

BILL NO. _____

ORDINANCE NO _____

AN ORDINANCE REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, ALTERATION AND REPAIR OF DETACHED ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES NOT MORE THAN THREE STORIES IN HEIGHT, KNOWN AS *THE INTERNATIONAL RESIDENTIAL CODE* OF THE CITY OF WARRENSBURG, STATE OF MISSOURI

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WARRENSBURG, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 6-19 of Article II of Chapter 6 of the Code of the City of Warrensburg, adopted by Ordinance Number 4846, being marked and designated as the International Residential Code 2012, including appendix chapters E, G, H, and M as published by the International Code Council, Inc., are hereby repealed and a new Section 6-19 is enacted in lieu therefore, as follows:

SECTION 6-19: ADOPTION OF INTERNATIONAL RESIDENTIAL CODE.

That certain documents, three (3) copies of which are on file and are open for public inspection in the office of the City Clerk of the City of Warrensburg, Missouri, being marked and designated as *International Residential Code/2018*, including Appendix Chapters E, G, H, M, R, and S as published by the International Code Council and is hereby adopted as the code of the City of Warrensburg for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one and two family dwellings and townhouses not more than three stories in height in the City of Warrensburg, and providing for the issuance of permits and collection of fees there for; and each and all of the regulations, provisions, conditions and terms of such International Residential Code, 2018 edition, published by the International Code Council on file in the office of the City Clerk of Warrensburg are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

Section 2. That any and all ordinances or parts of ordinances in conflict herewith are hereby repealed, and a new Section 6-20 is enacted as follows:

SECTION 6-20: ADDITIONS, INSERTIONS AND CHANGES.

The International Residential Code adopted by Section 6-19 is hereby amended by substituting the following sections or portions of sections for those sections or portions of sections with corresponding numbers of the International Residential Code 2018, or where there is no corresponding section in the Code, the following sections shall be enacted as additions to the Code.

1. Section R101.1, insert, "The City of Warrensburg".
2. Section 102.7, after *International Fire Code*, add "or other Ordinances".
3. Section R103 Department of Building Safety. Delete in its entirety. Refer to Section 103 of the 2018 International Building Code.

4. Add, in R104.6 Right of entry. After the statement, '—reasonable times', "pursuant to the requirements of Section 1-19 of the Code of Ordinances". Add at the end of this section, "Application for a permit shall constitute consent to entry by building department officials at all reasonable times for purposes of inspection. Any refusal to permit entry will justify an immediate Stop Work order."
5. Add a new Section 105.1.1 Sidewalks and Driveways with the following:
Section 105.1.1 Driveways. In addition to any approval and inspection required by the Public Works Department for driveways within the public right-of-way, a permit is required for driveways on private property. Minimum design is as follows:
 - a. Site preparation. The area within the driveway shall have all vegetation, top soil and foreign material removed.
 - b. Clean base rock shall be a minimum of four (4) inches deep, compacted.
 - c. The concrete shall be a minimum of six bag mix, with a minimum of four (4) inches of depth.
 - d. Reinforcement shall be a minimum of number four rebar, on two-foot centers, with the use of rebar chairs, or the use of fiber mesh at the rate of 3½ pounds per cubic yard of concrete.
 - e. The standard width of driveway shall be as specified in the City of Warrensburg Public Works Department standard details under Ordinance No. 2935.

6. Section 105.2. Work exempt from permit.

Building:

10. Delete in its entirety. All decks require application and permit before constructed.

Electrical: Repairs and maintenance: Delete the statement entirely. Replace with the following statement. "Any normal repair, or replacement, that does not alter its approval, add to the system, or make it unsafe".

Mechanical: Item 5. Delete in its entirety. Replace with the following statement. "Any normal repair, or replacement, that does not alter its approval, add to the system, or make it unsafe".

7. Section 105.4. Change to read as follows: 'The issuance or granting of a permit, or the conducting of any inspection under the same, shall not - - -'.
8. Add a new Section R106.2.1. Boundary Survey (a new section). All lots to be developed shall have a boundary survey performed by a licensed professional land surveyor prior to requesting a site location inspection. A copy of the survey shall be submitted to the building department at the time the request for inspection is made. The owner/contractor shall be present at the site location inspection and shall indicate the location of all corners necessary for the building official to determine the proper setbacks. Compliance with all applicable setbacks and zoning requirements shall be the sole responsibility of the permit holder throughout the building process. No inspection or occupancy permit shall be construed as approval or waiver of a zoning violation.

Exceptions:

1. When the improvement is an addition that would remain sufficiently within the required setbacks to the extent that there would be no doubt that the improvement was within the setbacks.
 2. When in the case that the size of the tract is sufficiently large compared to the structure that the improvement would be more than a distance of 3 times the required setback on all sides.
9. Add a new Section R108.2.1; Fee Schedule. The fees referred to in Section R108.2 shall be as indicated in Section 109.2.1 of the 2018 International Building Code.
 10. Section R108.5. Change to read, "Refunds shall be as indicated in Section 109.6 of the 2018 International Building Code.
 11. Delete Section R110.4 in its entirety. Refer to Section 111.3 of the 2018 International Building Code for Temporary Occupancy.
 12. *Delete Section R112*, delete in its entirety. Refer to Appendix B of the 2018 International Building Code.
 13. Delete Section R113.4, delete in its entirety. Refer to Section 114.4 of the 2018 International Building Code.
 14. Insert the following values Table R301.2(1):

Ground Snow Load	20
Wind Speed	90
Topographic Effects	No
Special Wind Region	No
Wind-Borne Debris Zone	No
Seismic Design Category	A
Weathering	Severe
Frost Line Depth	36 inches
Termite	Moderate-Heavy
Winter Design Temperature	6°
Ice Barrier Underlayment Required	Yes
Flood Hazard	a) date jurisdiction entered NFIP: 7/16/1990; b) date of flood insurance study: 7/4/2011; c) flood map panel numbers: 29101C0220E, 29101C0239E, 29101C0240E, 29101C0385E, 29101C0405E
Air Freezing Index	1017
Mean Annual Temperature	55.8°
Elevation	840 feet
Latitude	38° North
Winter Heating	7°
Summer Cooling	93°
Altitude Correction Factor	1.04
Indoor Design Temperature	70°
Design Temperature Cooling	75°
Heating Temperature Difference	63°

Cooling Temperature Difference	18°
Wind Velocity Heating	<30 fpm
Wind Velocity Cooling	<50 fpm
Coincident Wet Bulb	76°
Daily Range	M
Winter Humidity	30%
Summer Humidity	50%

15. Section R309.1. Floor surface. Delete the words, “to a drain or”.
16. Section R309.5. Fire sprinklers. Private garages, Delete the section entirely.
17. Section R313, Automatic Fire Sprinkler Systems. In accordance with State Statutes, a statewide modification of the 2009 IRC will remain only a purchaser’s option on one family, two family and townhouses for sprinkler systems. The law expires in 2019.
18. Add a new Section R403.1.1.1. Trench footings with monolithic slab shall be a minimum depth of 36 inches, with minimum width of 8 inches. This footing shall be on un-disturbed soil with no fill dirt. Footings and slabs shall be placed on undisturbed soil with no fill dirt.
 Exception: Footings and slabs may be approved for placement on fill dirt if the following conditions are met:
 1. Fill dirt beneath footing and foundation is compacted to 98% (min.);
 2. Fill dirt compaction is tested by a Missouri soils engineer; and
 3. Compaction testing report is forwarded to the City for approval prior to concrete being placed.
19. Delete Chapter 11, Energy Code, in its entirety. Refer to 2018 International Energy Conservation Code.
20. Delete CSST Tables G2413.4(5) and G2413.4(6) in their entirety.
21. Delete CSST Tables G2413.4(16), G2413.4(17) and G2413.4(18) in their entirety.
22. Delete CSST G2414.5.4 Corrugated stainless steel tubing in its entirety.
23. Delete CSST G2415.2 Corrugated stainless steel tubing in its entirety.
24. Delete Section P2503.5.1 in its entirety. Add new Section P2503.5.1. Rough Plumbing. DWV systems, in one and two family dwellings shall not require air or water test if proper cleaner and glue is used according to ASTM standards for the specific type of pipe and fittings.
25. Delete Section P2503.5.2 item 2 in its entirety.
26. Section P2503.8.2. Add new last sentence, “All testing of backflow preventers shall be by State Certified Back Flow Testers,” as required by Missouri State Law.
27. Add new last sentence to Section E3406.2, Conductor material, which reads:

Where an owner is doing work on owner's personal residence, all wiring from the point of utility connection into the structure shall be of copper conductors.

28. Delete, "12 AWG aluminum" in Section E3406.3, Minimum size of conductors.
29. Change Section E3601.6.2 Service disconnect location to read: The service disconnecting means shall be installed at a readily accessible location outside of a building. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside. In existing buildings where there are changes to the service, not more than ten (10) feet of unbreakered or unfused service entrance cable shall be used inside a building without an overcurrent protected main disconnect.
30. Delete Aluminum and Copper-clad Aluminum conductors from Table E3603.4, AWG sizes 2/0 and smaller. Delete Aluminum Grounding Electrode conductors from table E3603.4, AWG sizes 2 and smaller.
31. Add new last sentence to Section E3605.5, Section E3802.3.2, and Section E3803.3, Protection of service cables against damage, which reads, "All unbreakered or unfused service entrance conductors shall be protected by a minimum of appropriate-sized Schedule 40 PVC nonmetallic conduit, from the meter enclosure to the first main disconnect enclosure, with male adapter, lock nut, and bushing to protect wire and insulation.
32. Add new last sentence to Section AE304.1, Permit Fees. All fees shall be figured as indicated in Section 109.2.1 of the 2018 International Building Code.
33. Add new Section 104.11 Alternative materials, designs and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. The City of Warrensburg recognizes the 2012 Green Construction Code and the 2012 National Green Building Standard as acceptable alternative materials and methods of construction. Where application is made for construction as described in this section, the building official may require the employment of one or more registered design professionals or one or more approved agencies to perform inspections.
34. Add to last sentence, Section R303.3, Exception, "or to an approved vent."
35. Add new Section R324.3.2 Engineered Construction Plans Required. All permit applications for residential solar photovoltaic system installations in the City of Warrensburg shall include site-specific plans and specifications sealed by a Missouri licensed electrical engineer for all electrical system components and a Missouri licensed structural engineer for all photovoltaic panels and panel support components.

36. Add new Section R328 Vehicle Storage Rooms. Where any room is designated on the building plans as a storage area for flammable and/or combustible liquids or any vehicles that contain the same, it shall meet all the requirements that would apply to a garage.
37. Add new Section R402.2.2 Concrete Poured in Cold Weather. In accordance with American Concrete Institute (ACI) Committee 306 construction specifications, no concrete shall be poured where the average daily air temperature drops below 40 degrees for a period of 3 successive days (72 hours) and stays below 50° for more than one-half of any 24-hour period without approved adequate protection and curing on hand and ready for use before concrete placement is started. Normal concreting practice can be resumed without protection once the ambient temperature is above 50 degrees for more than a half-day. During cold weather, preparations shall be made to protect the concrete with enclosures, windbreaks, portable heaters, insulated forms and blankets to maintain the concrete temperature.
38. Add new Section E3601.6.2 Exterior Service Disconnecting Means Required. For all electric service installed for new construction and where changes to an existing service causes new installation or relocation of electric service wire, a means of disconnecting the electrical supply to the entire building shall be provided on the exterior of the building in an approved location. The disconnecting means shall be installed such that it is separate from the electric meter. Switches, breakers, cabinets, and other appurtenances shall be installed and maintained in accordance with the electrical code and other applicable codes and standards and shall be protected against tampering or unauthorized use.
39. Change Section M1501.1 to read, "The air removed by every mechanical exhaust system shall be discharged to the outdoors in accordance with Section M1504.3. Air shall not be exhausted into an attic, soffit, vent or crawl space.
Exception 1: Whole-house ventilation type attic fans that discharge into the attic space of dwelling units having private attics shall be permitted.
Exception 2: Bathrooms ventilated to an approved roof vent shall be permitted."

Section 3. SAVING CLAUSE. That nothing in this chapter or in the building code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Chapter.

Section 4. VALIDITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unlawful, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Warrensburg hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, clauses and

phrases be declared unlawful. In the event any portion of the ordinance is declared invalid, the repeal of the corresponding prior code shall also be invalid to the same extent.

Section 5. **INCORPORATION.** It is intended that the provisions of this ordinance be incorporated into the Code of Ordinances.

Section 6. **DATE OF EFFECT.** That the Warrensburg City Clerk shall certify to the adoption of this ordinance, and this ordinance shall take effect and be in full force on October 1, 2018.

Read two times and passed by City Council in open session on _____day of _____, 2018.

Danielle Johnston, Mayor

ATTEST:

Cindy Gabel, City Clerk