

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CLARKSON VALLEY, MISSOURI, IN TITLE V: BUILDING CODES AND REGULATIONS BY DELETING THE CURRENT SECTION 500.190, SUBSECTION D; 500.210; 500.301; 500.302; 500.303; 500.304; 500.305; 500.306; 500.307; 500.308; 500.309; AND 500.310, AND SUBSTITUTING THEREFORE A NEW SECTIONS SECTION 500.190, SUBSECTION D; 500.210; 500.301; 500.302; 500.303; 500.304; 500.305; 500.306; 500.307; 500.308; 500.309; AND 500.310

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLARKSON VALLEY, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: The Municipal Code, City of Clarkson Valley, Missouri, is hereby amended in Title V: Building Codes and Regulations, by deleting the current Section 500.190, subsection D; 500.210; 500.301; 500.302; 500.303; 500.304; 500.305; 500.306; 500.307; 500.308; 500.309; and 500.310, and substituting therefore a new Sections Section 500.190, subsection D; 500.210; 500.301; 500.302; 500.303; 500.304; 500.305; 500.306; 500.307; 500.308; 500.309; and 500.310

SECTION 2: A new Section 500.190, subsection D shall be adopted which will read as follows:

Section 500.190 Fence Regulations.

D. Permit Required. No person shall erect or maintain within the City any fence without first having complied with the provisions of Article IV of this Chapter and having obtained a building permit. A person seeking architectural approval and a building permit shall comply with the regulations appearing elsewhere in the Building Code with regard to submitting plans and drawings for constructing and/or erecting a structure. There shall be a permit fee of seventy-four dollars (\$74.00) paid to the City when submitting plans, drawings and application for a fence building permit and a fee of seventy-five dollars (\$75.00) paid to the City each time the City requires an inspection be made by the Building Commissioner. Temporary barriers shall not require a permit.

SECTION 3: A new Section 500.210 shall be adopted which will read as follows:

Section 500.210 New Construction.

The building permit fee for all new construction and industrialized dwellings shall be assessed at a) \$59.40, plus b) sixty dollars (\$60.00) per hour of time spent by the Building Commissioner to review the proposed plans. The total of a) and b) shall be rounded down to the nearest one dollar (\$1.00) increment.

SECTION 4: A new Section 500.301 shall be adopted which will read as follows:
Section 500.301 Alterations Or Remodeling.

A. The building permit fee for additions, alterations and remodeling, including any building permit in connection with swimming pools, accessory structures, porch additions or any other exterior structure requiring a building permit, shall be assessed at a) \$59.40, plus b) sixty dollars (\$60.00) per hour of time spent by the Building Commissioner to review the proposed plans. The total of a) and b) shall be rounded down to the nearest one dollar (\$1.00) increment.

B. Further, any application submitted pursuant to this Section shall be forwarded to the Building Commissioner for review and calculation of the building permit fees.

SECTION 5: A new Section 500.302 shall be adopted which will read as follows:
Section 500.302 Moving Of Buildings.

The fee for a building permit for the removal of a building or structure from one (1) lot to another or to a new location on the same lot shall be at the rate of twenty-one cents (\$0.21) per one hundred dollars (\$100.00) of the estimated cost of moving plus the cost of new foundations and all work necessary to place the building or structure in its completed condition in the new location, plus such other building permit fees deemed necessary by the Building Commissioner.

SECTION 6: A new Section 500.303 shall be adopted which will read as follows:

Section 500.303 Demolition Permits.

The demolition permit shall be two-hundred forty dollars (\$240.00) per structure. The cost of inspections pursuant to section 500.304 of this code shall not apply to the first two (2) inspections related to a demolition permit.

SECTION 7: A new Section 500.304 shall be adopted which will read as follows:

Section 500.304 Inspections.

In addition to the building permit fee, an inspection charge of seventy-five dollars (\$75.00) shall be paid to the City for each inspection deemed necessary by the Building Commissioner. The number of inspections required shall be determined after the review of the plans submitted and the number shall be indicated on the building permit application. The City of Clarkson Valley may contract with a political subdivision to conduct any or all of the inspections herein required and does adopt the fees of said political subdivision applicable to any inspections conducted pursuant to said contract and the City does authorize that payment of inspection fees be made directly to said political subdivision for any inspections conducted by said political subdivision pursuant to the herein mentioned contract.

SECTION 8: A new Section 500.305 shall be adopted which will read as follows:

Section 500.305 Reinspection Charge.

There is hereby established a reinspection charge of seventy-five dollars (\$75.00), which shall be applicable to all reinspections, where it has been determined that the initial inspection resulted in a failure to comply with the applicable construction code, that the initial inspection reveals that the scope of work performed has deviated from the plans submitted to the City, or upon the request of the owner or contractor for any reinspection.

SECTION 9: A new Section 500.306 shall be adopted which will read as follows:

Section 500.306 Final Completion.

Each building permit issued by the Building Commissioner shall state upon its face the expiration date of said permit. All work authorized by the permit shall be completed no later than 5:00 P.M. CST on the expiration date of the permit. Each applicant shall notify the Building Commissioner of the date of completion of the work authorized by the permit prior to the expiration of the permit. The Building Commissioner shall perform a final inspection of each project within fourteen (14) days after the expiration of the permit or the completion of the work, whichever is earlier. An inspection fee shall be assessed in the amount of seventy-five dollars (\$75.00) for each final inspection and the fee shall be paid by the applicant. Additionally, all extra costs, fees, permit fees and other expenses shall be paid by the applicant within thirty (30) days from the date of the final inspection.

SECTION 10: A new Section 500.307 shall be adopted which will read as follows:

Section 500.307 Additional Costs.

A. In addition to the building permit fee and inspection fees, all reasonable costs or fees charged to the City, including, but not limited to, site and building plan review, inspection and permit fees, reinspection fees, engineer fees, architecture review fees, other professional fees and testing fees, as deemed necessary by the Building Commissioner, shall be paid by the applicant before issuance of the building permit, the final occupancy permit or the final completion certificate.

B. A plan review escrow procedure is hereby authorized to be formulated, implemented and amended by City staff to help ensure that all such costs charged to the City are recovered by the applicants.

C. In the event that the City receives an application, petition or other request for any administrative or legislative consideration and the applicant, petitioner or requestor owes the City any amounts from previous City consideration, including any third party expenses the City has incurred, the City reserves the right to refuse to give any consideration to such application, petition or request until such time that the City has received payment in full or payment terms acceptable to the City.

D. In the event that it is necessary for the Building Commissioner to undertake an inspection or other professional investigation in order to confirm or deny the existence of a building code or zoning violation, the owner of the property shall be liable for all inspection fees, all reasonable costs or fees charged to the City, including, but not limited to, site and building plan review, inspection and permit fees and testing fees as deemed necessary by the Building Commissioner. In the event that it is determined that no building code or zoning violation exists on the subject property, the owner of the property shall not be liable for any inspection fees, costs or expenses.

E. Any person or entity that fails to pay the necessary permit fees, inspection fees or additional costs as contained in this Code shall be deemed as violating the City Code and subject to the penalties contained in Section 100.220 or any other applicable Section of the City Code.

SECTION 11: A new Section 500.308 shall be adopted which will read as follows:

Section 500.308 Doubling.

The building permit fees provided for in Sections 500.300 through 500.307 above shall be doubled where work for which a building permit is required in Section 500.140 is commenced prior to obtaining the permit of filing of the application. The payment of such double fees shall not relieve any

person from fully complying with all provisions regulating such construction.

SECTION 12: A new Section 500.309 shall be adopted which will read as follows:

Section 500.309 Refunds.

The Building Commissioner may cancel permits and refund the permit fee less expenses incurred and a maximum penalty of one-hundred eighteen dollars (\$118.00) or such lesser amount as the Building Commissioner shall set.

SECTION 13: A new Section 500.310 shall be adopted which will read as follows:

Section 500.310 Fees Indexed For Inflation.

The assessment figures in Sections 500.300 through 500.307 shall be adjusted on an annual basis, effective January 1 of the year in question to reflect increases, if any, in the October offering next preceding this January 1 of the Cost of Living Index for all urban consumers for the St. Louis, MO-IL area published by the Bureau of Labor Statistics of the United States Department of Labor, as compared to the previous October offering, using the period “1982-1984 = 100” as the base period. All such computation of increases made as provided herein shall not be further adjusted during the course of the year in question until the following January 1 of the next year in question when such adjustments, if warranted as provided herein, shall be made. The Cost of Living Index data for the St. Louis, MO-IL area can be accessed via the following link: clarksonvalley.org/bls

SECTION 14: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed and held for naught.

SECTION 15: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any Court, or any right acquired or liability incurred, or any cause or causes of action acquired or existing under any act or Ordinance hereby amended.

SECTION 16: Except as amended herein, Title V of the Municipal Code, City of Clarkson Valley, Missouri, shall be and will remain in full force and effect.

SECTION 17: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PRESENTED, APPROVED AND PASSED BY A MAJORITY OF THE BOARD OF ALDERMEN this 6th day of August 2024.

Sue McNamara
Mayor
City of Clarkson Valley

PRESENTED BUT RETURNED this 6th day of August 2024.

Sue McNamara
Mayor
City of Clarkson Valley

ATTEST:

City Clerk