

FAQ's

FREQUENTLY ASKED QUESTIONS RELATED TO RESIDENTIAL CONSTRUCTION:

- Q. [What work requires a permit?](#)
- Q. [Is a permit required for re-roofing a house?](#)
- Q. [What is the minimum size residence allowed in Miami County?](#)
- Q. [When are plans required to be prepared or be sealed by an architect or engineer?](#)
- Q. [How long does it take to obtain a building permit?](#)
- Q. [What is a Community Growth Area?](#)
- Q. [What is the minimum size parcel that can be built on?](#)
- Q. [What are the advantages of installing fire sprinklers in a residence?](#)
- Q. [How close to a property line can I construct a house?](#)
- Q. [Is a garage required?](#)
- Q. [How is my property zoned? What uses are allowed on the property?](#)
- Q. [What work requires licensed contractors?](#)
- Q. [What codes have been adopted by Miami County?](#)
- Q. [What makes a room a bedroom?](#)
- Q. [Where can I obtain a copy of the Building Codes adopted by Miami County?](#)
- Q. [What will my building permit cost?](#)
- Q. [What type of inspections are required?](#)
- Q. [What are the minimum requirements before a new residence can be occupied?](#)
- Q. [Can a second dwelling be constructed on a piece of property?](#)
- Q. [Can I build in a flood plain?](#)
- Q. [If I am adding an addition to my house that will increase the total number of bedrooms in my home, how does this affect my existing onsite wastewater system?](#)

- Q. [Can I connect to my existing onsite wastewater system if I replace my existing home with a new one?](#)
- Q. [Is an escape window required out of the basement of a new residence?](#)
- Q. [What are the minimum requirements for an emergency egress window?](#)
- Q. [Where are smoke detectors required?](#)
- Q. [Are smoke detectors required to be hardwired?](#)
- Q. [What is the rise and run requirements for stairs?](#)
- Q. [When is a handrail required for a stairway?](#)
- Q. [What is the required headroom for a stairway?](#)
- Q. [Is a landing required at all exterior doors?](#)
- Q. [When are guardrails required?](#)
- Q. [What are the construction requirements for guardrails?](#)
- Q. [Why do I need to install a thermal expansion device in my water supply system?](#)
- Q. [What is the frost depth in Miami County?](#)
- Q. [How deep do I need to bury my water lines?](#)
- Q. [How deep do electrical lines need to be buried?](#)
- Q. [Can I place water piping and electrical wiring in the same trench?](#)
- Q. [Can I place a water pipe in the same trench as the sanitary sewer?](#)
- Q. [What is required to connect a manufactured home to an electrical service?](#)
- Q. [Can I build an addition onto my manufactured home?](#)
- Q. [Where can a manufactured home be placed in Miami County?](#)

Q & A

ANSWERS TO FREQUENTLY ASKED QUESTIONS RELATED TO RESIDENTIAL CONSTRUCTION:

Q. What work requires a permit?

A. *Virtually any work outside of routine maintenance or minor repair requires a permit before the work is started. To find out if a specific project requires a permit call 913-294-4145 for more information.*

Q. Is a permit required for re-roofing a house?

A. YES

Q. What is the minimum size residence allowed in Miami County?

A. 950 Square Feet

Q. When are plans required to be prepared or be sealed by an architect or engineer?

A. Generally, plans for construction work involving single family dwellings are not required to be prepared by an architect or engineer, however, some special features that are not covered by the prescriptive requirements of the applicable codes may require a design to be prepared by a Kansas Registered Design Professional.

Special features that may require plans to be sealed by a licensed design professional include:

- Walls that are subject to hydrostatic pressure from groundwater;
- Retaining walls that will support fill with a depth of 4 feet or more;
- Foundation walls exceeding 10 feet in height;
- Foundations and anchoring systems for manufactured homes;
- ICF foundations;
- Footings and foundations that are placed on fill;
- Foundations that are placed on slopes steeper than 4:1 before grading;
- Foundations that are supported on dissimilar materials such as partially on soil and partially on rock strata;
- Foundation walls with an unbroken (straight) line exceeding 25 feet;
- Concrete slabs that are located over accessible space that have a clear span greater than 4 feet in any direction;
- Concrete slabs when any part of slab is placed on fill greater than 2 feet in depth;
- Log structures;
- Cold formed steel construction.

Plans for all new buildings and additions or substantial improvements to existing commercial use buildings are required to have plans sealed by an Architect licensed by the state of Kansas.

Q. How long does it take to obtain a building permit?

A. *A full review of the plans and specifications will be completed by the departments and agencies responsible for checking the project for compliance with applicable codes and regulations. Depending on the complexity of the project and completeness of plans and specifications an answer usually can be given within five working days. During peak construction periods this time*

frame may be exceeded so please allow ample time when making application for a building permit.

Please keep in mind that the more concise and complete your plans are, the faster it is to complete the review of your project and the easier it is for us to help you prevent costly errors and omissions once your project is underway.

Q. What is the minimum size parcel that can be built on?

A. *The minimum parcel size depends on the zoning district in which the property is located and whether the parcel was created in accordance with the zoning regulations. Contact the Planning and Development Department at 913-294-9553 to check if a specific parcel was created legally and can be built on.*

Q. What is a Community Growth Area?

A. *A Community Growth Area is an area surrounding the cities in Miami County that have made agreements with Miami County to administer the Zoning Regulations and Building Codes in these areas in order to have better control over development to accommodate the cities future growth.*

Q. What are the advantages of installing fire sprinklers in a residence?

A. *Fire sprinklers save lives and property. An average home fire sprinkler system can be installed for around \$1.00 to \$1.25 per square foot and result in a reduction on annual insurance premiums of as much as 20 percent.*

In homes protected by fire sprinklers, only the sprinkler head(s) closest to a fire will activate when needed and 90 percent of fires are contained with the activation of only a single head. Sprinkler piping is tested at pressures much higher than normal plumbing piping and is no more likely to freeze or leak than normal plumbing piping.

For more information on home fire sprinkler systems you can visit the following web pages:

Residential Fire Safety Institute
Home Fire Sprinkler Coalition

www.firesafehome.org
www.homefiresprinkler.org

Q. How close to a property line can I construct a house?

A. *The minimum setbacks depend on the Zoning District in which the parcel of land is located. Contact the Planning and Development Department at (913) 294-9553 for details and have the legal description, including the Section, Township and Range of the property available when calling.*

Q. Is a garage required?

A. *YES and NO. A garage or accessory building is required for any new residence that is built in the unincorporated areas of Miami County outside of the Community Growth Areas. They may be attached or detached and must be located within 100 feet of the residence. The garage or detached accessory building must be completely enclosed and have a floor area not less than 200 square feet.*

Q. How is my property zoned? What uses are allowed on the property?

A. *Contact the Planning and Development Department at (913) 294-9553 for details and have the legal description, including the Section, Township and Range of the property available when calling.*

Q. What work requires licensed contractors?

A. *Generally property owners may perform any type of work on buildings that they own and will personally occupy. Individuals or companies that act as building contractors in Miami County are required to be licensed. Licensing is required for general contractors, electrical contractors, plumbing contractors, HVAC contractors, foundation contractors, roofing contractors and site utility installers.*

Q. What codes have been adopted by Miami County?

A. *Miami County currently enforces the provisions of the 2006 edition of the International One and Two Family Dwelling Code®, 2006 edition of the International Building Code®, the 2006 edition of the International Plumbing Code®, the 2006 edition of the International Mechanical Code®, the 2006 edition of the International Fire Code® and the 2005 edition of the National Electrical Code®.*

Most code provisions that will apply to a swimming pool installed for a single family residence can be found in the 2006 edition of the International One and Two Family Dwelling Code®.

Q. What makes a room a bedroom?

A. *Miami County considers a room a bedroom when the room is at least 70 square feet in area with no dimension less than 7 feet and the room has an adjoining room or space that may be utilized as a closet. This definition will be applied for requirements for smoke detectors, emergency escape or rescue openings and sizing of onsite wastewater systems.*

Q. Where can I obtain a copy of the Building Codes adopted by Miami County?

A. *Copies of the International Codes may be obtained from the International Code Council by phone at 1-800-786-4452 or can be ordered online at www.iccsafe.org/store.*

Q. What will my building permit cost?

A. *Permit fees are based upon the valuation of construction. The valuation will be determined as part of the plan review process and there is no standard answer, The fee is based upon factors such as the square footage of the dwelling, basement, finished basement and garages along with other factors. A worksheet for an individual to estimate a permit fee is available from the building inspection department.*

Q. What type of inspections are required?

A. *A complete listing of required inspections will be included with the building permit. A related handout is available on request outlining required inspections and procedures for making inspection requests. A typical dwelling must have an average of 10 or more inspections including*

the footings, foundation walls, foundation drains, underslab plumbing, rough in of building, electrical, plumbing and hvac systems, open trench inspections for electrical, water and gas laterals, interior gas piping installation and pressure testing, and a final inspection. Additional inspections may be required based upon the type of work that is being performed.

Q. What are the minimum requirements before a new residence can be occupied?

A. *Generally anything that is considered to be a safety or sanitation requirement must be complete before occupancy of a new dwelling will be granted. A Certificate of Occupancy is required to be issued by the Codes Official before a dwelling may be legally occupied.*

Some of the issues that must be complete for a residence to be occupied prior to full completion include:

- Approval of the onsite wastewater system by the Environmental Health Department;*
- Smoke detectors required by code installed and functioning;*
- At least one fully functioning bathroom including a tub or shower, a lavatory and a water closet; any openings in the DWV system for additional fixtures shall be capped;*
- A kitchen sink and cooking facilities;*
- A water heater with a thermal expansion tank;*
- At least one exit including landings, stairs, handrails and guardrails that fully comply with applicable code requirements; additional exit doors do not have landings that are over 30 inches above the outside grade shall be blocked by approved guardrails or be locked by temporary double keyed deadbolts;*
- Handrails on stairs with three or more risers and guardrails on porches, decks or similar platforms located 30 inches or more above adjacent surface;*
- Required electrical receptacles, switches, lights, fixtures Ground Fault Circuit Interrupters and cover plates;*
- Final approval of the Electrical Service, including grounding system shall have been given;*
- Between September 30 and May 1, required mechanical heating equipment shall be completed and approval given by the building inspection department.*
- A Temporary Certificate of Occupancy shall be obtained approving the temporary occupancy until a full final approval of the residence is given.*

Q. Can a second dwelling be constructed on a piece of property?

A. *Under limited circumstances, the Miami County Zoning Regulations with specific conditions may allow a temporary dwelling when a hardship can be shown and allows for a guesthouse in addition to the main dwelling with approval of a Conditional Use Permit. For further information, contact the Planning and Development Office at (913) 294-9553*

Q. Can I build in a flood plain?

A. *Under most circumstances it is always better to avoid building in a flood plain, however in some instances you can build in a floodplain if certain standards are met. Article 12 of the of the Miami County, Kansas Zoning Regulations addresses floodplain development. Contact the Miami County Planning and Development Department at 913-294-9553 to determine if you are in a floodplain or if you have questions about building in a floodplain.*

Q. If I am adding an addition to my house that will increase the total number of bedrooms in my home, how does this affect my existing onsite wastewater system?

A. *Depending on the age of the system, you may be able to increase its size. In any case, the system will need to be inspected to determine its condition and size. A new system may need to be installed. Contact the Environmental Health Department at (913) 294-4117 for further details.*

Q. Can I connect to my existing onsite wastewater system if I replace my existing home with a new one?

A. *If you are constructing a new home or setting a different or new home on your property, the existing onsite wastewater system must meet current standards as stated in the Environmental Health Sanitary Code. The existing system will need to be evaluated, a soil profile analysis may need to be conducted and a new system may need to be permitted and installed. Contact the Environmental Health Department at (913) 294-4117 for further details.*

Q. Is an escape window required out of the basement of a new residence?

A. *YES. The Miami County Building Code requires that an "Emergency Escape or Rescue Opening" complying with the minimum requirements of Section R310 of the International Residential Code be provided out of all basements whether the basement is finished or unfinished.*

Q. What are the minimum requirements for an emergency egress window?

A. *An emergency escape opening is required out of every bedroom and basement. If a basement is finished and contains one or more bedrooms, the rooms other than the bedroom(s) are not required to have an emergency escape opening. Section R 310 of the International Residential Code has the following requirements for emergency escape or rescue openings:*

- Finished Sill Height shall be no more than 44 inches off of the finished floor*
- The minimum clear openable height shall be at least 24 inches*
- The minimum clear openable width shall be at least 20 inches*
- The minimum clear openable area shall be at least 5.7 square feet*
NOTE: One or both the clear openable height or width must exceed the minimum to comply with the minimum clear openable area!
- Escape or rescue openings that are located below the adjacent ground elevation shall be provided with a window well complying with the following:*
 - A minimum clear area of at least 9 square feet*
 - A minimum dimension in any direction of 3 feet*
 - If window well is deeper than 44 inches a permanently affixed ladder or steps usable with the stairs in the fully open position shall be provided.*

For the purposes of requiring emergency escape and rescue openings, smoke detectors and sizing on-site wastewater systems a bedroom is defined as "a room that is 70 square feet or more in area with a minimum dimension of 7 feet and has an adjoining room or space that may be utilized as a closet."

Q. Where are smoke detectors required?

A. *Smoke detectors are required inside of each bedroom, centrally located outside of each area containing bedrooms and on each floor level including a basement.*

Q. Are smoke detectors required to be hardwired?

A. *Smoke detectors are required to be hardwired and have a battery backup. Smoke detectors are required to be interconnected in order that when one detector goes into alarm all detectors sound the alarm. Wiring should be done with a 3 wire electrical cable with a separate grounding conductor, the same type of circuit cable that is used for a 3 way switch.*

Q. What is the rise and run requirements for stairs?

A. *The maximum rise for a stair is 7 ¾ inches and the minimum tread run is 10 inches. The largest riser or tread in a stairway shall not exceed the smallest riser or tread by more than 3/8 inch.*

Q. When is a handrail required for a stairway?

A. *Handrails are required on all stairways with three or more risers. Handrails are required to be located between 34 and 38 inches measured vertically off the stair nosings. The handrail is required to be graspable with a circular cross section of 1 ¼ inches minimum to 2 5/8 inches maximum. Other shapes that provide an equivalent grasping surface are permissible, however a 2 inch nominal dimension piece of lumber is not acceptable unless a finger groove is routed and the corners are rounded.*

Q. What is the required headroom for a stairway?

A. *Section R314.3 of the International Residential Code requires that stairways be provided with at least 6 feet 8 inches headroom measured vertically from the sloped plane at the leading edge of the stair tread nosings.*

Q. Is a landing required at all exterior doors?

A. *YES. A landing that is at least 36 inches by 36 inches is required outside of every exterior doorway. Landings may be located not more than 8 inches below the top of the door threshold, provided that the door, other than the screen or storm door does not swing over the landing.*

Q. When are guardrails required?

A. *Guardrails are required on the sides of porches, balconies, landings, stairways or other walking surfaces that are elevated more than 30 inches above the adjoining surface.*

Q. What are the construction requirements for guardrails?

A. *A guardrail for a residence must be at least 36 inches in height and be solid or have ornamental rails that will not allow a sphere 4 inches in diameter to pass through. Guardrails to resist a single concentrated load or 200 psf applied in any direction at any point along the guardrail.*

Q. Why do I need to install a thermal expansion device in my water supply system?

A. *The potable water that you get in virtually all of the unincorporated areas of Miami County is provided by rural water districts. Rural water districts place a backflow prevention device on the service side of their meter to protect the public from contamination to their water supply. When a backflow device is installed in a water supply it creates a closed loop and does not allow for*

expansion within the system, therefore the plumbing code requires that a thermal expansion device be provided to allow for this expansion within your water distribution system.

Q. What is the frost depth in Miami County?

A. The Miami County Building Code has established the frost depth at 36 inches below finished grade.

Q. How deep do I need to bury my water lines?

A. Water lines must be buried at least 36 inches below the finished grade.

Q. How deep do electrical lines need to be buried?

A. Electrical lines are required to be buried at least 24 inches. A warning ribbon that is placed in the trench at least 12 inches above the conductors is required for any underground electrical installation that is not encased in concrete.

Q. Can I place water piping and electrical wiring in the same trench?

A. YES. The electrical code does not prohibit electrical wiring to be placed in a trench separate from water piping.

Q. Can I place a water pipe in the same trench as the sanitary sewer?

A. The Miami County Environmental Health / Sanitary Code requires that the water piping and sanitary sewer to be separated by at least 10 feet. Should a water line be required to cross the trench for a sanitary sewer the water pipe is required to be sleeved by a pipe larger than the water piping 10 feet on either side of the sanitary sewer trench. If you have questions regarding this issue contact the Environmental Health Department at 913-294-4145.

Q. What is required to connect a manufactured home to an electrical service?

A. The manufactured homes installation manual should be consulted. Generally Article 550 of the National Electrical Code requires that the Main Electrical Service for a manufactured home be located outside of the manufactured home and not be placed on or in the home. The electrical service required by the NEC shall be located within 30 feet of an outside wall and be within sight of the home. The main electrical service may be located in a basement when the home is installed on a basement foundation. The NEC requires that the electrical distribution panelboard installed in the manufactured home be treated as a sub-panel and to be connected to the main electrical service with a feeder consisting of four (4) insulated, color coded conductors. All connections to a grounding electrode system shall be made at the main electrical service in accordance with Article 250 of the NEC.

Q. Can I build an addition onto my manufactured home?

A. Yes, however the addition must be completely self-supporting and not add any additional loading onto the manufactured home. It is advisable to have the design for the addition to be prepared by

a licensed engineer to ensure that the addition will not adversely affect the manufactured home structure.

Q. Where can a manufactured home be placed in Miami County?

A. A manufactured home can be placed virtually anywhere that a site built home is allowed by county regulations. You may want to inquire if there are covenants or restrictions in the subdivision or deed restrictions prohibiting manufactured homes prior to purchasing the parcel.