

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 60.—Discriminatory Housing Practices

21-60-17. Design and construction requirements.

(a) On or after July 1, 1992, covered multifamily residential real property designed and constructed for first occupancy after January 1, 1992 shall have at least one building entrance on an accessible route, unless it is impractical to do so because of the terrain or unusual characteristics of the site. For purposes of this paragraph, covered multifamily residential real property shall be deemed to be designed and constructed for first occupancy on or before January 1, 1992, if the covered multifamily residential real property is occupied by that date or if the last building permit or renewal thereof for the covered multifamily residential real property is issued by a state, county or local government on or before January 1, 1992. The burden of establishing impracticality because of terrain or unusual site characteristics is on the person or persons who designed or constructed the housing facility.

(b) Compliance with a duly enacted law of the state of Kansas or unit of local government that includes the requirements of paragraph (h) of K.S.A. 44-1016 satisfies the requirements of this act.

(c) The state of Kansas or unit of general local government may review and approve newly constructed multifamily residential real property for the purpose of making determinations as to whether the requirements of paragraph (h) of K.S.A. 44-1016 are met.

(d) Determinations of compliance or noncompliance by the state of Kansas or a unit of general local government under paragraph (c) are not conclusive in proceedings under this act.

(Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6; effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992; effective Aug. 17, 1992.)

***** Authenticated Kansas Administrative Regulation *****