



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

April 23, 1975

Opinion No. 75-176

Mr. Barry E. Warren
Research Assistant
City Attorney's Office
Municipal Building
215 East 7th Street
Topeka, Kansas 66603

Dear Mr. Warren:

Your recent letter questions whether certain locking devices on exit doors within some Topeka area apartment complexes may be in violation of section 5-2132 of the Life Safety Code (1970), a set of fire prevention regulations adopted by the State Fire Marshal.

The afocited regulation provides as follows:

"A latch or other fastening device on an exit door shall be provided with a knob, handle, panic bar, or other simple type of releasing device, the method of operation of which is obvious, even in darkness."

Specifically, your inquiry concerns the legality of a combined mechanism consisting of a doorknob located in the normal position and a bolt assembly immediately adjacent thereabove. An inside turnknob of the bolting mechanism activates a bar which then projects from the edge of the door into an aperture directly opposite thereto.

After conducting a review of all of the provisions of §5-213 of the Code (Locks, Latches, Alarm Devices), it is our opinion that §5-2131 is the relevant provision by which to adjudge the regularity of the mechanism described, and not §5-2132. Section 5-2131 provides:

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"An exit door shall be so arranged as to be readily opened from the side from which egress is to be made at all times when the building served thereby is occupied. Locks, if provided, shall not require the use of a key for operation from the inside of the building."

A joint analysis of these provisions indicates that §5-2132 deals with standards for latches (Fastening devices) only. However, §5-2131 is somewhat broader and enunciates a general standard applicable to an exit door as a whole. The determinative question to be considered appears to be whether, given the facts as you describe, the exit door is "so arranged as to be readily opened from the side from which egress is to be made."

Clearly, §5-2131 contemplates that the mere addition of an inside lock to a door arrangement will not per se render the exit door incapable of being "readily opened." Other than its express proscription of inside locks which require keys for operation, the provision sets no discernible standards from which it may be determined if an exit door can be "readily opened."

It would seem that the separate mechanisms involved herein are both relatively simple and commonplace devices which in concert would not render an exit door unduly difficult to operate as long as the degree of lighting required was properly maintained. Although one might question the advisability of placing inside locks on exit doors within apartment complexes, the only question herein is their legality under the appropriate Code provisions. It is our opinion that the mechanism described comports with the applicable regulations.

Very truly yours,



CURT T. SCHNEIDER
Attorney General

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