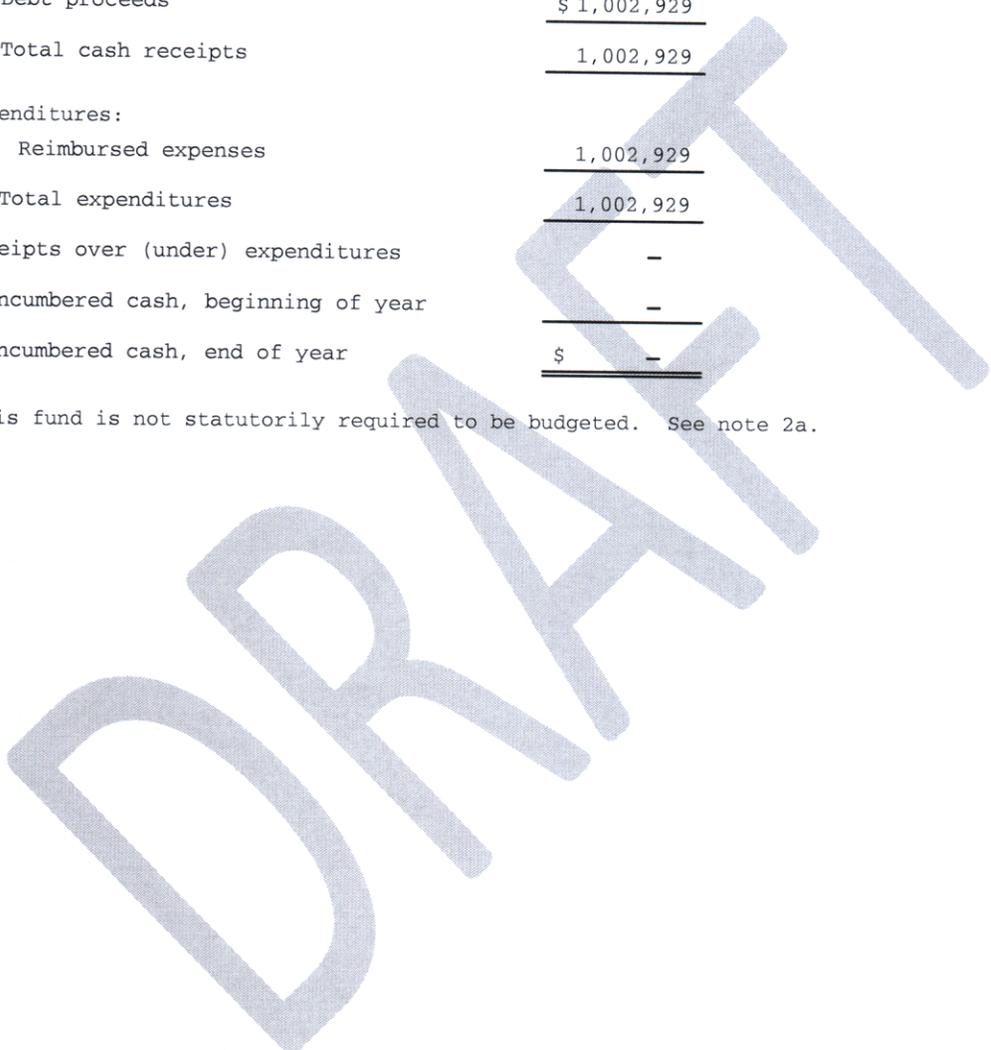
*This fund is not statutorily required to be budgeted. See note 2a.



CITY OF TONGANOXIE, KANSAS
 DEBT PROCEEDS FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Current year actual
Cash receipts:	
Debt proceeds	\$ 1,002,929
Total cash receipts	1,002,929
Expenditures:	
Reimbursed expenses	1,002,929
Total expenditures	1,002,929
Receipts over (under) expenditures	-
Unencumbered cash, beginning of year	-
Unencumbered cash, end of year	\$ -

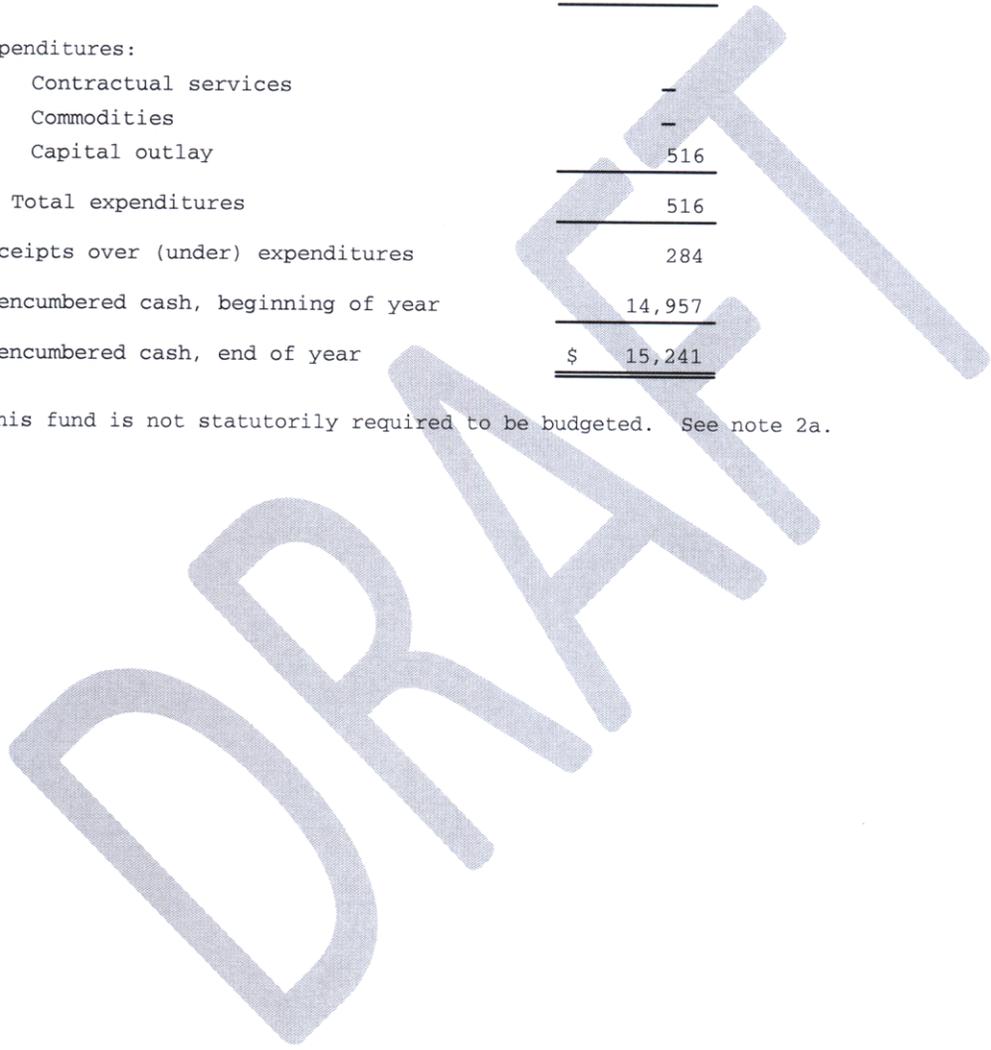
*This fund is not statutorily required to be budgeted. See note 2a.



CITY OF TONGANOXIE, KANSAS
 GALLAGHER PARK FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Donations	\$ 800
Total cash receipts	800
Expenditures:	
Contractual services	-
Commodities	-
Capital outlay	516
Total expenditures	516
Receipts over (under) expenditures	284
Unencumbered cash, beginning of year	14,957
Unencumbered cash, end of year	\$ 15,241

*This fund is not statutorily required to be budgeted. See note 2a.



CITY OF TONGANOXIE, KANSAS
 FESTIVAL/EVENT FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Donations and fees	\$ 26,799
Charges (sales)	4,709
Reimbursed expense	1,587
Total cash receipts	33,095
Expenditures:	
Contractual services	9,750
Commodities	6,352
Rental of equipment	8,248
Advertising/publishing	6,748
Total expenditures	31,098
Receipts over (under) expenditures	1,997
Unencumbered cash, beginning of year	10,273
Unencumbered cash, end of year	\$ 12,270

*This fund is not statutorily required to be budgeted. See note 2a.

CITY OF TONGANOXIE, KANSAS
 BOND AND INTEREST FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	<u>Actual</u>	<u>Budget</u>	<u>Variance - over (under)</u>
Cash receipts:			
Taxes	\$ 402,968	\$ 394,648	\$ 8,320
Transfers in	313,153	288,959	24,194
Total cash receipts	<u>716,121</u>	<u>\$ 683,607</u>	<u>\$ 32,514</u>
Expenditures:			
Debt service	<u>814,496</u>	939,657	(125,161)
Total expenditures	<u>814,496</u>	<u>\$ 939,657</u>	<u>\$ (125,161)</u>
Receipts over (under) expenditures	(98,375)		
Unencumbered cash, beginning of year	<u>249,921</u>		
Unencumbered cash, end of year	<u>\$ 151,546</u>		

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CITY OF TONGANOXIE, KANSAS
 CAPITAL PROJECTS FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual	Budget	Variance - over (under)
Cash receipts:			
Intergovernmental	\$ 469,022	\$ 445,000	\$ 24,022
Transfers in	100,000	-	100,000
Total cash receipts	<u>569,022</u>	<u>\$ 445,000</u>	<u>\$ 124,022</u>
Expenditures:			
Capital outlay	16,421	16,929	(508)
Debt service	369,781	465,163	(95,382)
Contingencies	6,308	-	6,308
Total expenditures	<u>392,510</u>	<u>\$ 482,092</u>	<u>\$ (89,582)</u>
Receipts over (under) expenditures	176,512		
Unencumbered cash, beginning of year	<u>177,234</u>		
Unencumbered cash, end of year	<u>\$ 353,746</u>		

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CITY OF TONGANOXIE, KANSAS
 CAPITAL RESERVE FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Grants and donations	\$ -
Total cash receipts	-
Expenditures:	
Contractual services	-
Total expenditures	-
Receipts over (under) expenditures	-
Unencumbered cash, beginning of year	915
Unencumbered cash, end of year	\$ 915

* This fund is not statutorily required to be budgeted. See Note 2a.

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CITY OF TONGANOXIE, KANSAS
 WATER OPERATIONS FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

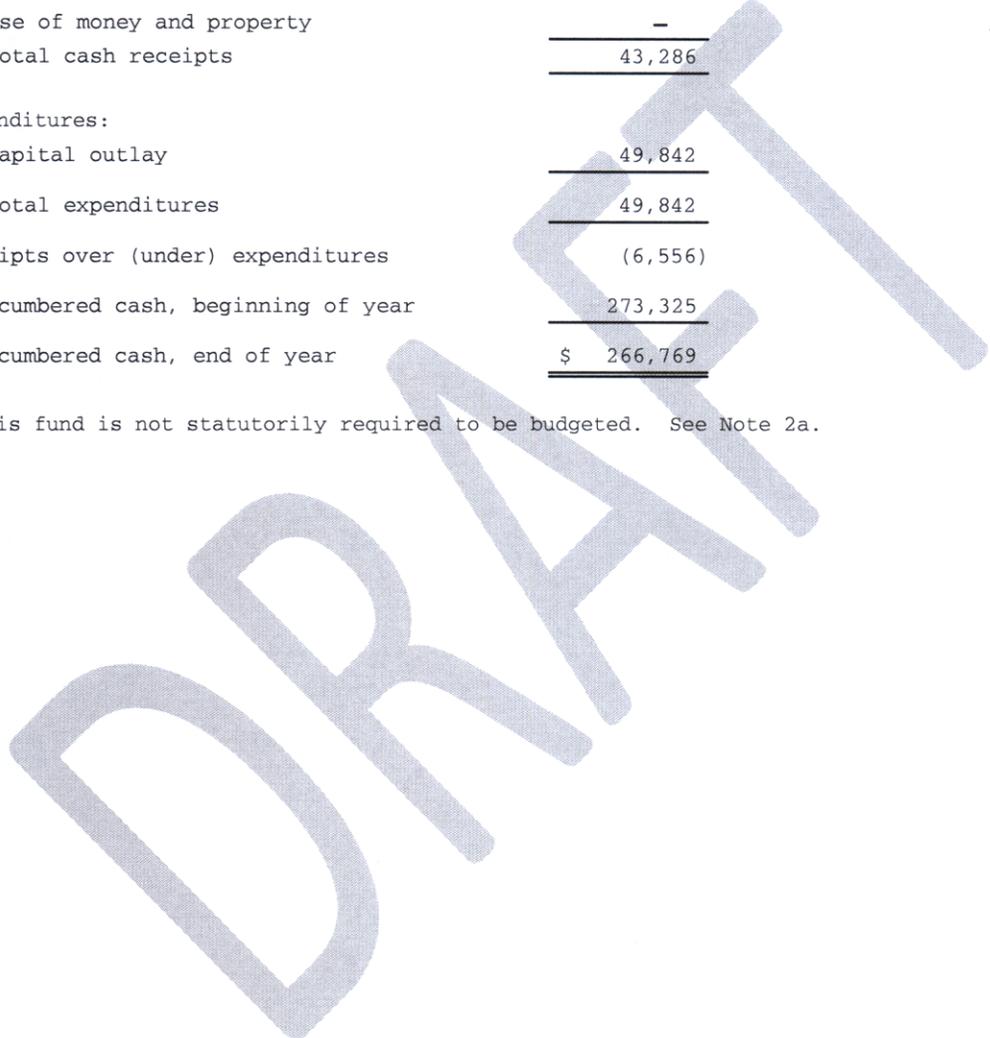
	Actual	Budget	Variance - over (under)
Cash receipts:			
Charges for services	\$ 1,172,084	\$ 1,154,749	\$ 17,335
Use of money and property	-	-	-
Total cash receipts	<u>1,172,084</u>	<u>\$ 1,154,749</u>	<u>\$ 17,335</u>
Expenditures:			
Production and distribution	756,945	745,487	11,458
Debt service	153,722	153,723	(1)
Transfers out	250,080	250,080	-
Total expenditures	<u>1,160,747</u>	<u>\$ 1,149,290</u>	<u>\$ 11,457</u>
Receipts over (under) expenditures	11,337		
Unencumbered cash, beginning of year	<u>362,025</u>		
Unencumbered cash, end of year	<u>\$ 373,362</u>		

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CITY OF TONGANOXIE, KANSAS
 WATER CAPITAL IMPROVEMENT FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Charges for services	\$ 43,286
Use of money and property	-
Total cash receipts	43,286
Expenditures:	
Capital outlay	49,842
Total expenditures	49,842
Receipts over (under) expenditures	(6,556)
Unencumbered cash, beginning of year	273,325
Unencumbered cash, end of year	\$ 266,769

* This fund is not statutorily required to be budgeted. See Note 2a.



CITY OF TONGANOXIE, KANSAS
 SEWER OPERATIONS FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual	Budget	Variance - over (under)
Cash receipts:			
Charges for services	\$ 818,596	\$ 775,000	\$ 43,596
Total cash receipts	<u>818,596</u>	<u>\$ 775,000</u>	<u>\$ 43,596</u>
Expenditures:			
Plant operating costs	424,474	\$ 408,892	\$ 15,582
Capital outlay	740	1,000	(260)
Debt service	292,568	292,568	-
Transfers out	72,540	72,540	-
Total expenditures	<u>790,322</u>	<u>\$ 775,000</u>	<u>\$ 15,322</u>
Receipts over (under) expenditures	28,274		
Unencumbered cash, beginning of year	<u>273,232</u>		
Unencumbered cash, end of year	<u>\$ 301,506</u>		

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CITY OF TONGANOXIE, KANSAS
 SEWER CAPITAL IMPROVEMENT FUND*
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual
Cash receipts:	
Charges for services	\$ 59,100
Total cash receipts	59,100
Expenditures:	
Capital outlay	66,869
Total expenditures	66,869
Receipts over (under) expenditures	(7,769)
Unencumbered cash, beginning of year	308,032
Unencumbered cash, end of year	\$ 300,263

* This fund is not statutorily required to be budgeted. See Note 2a.

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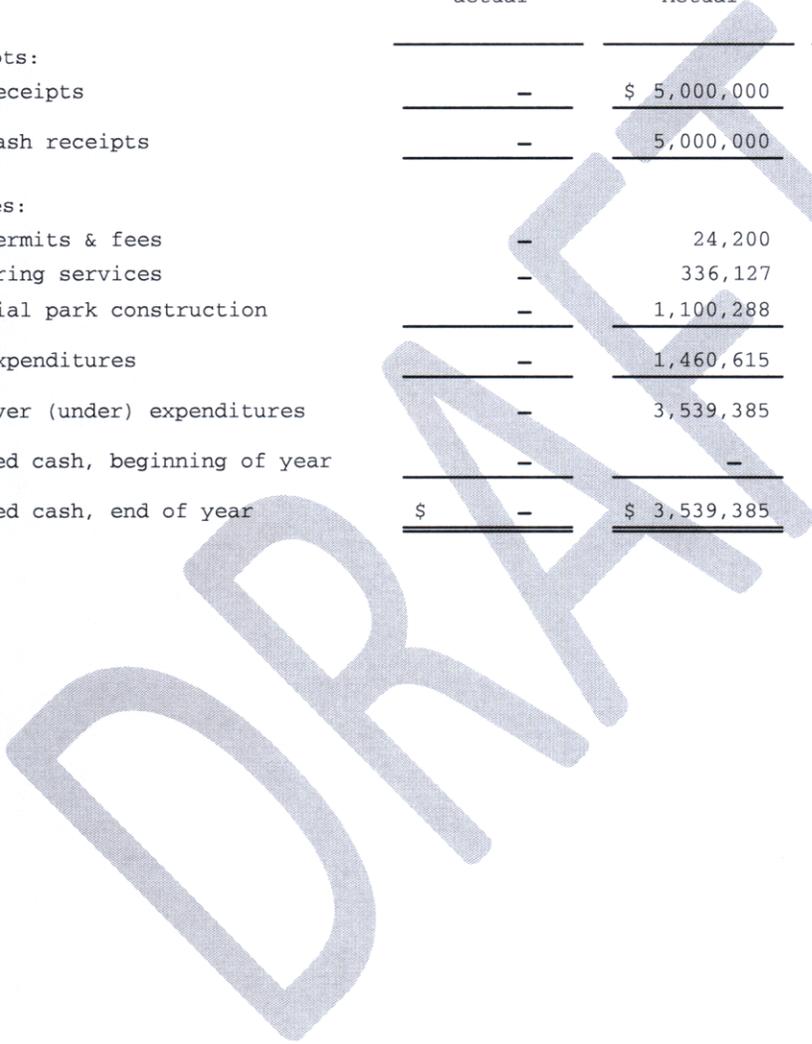
CITY OF TONGANOXIE, KANSAS
 SANITATION FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Actual	Budget	Variance - over (under)
Cash receipts:			
Charges for services	\$ 346,890	\$ 341,000	\$ 5,890
Total cash receipts	<u>346,890</u>	<u>\$ 341,000</u>	<u>\$ 5,890</u>
Expenditures:			
Personnel services	41,217	53,000	(11,783)
Contractual services	301,209	287,000	14,209
Commodities	-	176,000	(176,000)
Computer equipment/software	3,200	176,000	(172,800)
Total expenditures	<u>345,626</u>	<u>\$ 692,000</u>	<u>\$ (346,374)</u>
Receipts over (under) expenditures	1,264		
Unencumbered cash, beginning of year	<u>120,860</u>		
Unencumbered cash, end of year	<u>\$ 122,124</u>		

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CITY OF TONGANOXIE, KANSAS
 INDUSTRIAL PARK DEVELOPMENT FUND
 SCHEDULE OF RECEIPTS AND EXPENDITURES - ACTUAL AND BUDGET
 REGULATORY BASIS
 For the Year Ended December 31, 2017

	Prior year actual	Actual	Budget	Variance - over (under)
Cash receipts:				
Grant receipts	-	\$ 5,000,000	\$ -	\$ -
Total cash receipts	-	5,000,000	\$ -	\$ -
Expenditures:				
State permits & fees	-	24,200	-	-
Engineering services	-	336,127	-	-
Industrial park construction	-	1,100,288	-	-
Total expenditures	-	1,460,615	\$ -	\$ -
Receipts over (under) expenditures	-	3,539,385		
Unencumbered cash, beginning of year	-	-		
Unencumbered cash, end of year	\$ -	\$ 3,539,385		



CITY OF TONGANOXIE, KANSAS
 AGENCY FUNDS
 Summary of Receipts and Disbursements
 Regulatory Basis
 For the year ended December 31, 2017

	Beginning cash balance	Receipts	Disbursements	Ending cash balance
Payroll clearing	\$ 24,340	\$ 1,862,364	\$ 1,863,348	\$ 23,355
Bail bonds	10,871	4,365	3,281	11,955
Revolving loan	44,302	3,368	-	47,670
Total agency funds	\$ 79,513	\$ 1,870,097	\$ 1,866,629	\$ 82,980

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Office of the City Manager
AGENDA STATEMENT

DATE: November 5, 2018
To: Brandon Harder, City Building Official
SUBJECT: Ordinance 1451-Ordinance 1457: Adoption of 2012 International Building Codes, 2011 National Electric Code, and 2012 International Fire Code

DISCUSSION:

City staff request that the City Council consider adoption of the 2012 edition of the International Building Codes, which includes Residential, Mechanical, Plumbing, and Fuel Gas, as well as the 2011 edition of the National Electric Code and 2012 edition of the International Fire Code.

In 2001, the City of Tonganoxie adopted the 2000 Plumbing, Building, and Residential Codes and the 1997 Mechanical and Uniform Housing Codes. In 2008, the City of Tonganoxie adopted the 2003 edition of the International Fire Code. In 2012, the City of Tonganoxie adopted the 2003 edition of the International Fuel Gas Code, Mechanical Code, Plumbing Code, Building Code, and Residential Code along with the 2002 edition of the National Electric Code.

Part of this update is bringing the valuation table used to assess building permits up to the version used in the 2012 edition of the International Building Code. The City has operated using the valuation table associated with the 2000 edition of the International Building Code since 2001. In 2012, the City did not update to the 2003 edition valuation table when the update to the newer edition of the codes were completed.

The draft ordinances prepared for the transition to the more current codes are designed to take effect January 1, 2019, which will permit the City to complete efforts to communicate the change to the public and builders within the community, as well as to update all City forms to reflect the changes. In addition, City staff plan to propose an ordinance to consolidate and update miscellaneous and specialized building permit fees before 2019. Currently these fees exist in multiple portions of the City Code and are difficult for the public to locate and fully understand.

BUDGET IMPACT:

None.

ACTION NEEDED:

Make a motion to adopt the seven ordinances and one resolution associated with updating the building and fire codes, along with setting specialized and miscellaneous permit fees.

ATTACHMENTS:

- Ordinance 1451
- Ordinance 1452
- Ordinance 1453
- Ordinance 1454
- Ordinance 1455
- Ordinance 1456
- Ordinance 1457

cc: George Brajkovic, City Manager
Shannon Marcano, City Attorney
John Zimbelman, Fire Chief
Dan Porter, Assistant City Manager

ORDINANCE NO. 1451

AN ORDINANCE AMENDING SECTION 4-202 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL BUILDING CODE

WHEREAS, the City of Tonganoxie desires to update its building standards by adopting by reference the 2012 edition of the International Building Code.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

SECTION 1. That the 2012 edition of the International Building Code is hereby adopted by reference, and that Section 4-202 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-202. INTERNATIONAL BUILDING CODE INCORPORATED.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the International Building Code, ~~2003-Edition~~ *2012 Edition*, including Appendix Chapters C, E and I (see International Building Code Section 101.2.1, ~~2003-Edition~~ *2012 Edition*), as published by the International Code Council, be and is hereby adopted as the Building Code of the city of Tonganoxie, in the State of Kansas, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections are hereby revised: 101.1, ~~401.4.4~~, ~~401.4.7~~ *101.4.6* is deleted, 105.1.1 is deleted, 105.1.2 is deleted, 105.2, ~~408.3~~ *108.3 revised*, ~~409.3.7~~ is deleted and Chapter 9, Section 903 is amended, Chapter 13 is deleted, 1612.13, 3109.4 is amended to reference Appendix G of the 2003 International Residential Code, 3303.4 and 3410.2 are amended. (~~Ord. 1334~~Ord _____)

in more detail as follows:

101.4.1 Deleted (Electrical) – The provisions of the 2002 National Electrical Code shall apply (not listed in 2012 IBC)

101.4.7 Updated to 101.4.6 Deleted – International Energy Conservation Code.

108.3 revised – The applicant for a (remodeling or addition < remove) permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work including materials and labor for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the code official. Final building permit valuation shall be set by the code official.

109.3.7 – Energy efficiency inspection (not titled in IBC 2012)

SECTION 2. That Section 4-213 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

(a) The fee for a building permit shall be calculated using the valuation of the improvement excluding land. The fees shall be calculated in accordance with the following schedule.

Valuation	Permit Fee
\$1 - \$500	\$30 <i>\$24</i>
\$501 - \$2,000	\$30 + \$5 for @ \$100 value over \$500 <i>\$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, up to and including \$2,000</i>
\$2,001 - \$25,000- <i>\$40,000</i>	\$105 + \$10 for @ \$1,000 value over \$2,000 <i>\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, up to and including \$40,000</i>
\$25,001 - \$50,000 <i>\$40,001 to \$100,000</i>	\$335 + \$9 for @ \$1,000 value over \$25,000 <i>\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, up to and including \$100,000</i>
\$50,001 - \$100,000 <i>\$100,001 to \$500,000</i>	\$560 + \$8 for @ \$1,000 value over \$50,000 <i>\$1,027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, up to and including \$500,000</i>
\$100,001 - \$500,000 <i>\$500,001 to \$1,000,000</i>	\$960 + \$7 for @ \$1,000 value over \$100,000 <i>\$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000</i>
\$500,001 and Up <i>\$1,000,001 to \$5,000,000</i>	\$3,760 + \$6.50 over @ \$1,000 value over \$500,000 <i>\$6,327 for the first \$1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000</i>
<i>\$5,000,001 and over</i>	<i>\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof</i>

(b) All driveway approach or driveway construction will be charged a permit fee of \$25.

(c) Fence installation will require a permit. The permit fee will be \$25.

The fee herein shall be paid to the city clerk upon obtaining a building permit and the same shall be credited to the general operating fund of the city.

SECTION 3. That this ordinance shall take effect and be enforced from and after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 4. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patricia C. Hagg, City Clerk

Approved as to form:

Shannon M. Marciano, City Attorney

ORDINANCE NO. 1453

AN ORDINANCE AMENDING SECTION 4-402 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL PLUMBING CODE

WHEREAS, the City of Tonganoxie desires to update its plumbing standards by adopting by reference the 2012 edition of the International Plumbing Code.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

SECTION 1. That the 2012 edition of the International Plumbing Code is hereby adopted by reference, and that Section 4-402 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-402. ADOPTION.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the International Plumbing Code, ~~2003 Edition~~ *2012 Edition*, including Appendix Chapters B, C, D, E and F, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the city of Tonganoxie, in the State of Kansas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections are hereby revised: 101.1, 106.6.2, 106.6.3, 108.4, 108.5, ~~305.6.1~~ *305.4.1*, ~~312.9~~ *312.10*, 410.1, 604.9, ~~904.4~~ *903.1* and ~~1113.1.1~~ *1114.1.1*. (Ord. 14336 _____)

in more detail as follows:

305.6.1 Updated to 305.4.1 – Building sewers that connect to private sewage disposal systems shall be a minimum of 36 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 36 inches below grade.

312.9 Updated to 312.10 – Inspection and testing shall comply with the regulations and standards set forth by City of Tonganoxie Public Works and Water Department.

904.1 Updated to 903.1 – All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet above the roof.

1113.1.1 Updated to 1114.1.1 – The sump pump shall be of a capacity and head appropriate to anticipated use requirements. Sumps receiving storm water from any exposed exterior drains or openings shall be provided with back-up system(s) capable of assuring proper sump operation in case of power failure.

SECTION 2. That Section 4-412 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

The fee herein shall be paid to the city clerk upon obtaining a plumbing permit and the same shall be credited to the general operating fund of the city.

Valuation	Permit Fee
\$1 - \$500	\$30 <i>\$24</i>
\$501 - \$2,000	\$30 + \$5 for @ \$100 value over \$500 <i>\$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, up to and including \$2,000</i>
\$2,001 - \$25,000 <i>\$40,000</i>	\$105 + \$10 for @ \$1,000 value over \$2,000 <i>\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, up to and including \$40,000</i>
\$25,001 - \$50,000 <i>\$40,001 to \$100,000</i>	\$335 + \$9 for @ \$1,000 value over \$25,000 <i>\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, up to and including \$100,000</i>
\$50,001 - \$100,000 <i>\$100,001 to \$500,000</i>	\$560 + \$8 for @ \$1,000 value over \$50,000 <i>\$1,027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, up to and including \$500,000</i>
\$100,001 - \$500,000 <i>\$500,001 to \$1,000,000</i>	\$960 + \$7 for @ \$1,000 value over \$100,000 <i>\$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000</i>
\$500,001 and Up <i>\$1,000,001 to \$5,000,000</i>	\$3,760 + \$6.50 over @ \$1,000 value over \$500,000 <i>\$6,327 for the first \$1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000</i>
<i>\$5,000,001 and over</i>	<i>\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof</i>

SECTION 3. That this ordinance shall take effect and be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 4. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patricia C. Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney

ORDINANCE NO. 1456

AN ORDINANCE AMENDING SECTION 4-302 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2011 NATIONAL ELECTRICAL CODE

WHEREAS, the City of Tonganoxie desires to update its electrical standards by adopting by reference the 2012 edition of the National Electrical Code.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

SECTION 1. That the 2011 edition of the National Electrical Code is hereby adopted by reference, and that Section 4-302 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

4-302. ADOPTION OF ELECTRICAL CODE BY REFERENCE.

A certain document, three copies of which are on file in the office of the city clerk of the city of Tonganoxie, being marked and designated as the National Electrical Code, ~~2002 Edition~~ *2011 Edition*, as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the city of Tonganoxie, in the State of Kansas, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the office of the city of Tonganoxie are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this section.

The following sections are hereby revised: Article 210-12 ~~is deleted~~ *is revised* and Article 230-70 is revised and section 406.12 is deleted. (Ord. ~~4335~~_____)

in more detail as follows:

210.12 Arc-Fault Circuit-Interrupter Protection.

Dwelling Units. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas shall be protected by a listed arc-fault circuit interrupter, combination-type, installed to provide protection of the branch circuit.

Is revised to say:

210.12 Arc-Fault Circuit-Interrupter Protection.

Dwelling Unit Bedrooms. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter, combination type installed to provide protection of the branch circuit.

SECTION 2. That Section 4-313 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

The fee herein shall be paid to the city clerk upon obtaining an electrical permit and the same shall be credited to the general operating fund of the city. The fees shall be calculated in accordance with the following schedule:

Valuation	Permit Fee
\$1 - \$500	\$30 <i>\$24</i>
\$501 - \$2,000	\$30 + \$5 for @ \$100 value over \$500 <i>\$24 for the first \$500; plus \$3 for each additional \$100 or fraction thereof, up to and including \$2,000</i>
\$2,001 - \$25,000- <i>\$40,000</i>	\$105 + \$10 for @ \$1,000 value over \$2,000 <i>\$69 for the first \$2,000; plus \$11 for each additional \$1,000 or fraction thereof, up to and including \$40,000</i>
\$25,001 - \$50,000 <i>\$40,001 to \$100,000</i>	\$335 + \$9 for @ \$1,000 value over \$25,000 <i>\$487 for the first \$40,000; plus \$9 for each additional \$1,000 or fraction thereof, up to and including \$100,000</i>
\$50,001 - \$100,000 <i>\$100,001 to \$500,000</i>	\$560 + \$8 for @ \$1,000 value over \$50,000 <i>\$1,027 for the first \$100,000; plus \$7 for each additional \$1,000 or fraction thereof, up to and including \$500,000</i>
\$100,001 - \$500,000 <i>\$500,001 to \$1,000,000</i>	\$960 + \$7 for @ \$1,000 value over \$100,000 <i>\$3,827 for the first \$500,000; plus \$5 for each additional \$1,000 or fraction thereof, up to and including \$1,000,000</i>
\$500,001 and Up <i>\$1,000,001 to \$5,000,000</i>	\$3,760 + \$6.50 over @ \$1,000 value over \$500,000 <i>\$6,327 for the first \$1,000,000; plus \$3 for each additional \$1,000 or fraction thereof, up to and including \$5,000,000</i>
<i>\$5,000,001 and over</i>	<i>\$18,327 for the first \$5,000,000; plus \$1 for each additional \$1,000 or fraction thereof</i>

SECTION 3. That this ordinance shall take effect and be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 4. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patricia C. Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney

ORDINANCE NO. 1457

AN ORDINANCE AMENDING SECTION 7-201 OF THE TONGANOXIE CITY CODE TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2012 INTERNATIONAL FIRE CODE

WHEREAS, the City of Tonganoxie desires to update its building standards by adopting by reference the 2012 edition of the International Fire Code.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:

SECTION 1. That the 2012 edition of the International Fire Code is hereby adopted by reference, and that Section 7-201 of the Tonganoxie City Code be revised to read as follows, with the removal of the stricken language, and the addition of the language in *italics*:

7-201. KANSAS BUILDINGS FIRE SAFETY ADOPTED.

In order to provide the City of Tonganoxie rules and regulations to improve the safety of the public by promoting the control of fire hazards, governing conditions hazardous to life and property from fire or explosion, those certain standards known as Kansas Buildings Fire Safety Handbook, 1999 Second Edition, are hereby adopted and incorporated by reference, save the and except for such portions as hereinafter deleted, modified or amended. The Kansas Buildings Fire Safety Handbook, Second Edition, is made part of the ordinances of the City of Tonganoxie as if the same had been set out in full herein, all as authorized and in the manner prescribed by K.S.A. [12-3009](#) through [12-3012](#) including any amendments thereto. No fewer than three copies of the Kansas Buildings Fire Safety Handbook, 1999 Second Edition shall be marked or stamped "Official Copy as Incorporated by the City of Tonganoxie" and shall be filed with the city clerk to be opened for inspection and available to the public at all reasonable hours of business. (Ord. 1079, Sec. 1; Code 2004)

a. ~~International Fire Code Incorporated—omissions—additions.~~ There is hereby incorporated by reference the International Fire Code, 2003¹² Edition, including Appendix Chapters A, B, C, D, E, F, and G, prepared and published in book form by the International Code Council, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401. (Ord. ~~1259~~_____)

b. ~~International Fire Code 2003 edition Section 109.3 amended.~~

~~**Section 109.3 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

~~**109.3.1 Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premise. (Ord. 1259)~~

c. ~~International Fire Code 2003 edition section 907.2.9 amended.~~ Group R-2. A fire alarm system shall be installed in Group R-2 occupancies where:

1. ~~Any dwelling unit or sleeping unit is located three or more stories above the lowest level of exit discharge;~~

~~2.— Any dwelling unit or sleeping unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit or sleeping unit; or~~

~~3.— The building contains more than six dwelling units or sleeping units.~~

~~Exceptions: 1. A fire alarm system is not required in buildings equal to or under two stories in height where all dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least 1-hour fire partitions and each dwelling unit has an exit directly to a public way, exit court or yard. 2. Manual fire alarm boxes are not required throughout the building when the following conditions are met:~~

~~2.1— The building is equipped throughout with an automatic sprinkler system in accordance with 903.3.1.1 or Section 903.3.1.2;~~

~~2.2— The notification appliances will activate upon sprinkler flow; and~~

~~2.3— At least one manual fire alarm box is installed in an approved location.~~

~~3.— A fire alarm system is not required in buildings that do not have internal corridors serving dwelling units and are protected by an approved automatic fire sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2 provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open ended corridors designed in accordance with Section 1022.6 Exception 4. (Ord. 1259)~~

~~d. Section 15.32.030 International Fire Code 2003 Edition, Chapter 33 amended.~~

~~**Section 3301.2 Required.** A permit application shall be made to the Fire Prevention Bureau who shall issue the same only if the Fire Chief or his designated representative shall after inspection approve issuance of the permit. There shall be a fee of one hundred dollars, (\$100.00), for making such application. Permits shall expire thirty (30) days after date of issuance.~~

~~Permits shall be obtained:~~

~~1.— To manufacture, possess, store, sell, display, or otherwise dispose of explosive materials at any location.~~

~~2.— To use explosive materials.~~

~~3.— To operative a terminal for handling explosive materials.~~

~~**Section 3301.2.1— Residential Uses.** No person shall keep or store, nor shall any permit be issued to keep or store, any explosives at any place of habitation, or within 100 feet (38,480 mm) thereof;~~

~~Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale in accordance with Section 3306.~~

~~**Section 3301.4 Qualifications.** Persons in charge of magazines, blasting, fireworks display, or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs which impair sensory motor skills, shall be at least 21 years of age, and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks; and~~

~~possess a valid Blasters Certificate issued by the State of Kansas Fire Marshal Office.~~

~~**Section 3307.4 Hours of operation.** Blasting operations shall be conducted Monday through Friday only between the hours of 8:30 A.M. and 4:30 P.M.~~

~~Exception: When other times are approved by the Fire Chief or his/her designated representative.~~

~~**Section 3307.16 Pre-blast Survey.** At least 15 days before initiation of blasting, the surveyor shall notify, in writing, all residents or owners of dwellings or other structures located within 500 feet of the blasting area of the intent to conduct a pre-blasting survey. The Fire Marshal may identify alternate re-blast survey distances.~~

~~The surveyor shall promptly conduct a pre-blasting survey of the dwellings or structures and promptly prepare a written report of the survey. An updated survey of any additions, modifications, or renovations shall be performed by the surveyor if requested by the contractor or Fire Marshal.~~

~~The surveyor shall determine the condition of the dwelling or structure and shall document any existing damage and other physical factors that could reasonably be affected by the blasting. The surveyor shall examine the interior as well as exterior structure and shall document any damage by means of photographic or videocassette methods. Structures such as pipelines,~~

~~cables, transmission lines, cisterns, wells and other water systems warrant special attention; however, the assessment of these structures may be limited to surface conditions and other readily available data.~~

~~The written report of the survey shall be signed by the person who conducted the survey. Copies of the report shall be promptly provided to the contractor and made available to the Fire Marshal. All surveys shall be completed by the surveyor before the initiation of blasting. All surveys shall be conducted by a disinterested third party, regularly engaged in performing pre-blast surveys.~~

~~The contractor shall notify the owner of all gas, water, and petroleum pipelines in any area where blasting will be utilized. A representative of the pipeline shall be allowed to be present to observe preparations and blasting.~~

~~**Section 3307.17 Ground Vibration.** Regardless of the distance to nearby facilities, buildings or other structures, the blasting operations shall be carried out in such a manner that they will not cause flyrock damage or damage from airblast overpressure or ground vibration. The contractor or operator shall conduct seismic monitoring of all blasts. The seismic recording site shall be located at the nearest structure or building within 500 feet of the blast site.~~

~~The maximum peak particle velocity at any such recording site shall not exceed one inch per second in any one of three mutually perpendicular directions.~~

~~**Section 3307.18 Distance from structures.** There shall be no blasting within one hundred feet of any structure or building.~~

~~**Section 3307.19 Blasting Records.** The contractor shall retain a record of all blasts for at least three (3) years. Upon request copies of these records shall be made available to the Fire Marshal and to the public for inspection. Such records shall contain the following data:~~

- ~~a. Name of the contractor conducting the blast.~~
- ~~b. Location, date and time of the blast.~~
- ~~c. Name, signature, and certification number of the blaster conducting the blast.~~
- ~~d. Identification, direction, and distance, in feet, from the nearest blast hole to the nearest dwelling, public building, school, church, community or institutional building outside the permit area, except those described herein.~~
- ~~e. Weather conditions, including those which may cause possible adverse blasting effects.~~
- ~~f. Type of material blasted.~~
- ~~g. Sketches of the blast pattern including number of holes, burden, spacing, decks and delay pattern.~~
- ~~h. Diameter and depth of holes.~~
- ~~i. Types of explosives used.~~
- ~~j. Total weight of explosives used per hole.~~
- ~~k. The maximum weight of explosives detonated in an 8-millisecond period.~~
- ~~l. Initiation system.~~
- ~~m. Type and length of stemming.~~
- ~~n. Mats or other protections used.~~
- ~~o. Seismographic and airblast records, shall include:~~
 - ~~1. Type of instrument, sensitivity, and calibration signal, or certification of annual calibration;~~
 - ~~2. Exact location of instrument and the date, time and distance from the blast;~~
 - ~~3. Name of the person and firm taking the reading;~~
 - ~~4. Name of the person and firm analyzing the seismographic record; and~~
 - ~~5. The vibration and/or airblast level recorded.~~

~~**15.32.040 Permit Fee Public displays Fireworks.** When any person makes application for a permit of supervised public display of fireworks pursuant to section 3301.2.4.2 of the International Fire Code 2003 Edition, the applicant shall at the time of filing application therefore pay to the City Clerk an application fee of fifteen dollars (\$15.00). The application fee shall be refunded upon request by the applicant in the event the application for such permit is withdrawn or denied prior to an investigation being made as provided under section of such code; however, no refund shall be made for any reason after the Fire Chief has made the required investigation.~~

~~**15.32.050 International Fire Code 2003 Edition Section 3404.2 amended.** The storage of Class I and Class II liquids in outside aboveground tanks shall be prohibited within the city limits of the~~

City of Tonganoxie, Kansas excepting in a designated P.I. (Planned Industrial) district and then only upon approval of a site development plan, pursuant to Chapter 17.56 of the Tonganoxie Municipal Code, and in compliance with said Chapter insofar as the same may be relevant to the proposed stationary aboveground tank.

~~15.32.065 International Fire Code 2003 Edition, Article 903 amended. Amend Article 903, "Automatic Sprinkler Systems," of the International Fire Code, Section 903 of the International Fire Code is hereby deleted. And a new Section 903 is added to read as follows:~~

903. AUTOMATIC SPRINKLER SYSTEMS

903.1 General. Automatic sprinkler systems shall comply with this section.

903.1.1 Alternative protection. ~~Alternative automatic fire extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the Fire Marshal.~~

903.1.2 Residential systems. ~~Unless specifically allowed by this code or the International Building Code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be recognized for the purposes of exceptions or reductions permitted by other requirements of this code.~~

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

~~Exception: Spaces or area in telecommunications buildings used exclusively for telecommunications equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by a wall with a fire-resistance rating of not less than one hour and a floor/ceiling assembly with a fire-resistance rating of not less than two hours.~~

903.2.1 Group A. ~~An automatic sprinkler system shall be provided throughout buildings or portions thereof used as Group A occupancies as provided in this section. The automatic sprinkler system shall be provided throughout the floor area where the Group A occupancy is located, and in all floors between the Group A occupancy and the level of exit discharge.~~

903.2.1.1 Group A-1. ~~An automatic sprinkler system shall be provided throughout any floor area containing a Group A-1 occupancy where the following conditions exist:~~

- ~~1. The area exceeds 4,000 square feet (372 m²).~~
- ~~2. The area has an occupant load of 300 or more.~~
- ~~3. The Group A-1 occupancy is located on a floor other than the level of exit discharge.~~
- ~~4. The building contains a multi-theater complex.~~

903.2.1.2 Group A-2. ~~An automatic sprinkler system shall be provided throughout any area containing a Group A-2 occupancy where one of the following conditions exist:~~

- ~~1. The area exceeds 4,000 square feet (372 m²).~~
- ~~2. The area has an occupant load of 300 or more.~~
- ~~3. The fire area is located on a floor other than the level of exit discharge.~~

903.2.1.3 Group A-3. ~~An automatic fire sprinkler system shall be provided throughout any area containing a Group A-3 occupancy where one of the following conditions exists:~~

- ~~1. The area exceed 4,000 square feet (372 m²).~~
- ~~2. The area has an occupant load of 300 or more.~~
- ~~3. The fire area is located on a floor other than the level of exit discharge.~~

903.2.1.4 Group A-4. ~~An automatic sprinkler system shall be provided throughout any area containing a Group A-4 occupancy where one of the following conditions exists:~~

- ~~1. The area exceeds 4,000 square feet (372 m²).~~
- ~~2. The area has an occupant load of 300 or more.~~
- ~~3. The fire area is located on a floor other than the level of exit discharge.~~

903.2.1.5 Group A-5. ~~An automatic sprinkler system shall be provided in concession stands, retail areas, press boxes, and other accessory uses areas in excess of 1,000 square feet (93 m²).~~

903.2.2 Group B. ~~An automatic sprinkler system shall be provided throughout all Group B buildings greater than 20,000 square feet (1,858 m²) or the building is more than one story in height.~~

~~903.2.3 Group E.~~ An automatic sprinkler system shall be provided throughout all Group E buildings greater than 4,000 square feet (372m²) in area. An automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge.

~~903.2.4 Group F-1.~~ An automatic sprinkler system shall be provided throughout all Group F-1 occupancies exceeding 12,000 square feet (1115 m²), or where more than one story in height.

~~903.2.4.1 Woodworking operations.~~ An automatic sprinkler system shall be provided throughout all Group F-1 occupancies that contain woodworking operations in excess of 2,500 square feet in area (232 m²) which generate finely divided combustible waste or which use finely divided combustible materials.

~~903.2.5 Group H.~~ Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

~~903.2.5.1 General.~~ An automatic sprinkler system shall be installed in Group H occupancies.

~~903.2.5.2 Group H-5 occupancies.~~ An automatic sprinkler system shall be installed throughout all Group H-5 occupancies. The design of the sprinkler system shall not be less than that required under the International Building Code for the occupancy hazard classifications in accordance with Table 903.2.5.2.

Where the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers required to be calculated is 13.

**903.2.5.2
H-5 Sprinkler Design Criteria**

Occupancy	Occupancy Hazard Classification
Production areas	Very Hazard Group 2
Storage corridors	Very Hazard Group 2
Storage rooms without dispensing	Very Hazard Group 2
Storage rooms with dispensing	Hazard Group 2
Offices	Very Hazard Group

~~903.2.5.3 Pyroxylin plastics.~~ An automatic sprinkler system shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

~~903.2.6 Group I.~~ An automatic sprinkler system shall be provided throughout all Group I occupancies.

Exception: An automatic sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.3 shall be allowed in Group I-1 facilities.

~~903.2.7 Group M.~~ An automatic sprinkler system shall be provided throughout all Group M occupancies exceeding 12,000 square feet (1115 m²), or where more than one story in height.

~~903.2.7.1 High-piled storage.~~ An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

~~903.2.8 Group R.~~ An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

~~903.2.9 Group S-1.~~ An automatic sprinkler system shall be provided throughout all areas containing any Group S-1 occupancy exceeding 12,000 square feet (1115 m²), or where more than one story in height.

~~903.2.9.1 Repair garages.~~ An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with the International Building Code, as follows:

1. One-story buildings with a fire area containing a repair garage exceeding 12,000 square feet (1115 m²).
2. Buildings with a repair garage in the basement.

~~903.2.9.2 Bulk storage of tires.~~ Buildings and structures where the area for the storage of tire exceeds 20,000 cubic feet (566 m²) shall be equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

~~903.2.10 Group S-2.~~ An automatic sprinkler system shall be provided throughout buildings classified as an enclosed parking garage in accordance with the International Building Code or where located beneath other groups.

~~Exception: Enclosed parking garages located beneath Group R-3 occupancies.~~

~~903.2.10.1 Commercial parking garages.~~ An automatic sprinkler system shall be provided throughout building used for storage of commercial trucks or buses where the fire area exceeds 4,000 square feet (372 m²).

~~903.2.11 All occupancies except Groups R-3 and U.~~ An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.11.1 through 903.2.11.1.3.

~~Exception: Group R-3 and Group U.~~

~~903.2.11.1 Stories and basements without openings.~~ An automatic sprinkler system shall be installed throughout every story or basement of all buildings where the floor area exceeds 1,500 square feet (139.4 m²) and where there is not provided at least one of the following types of exterior wall openings.

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1003.3.3 or an outside ramp complying with Section 1003.3.4. Openings shall be located in each 50 linear feet (15,240 mm), or fraction thereof, of exterior wall in the story on at least one side.

2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 m²) in each 50 linear feet (15,240 mm), or fraction thereof, of exterior wall in the story on at least one side.

~~903.2.11.1.1 Opening dimensions and access.~~ Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the Fire Department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

~~903.2.11.1.2 Openings on one side only.~~ Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22,860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of the story.

~~903.2.11.1.3 Basements.~~ Where any portion of a basement is located more than 75 feet (22,860 mm) from openings required by Section 903.2.12.1, the basement shall be equipped throughout with an approved sprinkler system.

~~903.2.11.2 Rubbish and linen chutes.~~ An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Chute sprinklers shall be accessible for servicing.

~~903.2.11.3 Buildings over 55 feet in height.~~ An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16,764 mm) or more above the lowest level of fire department vehicle access.

~~903.2.12 Conflict between codes section.~~

~~903.2.12.1~~ If, at any time, there is a conflict between Section 15.32.065 and any other codes adopted by the City of Tonganoxie, the most stringent shall apply.

~~903.2.12.2~~ The provision of fire walls, party walls, property lines, public ways and yards shall not affect either the calculation of the total building area, the calculation of dwelling units, or for creating separate buildings as allowed by Section 503.1 of the International Building Code for the purpose of eliminating the automatic sprinkler system requirements in Section 903.2.1 through 903.2.14 of this Section, and in no case shall the area of a building, including mezzanines exceed 20,000 square feet (1858 m²) unless an automatic fire sprinkler system is provided throughout.

~~903.2.12.3~~ Mezzanines shall be included in determining the total floor areas where sprinklers are required, but shall not be considered a second story if they meet the Building Code requirements for a mezzanine.

~~903.2.12.4~~ Outside strobes are required in addition to the water flow alarms (bells, horns) on each fire sprinkler system.

~~903.2.12.5~~ When storage occupancies are required to be sprinklered and there is no specific occupant, they shall be provided with automatic sprinklers that are designed to the maximum possible storage height on racks for a Class III commodity as determined by the National Fire Protection Association Pamphlet NFPA 13.

~~903.2.13~~ **During construction.** Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Section 1413.

~~903.2.14~~ **Other hazards.** Automatic sprinkler protection shall be provided for the hazards indicated in 903.2.14.1 and 903.2.14.2.

~~903.2.14.1~~ **Ducts conveying hazardous exhaust.** Where required by the International Mechanical Code, automatic sprinklers shall be provided in ducts conveying hazardous exhaust, flammable or combustible materials

Exception: Ducts where the largest cross-section diameter of the duct is less than 10 inches (254 mm).

~~903.2.14.2~~ **Commercial cooking operations.** An automatic sprinkler system shall be installed in commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

~~903.2.15~~ **Other required suppression systems.** In addition to the requirements of Section 903.2, the provision indicated in Table 903.2.15 also require the installation of a suppression system for certain building and areas.

~~903.2.15~~
~~onal Required Fire-Extinguishing Systems~~

Area	Location
903.2.3	protected seating
	growing plants
	growing machines
	finishing in Group A, E, I, or R
	booths and rooms
	work rooms
903.2.4	boilers
903.2.4	heating and tempering tanks
903.2.4	facilities
903.2.4.1	work station exhaust
903.2.4.2	gas cabinets
903.2.4.3	corridors
903.2.4.4	exhaust
903.2.4.4.1	noncombustible ducts
903.2.4.4.2	combustible ducts
	for production conveyor rooms'

	ing facility conveyor rooms
	A and B ovens
	C and D ovens
2306.2	e fire protection
	e
.3.1	ems
.4.3	sted enclosures
	storage of hazardous materials
.8	dispensing of hazardous materials
.1	l warehouses
	e of more than 1,000 cubic feet of loose combustible
.2.1	e of smokeless propellant
.2.3	e of small arms primers
.7.5.1	able and combustible liquid storage rooms
.8.4	able and combustible liquid storage warehouses
.7.3	able and combustible liquid Group H-2 or H-3 areas
.2	binets for highly toxic and toxic gas
.3	sted enclosures for highly toxic and toxic gas
.7	ems for highly toxic and toxic gas
.9	or storage for highly toxic and toxic gas
.2	sted enclosures or gas cabinets for silane gas
.1	lin plastic storage cabinets
.3	lin plastic storage vaults
	lin plastic storage and manufacturing
tional Building Code	er requirements as set forth in Section 903.2.16 of the tional Building Code

903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Section 903.3.1 through 903.3.7.

903.3.1 Standards. Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system,

sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Sections 903.3.1.1.1, 903.1.2 and 903.3.1.3,

903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction, or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.

2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.

3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than two (2) hours.

4. In rooms or areas that are of noncombustible construction with wholly noncombustible contents.

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R.

903.3.1.2.1 Balconies. Sprinkler protection shall be provided for exterior balconies and ground floor patios of dwelling units where the building is of Type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members, and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies that are constructed of open wood joist construction.

903.3.1.3 NFPA 13D sprinkler systems. Where automatic sprinkler systems installed in one- and two-family dwellings shall be installed throughout in accordance with NFPA 13D.

903.3.2 Quick-response and residential sprinklers. Where automatic sprinkler systems are required by this code, quick response or residential automatic sprinklers shall be installed in the following areas in accordance with Section 903.3.1 and their listings:

1. Throughout all spaces within a smoke compartment containing patient sleeping rooms in Group 1-2 in accordance with the International Building Code.

2. Dwelling units, guest rooms and sleeping rooms in Group R and I-1 occupancies.

3. Light hazard occupancies are defined in NFPA 13.

903.3.3 Obstructed locations. Automatic sprinklers shall be installed with due regard to obstructions that will delay activation or obstruct the water distribution pattern. Automatic sprinklers shall be installed in or under covered kiosks, displays, booths, concession stands, or equipment that exceeds four (4) feet (1219 mm) in width. Not less than a three (3) foot (914 mm) clearance shall be maintained between automatic sprinklers and the top of piles of combustible fibers.

Exception: Kitchen equipment under exhaust hoods protected with a fire extinguishing system in accordance with Section 904.

903.3.4 Actuation. Automatic sprinkler systems shall be automatically actuated unless specifically provided for in this code.

903.3.5 Water supplies. Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the International Plumbing Code.

903.3.5.1 Domestic services. Where the domestic service provides the water supply for the automatic sprinkler system, the supply shall be in accordance with this section.

903.3.5.1.1 Limited area sprinkler systems. Limited area sprinkler systems serving fewer than 20 sprinklers on any single connection are permitted to be connected to the domestic service where a wet automatic standpipe is not available. Limited area sprinkler systems connected to domestic water supplies shall comply with each of the following requirements:

~~1. Valves shall not be installed between the domestic water riser control valve and the sprinklers. Exception: An approved indicating control valve supervised in the open position in accordance with Section 903.4.~~

~~2. The domestic service shall be capable of supplying the simultaneous domestic demand and sprinkler demand required to be hydraulically calculated by NFPA 13, NFPA 13R, or NFPA 13D.~~

~~**903.3.5.1.2 Residential combination services.** A single combination water supply shall be permitted provided that the domestic demand is added to the sprinkler demand as required by NFPA 13R.~~

~~**903.3.5.2 Secondary water supply.** A secondary on-site water supply equal to the hydraulically calculated sprinkler demand, including the hose stream requirement, shall be provided for high-rise buildings in Seismic Design Category C, D, E or F as determined by the International Building Code. The secondary water supply shall have a duration not less than 30 minutes as determined by the occupancy hazard classification in accordance with NFPA 13.~~

~~Exception: Existing buildings.~~

~~**903.3.6 Hose threads.** Fire hose threads used in connection with automatic sprinkler systems shall be approved and shall be compatible with Fire Department hose threads.~~

~~**903.3.7 Fire Department connections.** The location of fire department connections shall be approved by the code official.~~

~~**903.4 Sprinkler system monitoring and alarms.** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water flow switches on all sprinkler systems shall be electrically supervised.~~

~~Exceptions:~~

~~1. Automatic sprinkler systems protecting one and two family dwellings.~~

~~2. Limited area systems serving fewer than 20 sprinklers.~~

~~3. Automatic sprinkler systems installed in accordance with 13R where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.~~

~~4. Jockey pump control valves that are sealed or locked in the open position.~~

~~5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.~~

~~6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.~~

~~7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.~~

~~**903.4.1 Signals.** Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72 or, when approved by the code official, shall sound an audible signal at constantly attended location.~~

~~Exceptions:~~

~~1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.~~

~~2. Backflow prevention device test valves, located in limited area sprinkler system supply piping, shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.~~

~~**903.4.2 Alarms.** Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.~~

~~**903.4.3 Floor control valves.** Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings.~~

~~**903.5 Testing and maintenance.** Sprinkler systems shall be tested and maintained in accordance with Section 901.~~

~~**903.6 Existing buildings.** The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the International Building Code by requiring installation of an automatic fire extinguishing system.~~

~~**903.6.1 Pyroxylin plastics.** All structures occupied for the manufacture or storage of articles of cellulose nitrate (pyroxylin) plastic shall be equipped with an approved automatic fire extinguishing system. Vaults located within buildings for the storage of raw pyroxylin shall be protected with an approved automatic sprinkler system capable of discharging 1.66 gallons per minute per square foot (68 L/min/m²) over the area of the vault. (Ord. 1259)~~

~~**e.b. Definitions.** Wherever the word "jurisdiction" is used in the International Fire Code it shall be held to mean the city of Tonganoxie. (Ord. 1259_____)~~

~~**f.c. Copies on file.** Not less than three copies of the code hereinbefore incorporated by reference shall be marked or stamped "Official Copy as adopted by ordinance No. 1259_____" and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the city charged with the enforcement of this chapter shall be supplied at the cost of the city such number of official copies of such code as may be deemed expedient. (Ord. 1259_____)~~

SECTION 2. That this ordinance shall take effect and be enforced on January 1, 2019, after its passage, approval, and publication in the Tonganoxie Mirror, the official newspaper of the City of Tonganoxie.

SECTION 3. That all ordinances that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2018.

APPROVED BY THE MAYOR THIS 5TH DAY OF NOVEMBER, 2018.

(Seal)

Jason K. Ward, Mayor

Attest:

Patricia C. Hagg, City Clerk

Approved as to form:

Shannon M. Marcano, City Attorney