

BILL NO. 4785

ORDINANCE NO. 4785

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FESTUS, MISSOURI, AMENDING SECTION 500.010 OF THE CODE OF ORDINANCES OF THE CITY OF FESTUS REGARDING THE ADOPTION OF TECHNICAL CODES; ENACTING SECTION 500.015 REGARDING AMENDMENTS TO THE TECHNICAL CODES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, § 77.260, RSMo provides that the City Council of the City of Festus may enact and ordain any and all ordinances not repugnant to the constitution and laws of this state, and such as they shall be deemed expedient for the good government of the City, the preservation of peace and good order, the benefit of trade and commerce, and the health of the inhabitants thereof; and

WHEREAS, the City of Festus has previously adopted the 2009 edition of the following Technical Codes: the International Building Code, the Residential Building Code, the International Fire Code, the International Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, and the International Property Maintenance Code; and the 2008 edition of the National Electric Code (the "Technical Codes"), as set forth in Section 500.010 of the Municipal Code of the City of Festus (the "Code"); and

WHEREAS, new updates to the Technical Codes have since been approved and published; and

WHEREAS, City Staff recommends that Chapter 500 of the Code be amended to adopt the 2020 and 2021 editions of the Technical Codes, with certain amendments thereto; and

WHEREAS, pursuant to § 67.280, RSMo, the City of Festus has maintained at least one copy of the Technical Codes, on file in the office of the City Clerk for at least 90 days prior to the adoption of this Ordinance, and the same shall remain available for public use, inspection and examination; and

WHEREAS, the City Council of the City of Festus finds and determines that amending the 2020 and 2021 technical codes, with certain amendments, would be in the best interest of the City.

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

SECTION I. Chapter 500 of the Code of Ordinances of the City of Festus, Missouri, is hereby amended by the repeal of Section 500.010, and the enactment in lieu thereof, the new Section 500.010 to read as follows (with new language in red and language to be repealed struck through):

TITLE V. BUILDING AND CONSTRUCTION.

CHAPTER 500. BUILDINGS AND BUILDING REGULATIONS.

ARTICLE I. BUILDING CODE.

SECTION 500.010. ADOPTION OF TECHNICAL CODES.

A. It is hereby found and determined that adoption of nationally recognized standard codes is necessary for the promotion of the public health, safety and welfare of Festus, Missouri. Accordingly, the following technical codes, one (1) copy of which is on file in the office of the City Clerk, are adopted and incorporated in this Article by reference as if fully set forth, except as they may be amended by **Section 500.015** or other provisions of this Chapter:

1. International Building Code 2021, plus Appendices B (Board of Appeals), E (Supplementary Accessibility Requirements), and K (Administrative Provisions).
2. International Residential Building Code 2021, plus Appendices AE (Manufactured Housing Used as Dwellings), AH (Patio Covers), and AV (Board of Appeals).
3. International Fire Code 2021, plus Appendices A (Board of Appeals), H (Hazard Categories), and J (Building Information Sign).
4. International Fuel Gas Code 2021, plus Appendices A (Sizing and Capacities of Gas Piping) and E (Board of Appeals).
5. International Mechanical Code 2021, plus Appendix C (Board of Appeals).
6. International Plumbing Code 2021, plus Appendices E (Sizing of Water Piping System) and F (Board of Appeals).
7. National Electric Code 2020.
8. International Property Maintenance Code 2021, including Appendices A (Boarding Standard) and B (Board of Appeals).
9. International Swimming Pool and Spa Code, 2021.
10. International Private Sewage Disposal Code, 2021.

B. Appendices to the technical codes listed in Subsection A of this Section are not adopted by the City of Festus, except those Appendices specifically listed in Subsection A of this Section. Appendices relating to the Board of Appeals are adopted subject to the modifications set forth in Section 500.080 of this Chapter.

SECTION II. Chapter 500 of the Code of Ordinances of the City of Festus, Missouri, is hereby amended by the enactment of new Section 500.015, to read as follows:

SECTION 500.015. UPDATE OF TECHNICAL CODES.

The Technical codes adopted by the City and incorporated by reference in Section 500.010 of this Chapter are hereby amended as follows:

- A. International Building Code
 - 1. Section 105.2 Work Exempt from Permit; Building, is amended by the deletion and replacement of the following:
 - 1. ~~Other than storm shelters, one store detached accessory structures, provided that the floor area does not exceed 200 square feet (18.58m²).~~
 - 2. **Fencing not over 7 feet in height.**
- B. International Residential Code
 - 1. Section R105.2 Work Exempt from Permit; Building, is amended by the deletion and replacement of the following:
 - 2. **Fencing not over 7 feet in height.**
 - 2. **Section R403.1.4.1 is amended by the deletion of all Exceptions.**
 - a. ~~Protection of free standing accessory structures with an area of 600 square feet (56 m2) or less, of light frame construction, with an eave height of 10 feet (3048 mm) or less shall not be required.~~
 - b. ~~Protection of free standing accessory structures with an area of 400 square feet (37 m2) or less, of other than light frame construction, with an eave height of 10 feet (3048 mm) or less shall not be required.~~
- C. International Property Maintenance Code
 - 1. Section 302.4 shall have "**10 inches**" inserted as the jurisdiction requirement. (grass height).
 - 2. In Section 304.14 Insect Screens; from "**April 15th to October 15th**" shall be inserted.
 - 3. In Section 602.3 Heat Supply; from "**September 15th to May 15th**" shall be inserted.
 - 4. In Section 602.4 Heat Supply Occupiable work spaces; from "**September 15th to May 15th**" shall be inserted.

SECTION III. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION IV. This Ordinance shall be in full force and effect upon its passage by the City Council and the approval by the Mayor.

READ TWO TIMES AND PASSED THIS 20th DAY OF August, 2024.



 President of the City Council

APPROVED THIS 27th DAY OF August, 2024.

Saul F. Richard

the City of Festus

Deah Smith

City Clerk

