

AN ORDINANCE AMENDING TITLE IX OF THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, CODE OF ORDINANCES BY REPEALING CERTAIN PROVISIONS CONTAINED THEREIN AND ENACTING IN LIEU THEREOF, NEW PROVISIONS DESIGNATED AS TITLE IX RELATING TO THE CONSTRUCTION AND MAINTENANCE OF STRUCTURES AND PROPERTY WITHIN THE CITY AND DESIGNATED AS THE “BUILDING AND CONSTRUCTION ORDINANCE” FOR THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI.

LEGISLATIVE FINDINGS:

1. The City has conducted a comprehensive review of certain chapters in Title IX of the Code of Ordinances relating to the construction and maintenance of structures and property within the City: and
2. Certain technical codes concerning the construction and maintenance of structures within the City have been reviewed by the City for incorporation by reference and such adoption is deemed advisable by the City Council for the health, safety, and welfare of the residents of the City; and
3. One (1) copy of such technical codes were filed in the office of the City Clerk and kept available for public use, inspection, and examination for a period of time in excess of ninety (90) days preceding the adoption of this Ordinance, all as provided by Section 67.280 RSMo; and
4. The City Council of the City of Gladstone finds that it is in the best interest of the citizens of the City of Gladstone, Clay County, Missouri to enact the provisions of the Building and Construction Ordinance set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI AS FOLLOWS;

SECTION 1: REPEAL OF CERTAIN CHAPTERS WITHIN TITLE IX OF THE GLADSTONE CODE OF ORDINANCES.

The following Chapters contained within Title IX of the Gladstone City Code, and adopted under Ordinance 4.321, are hereby repealed:

- Chapter 200. Building Regulations
- Chapter 400. Electrical Regulations
- Chapter 500. Energy Conservation Regulations
- Chapter 600. Fire Prevention Regulations

- Chapter 700. Fuel Gas Regulations
- Chapter 800. Mechanical Regulations
- Chapter 900. Plumbing Regulations
- Chapter 1000. Property Maintenance Regulations
- Chapter 2000. Swimming Pool and Spa Regulations

SECTION 2: ENACTMENT OF CERTAIN NEW CHAPTERS WITHIN TITLE IX OF THE GLADSTONE CODE OF ORDINANCES.

- a. The following new Chapters are hereby incorporated within Title IX of the Gladstone Code of Ordinances in lieu of the Chapters that are repealed under Section 1 above.
 - Chapter 200. Building Regulations
 - Chapter 400. Electrical Regulations
 - Chapter 500. Energy Conservation Regulations
 - Chapter 600. Fire Prevention Regulations
 - Chapter 700. Fuel Gas Regulations
 - Chapter 800. Mechanical Regulations
 - Chapter 900. Plumbing Regulations
 - Chapter 1000. Property Maintenance Regulations
 - Chapter 2000. Swimming Pool and Spa Regulations

- b. The specific provisions of the foregoing Chapters are attached, and incorporated as part of the Ordinance by this reference as if fully set forth herein.

SECTION 3: EFFECT OF REPEAL.

The provisions of the Gladstone Code of Ordinances repealed herein shall not be construed to revive any former Ordinance, clause, or provision of the Gladstone Code of Ordinances.

SECTION 4: SEVERABILITY CLAUSE.

The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.


SECTION 5: EFFECTIVE DATE.

This Ordinance shall be effective October 1, 2020.

PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI THIS 28TH DAY OF SEPTEMBER, 2020.


Jean B. Moore, Mayor

Attest:


Ruth Bocchino, City Clerk

1st Reading: September 28, 2020

2nd Reading: September 28, 2020



Request for Council Action

RES # City Clerk Only

BILL # 20-31

ORD # 4.530

Date: 9/24/2020

Department: Community Development

Meeting Date Requested: 9/28/2020

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: Adoption of certain chapter's in Title IX of the Building and Construction Ordinance.

Background: Community Development Department typically updates its Building and Construction Codes when the International Code Council (ICC) releases its newest version of the International Codes every three (3) years. During the open study session on Monday, June 22, 2020, all chapters within Title IX, of the Building and Construction Ordinance in Gladstone's Code of Ordinances, were reviewed with the City Council.

By Missouri State Statute, the Building and Construction Codes must be available for review for ninety (90) days before they can be adopted. The following chapters have been available for review and are being presented to the City Council for their consideration:

Chapter 200 Building Construction Regulations
Chapter 400 Electrical Regulations
Chapter 500 Energy Conservation Regulations
Chapter 600 Fire Prevention Regulations
Chapter 700 Fuel Gas Regulations
Chapter 800 Mechanical Regulations
Chapter 900 Plumbing Regulations
Chapter 1000 Property Maintenance and Nuisance Regulations
Chapter 2000 Swimming Pool and Spa Regulations

During the open study session, there was some concern about changing where trash containers can be stored. Staff took the changes out and there are no changes to the location of where trash containers can be stored. They still cannot be stored in front of a structure in view from the street.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: Community Development Staff presented the aforementioned corresponding chapters to the Board of Zoning and Adjustments (BZA) and Uniform Code Board of Appeals (UCBA) for their input and consideration and made all changes requested by each Board and Commission prior to

RCA DUE TO CITY CLERK WEDNESDAY 12:00 PM

presenting to the City Council on June 22, 2020. The BZA and UCBA voted unanimously to present to the City Council with their recommendations.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

JM

Legal

SW

City Manager

CHAPTER 200
BUILDING CONSTRUCTION REGULATIONS

ARTICLE 1. BUILDING CODE

SECTION 9.200.010
ADOPTION OF THE 2018 INTERNATIONAL BUILDING CODE

That a certain document, one (1) copy of which are on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the International Building Code, 2018 edition, including Appendix Chapters:

Appendix C, Group U – Agricultural Buildings,

Appendix I, Patio Covers,

Appendix J, Grading, and

Appendix K, Administrative Provisions.

as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the conditions and maintenance of all property, buildings, and structures; providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Building Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.200.020 of this chapter.

That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

That nothing in this legislation 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; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this legislation.

SECTION 9.200.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL BUILDING CODE

9.200.020.1 AMENDMENTS.

The following sections of the 2018 International Building Code are omitted and not hereby incorporated as the following identically numbered sections are adopted in lieu thereof:

[A] 101.1 Title.

These regulations shall be known as the Building Code of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code.”

[A] 105.2 Work exempt from permit.

Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. Fences not over 6 feet high.
2. Oil derricks.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
4. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or *story* below, are not part of an *accessible route*, and are not located within the city or state right-of-way.
6. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
7. Temporary motion picture, television, and theater stage sets and scenery.
8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
9. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.

10. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the *exterior wall* and do not require additional support.
11. Non-fixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches in height.

Electrical:

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installation of the towers and antennas.
3. **Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

[A] 105.5 Expiration.

Every *permit* issued shall become invalid 180 days from the date of issuance. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 107.3.1 Approval of construction documents.

When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as “Reviewed for Code Compliance and Subject to Field Inspection.” *Construction documents* requiring approval by the City Council as set forth in Section 107.3.1.1, shall be *approved*, in writing or by stamp, as “Approved by City Council Reviewed for Code Compliance and Subject to Field Inspections.” One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of the work and shall be open to inspection by the *building official* or a duly authorized representative.

1008.3.3 Rooms and spaces.

In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:

1. Electrical equipment rooms.
2. Fire command centers.
3. Fire pump rooms.
4. Generator rooms.
5. Public and private restrooms.

1612.3 Establishment of flood hazard areas.

To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency (FEMA) in an engineering report entitled “Flood Insurance Study: Clay County, Missouri and Incorporated Areas”, current adopted addition, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

9.200.020.2 ADDITIONS.

The following sections are hereby incorporated and adopted in the 2018 International Building Code:

107.3.1.1 City Council approval of construction documents.

The following types of construction shall require the approval by the City Council:

1. New buildings or structures.
2. Additions to existing buildings or structures.
3. Exterior modifications to existing buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures.

9.200.020.3 DELETIONS.

The following sections of the 2018 International Building Code are omitted and not hereby incorporated:

1511.3.1 Roof recover.

1511.3.1.1 Exceptions.

1511.4 Roof recovering.

ARTICLE 2. RESIDENTIAL CODE

SECTION 9.200.030 ADOPTION OF THE 2018 INTERNATIONAL RESIDENTIAL CODE

That a certain document, one (1) copy of which are on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the International Residential Code, 2018 edition, including Appendix Chapters:

Appendix E, Manufactured Housing Used as Dwellings,

Appendix H, Patio Covers,

Appendix J, Existing Building and Structures, and

Appendix T, Solar-Ready Provisions–Detached One- And Two-Family Dwellings;
and Townhouse

as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Residential Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.200.050 of this chapter.

That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

That nothing in this legislation or in the Residential 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; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this legislation.

SECTION 9.200.040
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL RESIDENTIAL CODE

9.200.040.1 AMENDMENTS.

The following sections of the 2018 International Residential Code are omitted and not hereby incorporated as the following identically numbered sections are adopted in lieu thereof:

R101.1 Title.

These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Gladstone, Clay County, Missouri, and shall be cited as such and will be referred to herein as “this code.”

R105.2 Work exempt from permit.

Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

Building:

1. Fences not over 6 feet high.
2. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
3. Water tanks supported directly on *grade* if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
4. Sidewalks and driveways not located within the city or state right-of-way.
5. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
6. Swings and other playground equipment.
7. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefore.

3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, *appliances*, apparatus, or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical *equipment* to *approved* permanently installed receptacles.

Gas:

1. Portable heating, cooking, or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

6. Portable heating *appliances*.
7. Portable ventilation *appliances*.
8. Portable cooling unit.
9. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
10. Replacement of any minor part that does not alter its approval or *equipment* or make such *equipment* unsafe.
11. Portable evaporative cooler.
12. Self-contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.
13. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste, or vent pipe

becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

R105.5 Expiration.

Every *Permit* issued shall become invalid 180 days from the date of issuance. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD ^a	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^e	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j		
	Speed ^a (mph)	Topographical effects ^b	Special wind region ^c	Wind-borne debris zone ^m		Weathering ⁿ	Frost line depth ^h	Termite ^f							
20	115	NO	NO	NO	A	SEVERE	36"	M to H	0	YES	8/3/2015	1500 or less	55.5		
MANUAL J DESIGN CRITERIA ^a															
Elevation		Latitude		Winter heating		Summer cooling		Altitude correction factor		Indoor design temperature		Design temperature cooling		Heating temperature difference	
1,024		39		5		93		0.97		70 F-C / 75 F-H		75°F		65°F	
Cooling temperature difference		Wind velocity heating		Wind velocity cooling		Coincident wet bulb		Daily Range		Winter humidity		Summer humidity			
18°F		15 mph		7 mph		76		M		68		68			

For SI: 1 pound per square foot = 0.0479kPa, 1 mile per hour = 0.447 m/s.

- a. Where weathering requires a higher strength concrete or *grade* of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index (i.e. "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The *grade* of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216, or C652.
- b. Where the front line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The *jurisdiction* shall fill in the frost line depth column with the minimum depth of footing below finish *grade*.
- c. The *jurisdiction* shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The *jurisdiction* shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97½-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the *building official*.
- f. The *jurisdiction* shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1. [Also see Figure R301.2(1).]
- g. The *jurisdiction* shall fill in this part of the table with (a) the date of the *jurisdiction's* entry into the National Flood Insurance Program (date of adoption of the first code ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study, and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having *jurisdiction*, as amended.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1, and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the *jurisdiction* shall fill in this part of the table with "YES." Otherwise, the *jurisdiction* shall fill in this part of the table with "NO."
- i. The *jurisdiction* shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
- j. The *jurisdiction* shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the *jurisdiction* shall fill in this part of the table with "YES." Otherwise, the *jurisdiction* shall indicate "NO" in this part of the table.
- l. In accordance with Figure 301.2(5)A, where there is local historical data documenting unusual wind conditions, the *jurisdiction* shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the *jurisdiction* shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2, the *jurisdiction* shall indicate the wind-borne debris wind zone(s). Otherwise, the *jurisdiction* shall indicate "NO" in this part of the table.
- n. The *jurisdiction* shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the *Jurisdiction*.
- o. The *jurisdiction* shall fill in this section of the table using Ground Snow Loads in Figure R301.2(6)

R602.2 Grade.

Studs shall be a minimum No. 2 grade lumber.

**TABLE N1102.1.2 (R402.1.2)
INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT^a**

CLIMATE ZONE	FENESTRATION U-FACTOR ^b	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC ^{c,e}	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^f	FLOOR R-VALUE	BASEMENT ^c WALL R-VALUE	SLAB ^d R-VALUE & DEPTH	CRAWL SPACE ^c WALL R-VALUE
1	NR	0.75	0.25	30	13	3/4	13	0	0	0
2	0.40	0.65	0.25	38	13	4/6	13	0	0	0
3	0.32	0.55	0.25	38	20 or 13+5 ^h	8/13	19	5/13 ^f	0	5/13
4 except Marine	0.32	0.55	0.40	38	13	8/13	19	10/13	10, 2 ft	10/13
5 and Marine 4	0.30	0.55	NR	49	20 or 13+5 ^h	13/17	30 ^g	15/19	10, 2 ft	15/19
6	0.30	0.55	NR	49	20+5 or 13+10 ^h	15/20	30 ^g	15/19	10, 4 ft	15/19
7 and 8	0.30	0.55	NR	49	20+5 or 13+10 ^h	19/21	38 ^g	15/19	10, 4 ft	15/19

For SI: 1 foot = 304.8 mm.

NR=Not Required

- R-values are minimums. U-factors and SHGC are maximum. Where insulation is installed in a cavity that is less than the label of design thickness or the insulation, the installed R-value of the insulation shall be not less than the R-value specified in the table.
- The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
Exception: In Climate Zones 1 through 3, skylights shall be permitted to be excluded from glazed fenestration SHGC requirements provided that the SHGC for such skylight does not exceed 0.30.
- "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation in the interior of the basement wall. Alternatively, compliance with "15/19" shall be R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home.
- R-5 insulation shall be provided under the full slab are of a heated slab in addition to the required slab edge insulation R-value for slabs, as indicated in the table. The slab edge insulation for heated slabs shall not be required to extend below the slab.
- There are no SHGC requirements in the Marine Zone.
- Basement wall insulation shall not be required in warm-humid locations as defined by Figure 1101.10 and Table 1101.10.
- Alternatively, insulation sufficient to fill the cavity providing not less than an R-value of R-19.
- First value is cavity insulation, second is continuous insulation. Therefore, as an example, "13+5" means R-13 cavity insulation plus R-5 continuous insulation.
- Mass walls shall be in accordance with Section N1102.2.5. The second R-value applies where more than half of the insulation is on the interior of the mass wall.

**TABLE N1102.1.4 (R402.1.4)
EQUIVALENT U-FACTORS^a**

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT U-FACTOR	CEILING U-FACTOR	FRAME WALL U-FACTOR	MASS WALL U-FACTOR ^b	FLOOR U-FACTOR	BASEMENT WALL U-FACTOR	CRAWL SPACE WALL U-FACTOR
1	0.50	0.75	0.035	0.084	0.197	0.064	0.360	0.477
2	0.40	0.65	0.030	0.084	0.165	0.064	0.360	0.477
3	0.32	0.55	0.030	0.060	0.098	0.047	0.091 ^c	0.136
4 except Marine	0.32	0.55	0.030	0.082	0.098	0.047	0.059	0.065
5 and Marine 4	0.30	0.55	0.026	0.060	0.082	0.033	0.050	0.055
6	0.30	0.55	0.026	0.045	0.060	0.033	0.050	0.055
7 and 8	0.30	0.55	0.026	0.045	0.057	0.028	0.050	0.055

a. Nonfenestration U-factors shall be obtained from measurement, calculations, or an approved source.

b. Mass walls shall be in accordance with Section N1102.2.5. Where more than half the insulation is on the interior, the mass wall U-factor shall not exceed 0.17 in Climate Zone 1, 0.14 in Climate Zone 2, 0.12 in Climate Zone 3, 0.087 in Climate Zone 4 except marine, 0.065 in Climate Zone 5 and Marine 4, and 0.057 in Climate Zones 6 through 8.

c. In warm-humid locations as defined by Figure 1101.10 and Table 1101.7, the basement wall U-factor shall not exceed 0.360.

N1102.4.2 (R402.4.2) Fireplaces.

New wood-burning fireplaces shall have tight-fitting flue dampers or doors, and outdoor combustion air. Where using tight-fitting doors on factory-built fireplaces listed and labeled in accordance with UL 127, the doors shall be tested and listed for the fireplace.

M1601.6 Independent garage HVAC systems.

Furnaces and air-handling systems that supply air to living space shall not supply air to or return air from a garage.

Exception: Supply air to a garage is allowed with the use of an approved fire damper supply grill.

G2414.5.3 (403.5.3) Copper or copper -alloy tubing.

Copper, copper -alloy tubing, brass and brass tubing shall not be used.

P2603.5.1 Sewer depth.

Building sewers shall be not less than 36 inches below finished grade.

P2902.3 Backflow Protection.

A means of protection against backflow shall be provided in accordance with Sections P2902.3.1 through P2902.3.7 and Title IX, Chapter 300 of the Gladstone Code of Ordinances. Backflow prevention applications shall conform to Table P2902.3, except as specifically stated in Title IX, Chapter 300 of the Gladstone Code of Ordinances and Section P2902.4 through P2902.5.5.

Where there is a conflict between Title IX, Chapter 300 of the Gladstone Code of Ordinances and any of the aforementioned sections or tables, the more restrictive shall govern.

P2906.4 Water service pipe.

Water service pipe shall conform to NSF 61 and shall conform to one of the standards indicated in Table P2906.4. Water service pipe or tubing, installed underground and outside of the structure, shall have a working pressure rating of not less than 160 pounds per square inch at 73°F. Where the water pressure exceeds 160 pounds per square inch, piping material shall have a rated working pressure equal to or greater than the highest available pressure. The water service pipe approved for use in this jurisdiction is as follows:

1. From the water main to the meter – Shall be either of the following:
 - a. Minimum ¾” Type K Copper, or
 - b. Minimum ¾” Cross-Link Polyethylene (PEX) plastic tubing.
2. From the meter to the structure shutoff – Shall be either of the following:
 - a. Minimum ¾” Type K copper, or

- b. Minimum ¾" Cross-Link Polyethylene (PEX) plastic tubing.

E3902.2 Garage and accessory building receptacles.

125-volt, single-phase, 15- or 20-ampere receptacles installed in garages and grade-level portions of unfinished accessory buildings used for storage or work areas shall have ground-fault circuit-interrupter protection for personal. [210.8(A)(3)]

Exception: Single plug receptacles for the sole use by the garage door openers, refrigerators, and/or freezers.

E3902.9 Laundry areas.

125-volt, single-phase, 15- and 20-ampere receptacles installed in laundry areas shall have ground-fault circuit-protection for personnel. [210.8(A)(10)]

Exception: Single plug receptacles for the sole use of the washer and/or dryer.

9.200.040.2 ADDITIONS.

The following sections are hereby incorporated and adopted in the 2015 International Residential Code:

M1301.1.2 One building or other structure not to be supplied through another.

Heating, Cooling and Ventilation equipment supplying a *building* or other *structure* shall not pass through the interior of another *building* or other *structure*.

G2412.1.2 One building or other structure not to be supplied through another.

Utility service *piping, piping, piping systems*, duct work, and *vents* supplying a *building* or other *structure* shall not pass through the interior of another *building* or other *structure*.

P2601.4 One building or other structure not to be supplied through another.

Water supply system, water service pipe, building sewer, sanitary sewer, and vent stack supplying a *building* or other *structure* shall not pass through the interior of another *building* or *structure*.

P3401.5 One building or other structure not to be supplied through another.

Wiring, conduit, and grounding supplying a *building* or other *structure* shall not pass through the interior of another *building* or *structure*.

9.200.040.3 DELETIONS.

The following sections of the 2018 International Residential Code are omitted and not hereby incorporated:

R302.13 Fire protection of floors.

R314.2.2 Alterations, repairs and additions.

R315.2.2 Alterations, repairs and additions.

R908.3.1 Roof recover.

R908.3.1.1 Roof recover not allowed.

R908.4 Roof recovering.

N1101.14 (R401.3) Certificate (Mandatory).

N1102.2.9 (R402.2.9) Basement walls.

N1102.4.1.2 (R402.4.1.2) Testing.

N1102.4.4 (R402.4.4) Rooms containing fuel-burning appliances.

N1103.2 (R403.2) Hot water boiler outdoor temperature setback.

N1103.3.3 (R403.3.3) Duct testing (Mandatory).

N1103.3.4 (R403.3.4) Duct leakage (Prescriptive).

N1103.10.3 (R403.10.3) Covers.

N1104.1 (R404.1) Lighting equipment (Mandatory).

N1104.1.1 (R401.1.1) Lighting equipment (Mandatory).

N1111.1 (R505.1) General.

N1111.2 (R502.2) General.

P2503.4 Building sewer testing.

P2503.5 Drain, waste and vent systems testing.

P2503.5.1 Rough plumbing.

P2503.5.2 Finished plumbing.

P2503.6 Shower liner test.

P2503.7 Water-supply system testing.

P3008.1 Where required.

ARTICLE 3. EXISTING BUILDING CODE

SECTION 9.200.050

ADOPTION OF THE 2018 INTERNATIONAL EXISTING BUILDING CODE

That a certain document, one (1) copy of which are on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri being marked and designate as the *International Existing Code*, 2018 edition, including Appendix Chapters:

Appendix B, Supplementary Accessibility Requirements for Existing Buildings and Facilities.

as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Existing Building Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.200.060 of this chapter.

That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this law, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

That nothing in this legislation or in the Existing 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; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this legislation.

SEC. 9.200.060

**AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL EXISTING BUILDING CODE**

9.200.060.1 AMENDMENTS.

The following sections of the 2018 International Existing Building Code are omitted and not hereby incorporated as the following identically numbered sections area adopted in lieu thereof:

[A] 101.1 Title.

These regulations shall be known as the Existing Building Code of City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code.”

9.200.060.2 ADDITIONS.

The following sections are hereby incorporated and adopted in the 2018 International Existing Building Code:

No sections added.

9.200.060.3 DELETIONS.

The following sections of the 2018 International Existing Building Code are omitted and not hereby incorporated:

No sections deleted.

**CHAPTER 400
ELECTRICAL REGULATIONS**

ARTICLE 1. ELECTRICAL CODE

SECTION 9.400.010

ADOPTION OF THE 2017 NATIONAL ELECTRICAL CODE ADMINISTRATIVE PROVISIONS

That a certain document, one (1) copies of which are on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the *National Electrical Code*, 2017 edition, including Appendix Chapters:

Appendix H, Administrative and Enforcement

as published by the National Fire Protection Association, be and is hereby adopted as the Electric Code of the City of Gladstone, Clay County, Missouri for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems and equipment as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made part hereof, as if fully set out in this legislation, with amendments, additions, and deletions, if any, prescribed in Section 9.400.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

That nothing in this legislation or in the *National Electric 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 9.400.020

**AMENDMENTS, ADDITIONS, AND DELETIONS
TO NFPA 70, 2017 NATIONAL ELECTRICAL CODE**

9.400.020.1 AMENDMENTS.

The following section(s) of the NFPA 70, National Electric Code, 2017 edition, are omitted and not hereby incorporated as the following identically numbered sections are adopted in lieu thereof:

210.8(A)(2) Garages, and also accessory buildings that have a floor area located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use

Exception to (2): Single plug receptacles for the sole use by the garage door openers, refrigerators, and/or freezers.

210.8(A)(10) Laundry areas

Exception to (10): Single plug receptacles for the sole use by the washer and/or dryer.

80.15(G)(1) General. In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

80.15(G)(2) Application for appeal. *Persons* directly affected by a decision of the *building official* or a notice issued under this code shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determination therefore made by the *building official*.

80.15(G)(3) Authority on appeals. See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

80.23 Stop work orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances.

80.29 Liability for Damages. Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling, or installing any electrical equipment for damages to persons or property caused by a defect therein, nor shall the jurisdiction or any of its employees be held as assuming any such liability by reason of the inspection, reinspection, or other examination authorized.

9.400.020.2 ADDITIONS.

The following section(s) are hereby incorporated and adopted in the NFPA 70, National Electric Code, 2017 edition:

No sections added.

9.400.020.3 DELETIONS.

The following section(s) of the NFPA 70, National Electric Code, 2017 edition are omitted and hereby not incorporated:

80.15(A) Creation of the Electrical Board.

80.15(B) Appointments.

80.15(C) Terms.

80.15(D) Compensation.

80.15(E) Quorum.

80.15(F) Duties.

80.15(H) Meetings and Records.

80.23(A) Violations.

80.23(B) Penalties.

80.25(C) Notification.

80.25(D) Other Territories.

80.27 Inspector's Qualifications.

80.33 Repeal of Conflicting Acts.

80.35 Effective Date

**SECTION 9.400.030
VIOLATIONS**

9.400.030.1 Unlawful acts.

It shall be unlawful for any person, firm, or corporation to be in conflict with or in violation of any provisions of this chapter.

9.400.030.2 Violation; penalties.

Any person who violates a provision of this chapter or fails to comply with any order made thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the Uniform Code Board of Appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in section 1.100.140 of the City of Gladstone, Clay County, Missouri, Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

ARTICLE 2. ELECTRICIANS AND ELECTRICAL CONTRACTORS

DIVISION 1
PERMITS

SECTION 9.400.101
GENERAL

9.400.101.1 Permits issued.

Permits shall be issued only to persons holding a valid certificate and business license and master electricians license issued pursuant to this Article and the National Electric Code as adopted by the *jurisdiction*.

Exception: A permit may be issued to any person to do work regulated by this chapter in a dwelling unit as defined in the International Residential Code as adopted by the *jurisdiction*, provided that the person is a *bona fide owner* of such dwelling unit and that the same is or will be occupied by such bona fide owner.

**DIVISION 2
DEFINITIONS**

**SECTION 9.400.201
GENERAL**

9.400.201.1 Scope.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meaning shown in this section.

9.400.201.2 Interchangeability.

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

9.400.201.3 Terms defined in other codes.

Where terms are not defined in this chapter and are defined in the National Electrical Code as adopted by the jurisdiction such terms shall have the meaning ascribed to them in that code.

9.400.201.4 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**SECTION 9.400.202
GENERAL DEFINITIONS**

APPROVED. Acceptable to the *building official*.

APPROVED AGENCY. An established and recognized agency that is regularly engaged in conducting test, furnishing inspection services or furnishing product certification where such agency has been *approved* by the *building official*.

BONA FIDE OWNER. The person or persons having legal ownership.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this article, or a duly authorized representative.

ELECTRICAL CONTRACTOR. A person engaged in the business of installing or repairing electrical wiring, fixtures, appliances, equipment, and appurtenances in connection with the power distribution system, etc., both insides and outside of buildings; and who is or employs a licensed *master electrician* in a managerial capacity.

ELECTRICAL WIRING. The installation, construction, alteration, replacement, removal, connection, disconnection, distribution or repair of wiring, fixtures, equipment

and apparatus for the use of electrical current for electrical fixtures, appliances, motors or other apparatus.

ELECTRICIAN. A person who installs, maintains, operates, or repairs electrical wiring, fixtures and equipment both inside and outside of buildings.

MASTER ELECTRICIAN. An individual licensed and authorized to install and to assume responsibility for contractual agreements pertaining to electrical, and to secure any permits required for electrical work.

OWNER. Any person, agent, firm or corporation having a legal or equitable interest in the property.

OWNER. Any person, agent, operator, firm, or corporation having any legal or equitable interest in the property; or recorded in the official records of the state, county, or municipality as holding an interest or title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**DIVISION 3
LICENSES**

**SECTION 9.400.301
MASTER'S LICENSE REQUIRED; EXCEPTIONS**

9.400.301.1 General.

It is unlawful for any person to conduct, carry on or engage in the business of an *electrical contractor, electrical wiring or electrician* without having first been issued a valid master electrician's licenses by the *building official*.

Exceptions:

1. Work done under the employment and supervision of a master electrician.
2. Work done under the employment of an electrical contractor which is owned by a master electrician.
3. Work done under the employment of an electrical contractor, which employs a master electrician in a managerial capacity.
4. Work is done in compliance with section 9.400.101.

**SECTION 9.400.302
APPLICATION FOR LICENSE ISSUANCE**

9.400.302.1 Application.

Application for a master electrician's license shall be made in writing on forms provided by the city to the board of electrical examiners. The application shall state the applicant's name, mailing address, general qualifications and other data pertinent to the issuance of such certificate and license.

9.400.302.2 Eligibility.

A master electrician's license may be issued to:

1. A person who has taken and passed an approved examination pursuant to section 9.400.305 and who has been certified by the board of electrical examiners as a *master electrician*.
2. A person currently holding a valid master electrician's license issued by a county or city whose requirements relating to the issuance of such licenses are equivalent to the provisions of this article, as determined by the board of electrical examiners; provided that no waiver of examination shall be made to any person certified and licensed by a county or city which does not have in force the current addition of the ICC Electrical Code – Administrative Provisions and/or NFPA 70, National Electrical Code.

9.400.302.3 Duration.

All certificates and licenses shall be valid for a period of one (1) year starting at the beginning of the city's fiscal year (July 1), except that the first certificate and license granted shall extend from the date issued to the end of the city's fiscal year (June 30).

9.400.302.4 Renewal.

Master electrician's licenses currently issued may be renewed on or before July 1st, upon payment of a renewal fee, in accordance with the city "Schedule of Fees and Charges," as amended, without further examination. If any master electrician's license is not renewed on or before the renewal day (July 1), the applicant may be required to meet the requirements as set forth sections 9.400.302(1) and 9.400.302(2).

9.400.302.5 Transferability.

Master electrician's licenses are not transferable from one person to another person.

SECTION 9.400.303

EXAMINATION OF APPLICANT

9.400.303.1 General.

Applicants applying for a master electrician's license who shall show proof to the board of electrical examiners that they have passed an approved examination for master electrician, or have passed an equivalent or more stringent test as determined by the board of electrical examiners, shall be eligible for a master electrician's license.

SECTION 9.400.304

BUSINESS LICENSE

9.400.304.1 General. The master electrician's license provided for in this article shall in no way affect the duty to obtain any and all business licenses required by other laws or ordinances of the jurisdiction. A separate business license shall not be required if the *master electrician* is not an electrical contractor. However, every *electrical contractor* shall have a valid business license before performing electrical work within the jurisdiction.

SECTION 9.400.305

BOARD OF ELECTRICAL EXAMINERS

9.400.305.1 Creation of board.

The board of electrical examiners is hereby created and the official in charge thereof shall be the city manager.

9.400.305.2 Membership of board.

The board of electrical examiners shall consist of three (3) persons as follows:

1. The city manager or the city manager's designee;
2. The *building official*; and

3. The deputy of the *building official*.

9.400.305.3 Approval.

All votes of business of the board shall require a concurring vote of two-thirds of its members. A vote equal to a quorum is required to pass or deny any request. A quorum shall consist of a simple majority of board members.

9.400.305.4 Rules and procedures.

The board is authorized to establish policies and procedures necessary to carry out its duties.

9.400.305.5 Revocation or suspension of certificate and license.

If it is determined that a person who has been issued a master electrician's license under this article is incompetent or lacks knowledge on matters relevant to such license, or it is determined that the license was obtained by fraud or based on inaccurate or incomplete information, the board, after hearing thereon, may cancel, suspend, or revoke the license issued to such person; provided that such person shall be given ten (10) days written notice thereof prior to the time fixed for the hearing, so that such person may have any opportunity to have counsel present and produce witnesses in their behalf. A person who has such person's own license canceled, suspended, or revoked shall have the right to appeal the board's decision to the uniform code board of appeals within ten (10) days of the board's decision by filing a written protest with the secretary of the uniform code board of appeals. If the license of any person is so canceled, suspended, or revoked, another license shall not be granted until the board reinstates such person.

**SECTION 9.1100.306
APPEALS**

9.1100.306.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Code Board of Appeals is hereby authorized to conduct said appeals.

9.1100.306.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this chapter shall have the right to appeal to the Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determinations therefore made by the building official.

9.1100.306.2 Authority on appeal.

See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

**DIVISION 4
VIOLATION AND PENALTIES**

**SECTION 9.400.406
VIOLATIONS**

9.400.406.1 Unlawful acts.

It shall be unlawful for any person, firm, or corporation to be in conflict with or in violation of any provisions of this chapter.

9.400.406.2 Violation penalties.

Any person who violates a provision of this chapter or fails to comply with any order made thereunder, or any certificate of permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the uniform code board of appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided for in section 1.100.140 of the City of Gladstone, Clay County, Missouri Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 500
ENERGY CONSERVATION REGULATIONS**

**SECTION 9.500.010
ADOPTION OF THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE
COMMERCIAL PROVISIONS**

That a certain document, one (1) copy of which are on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the International Energy Conservation Code, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the City of Gladstone, Clay County, Missouri, for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made part hereof, as if fully set out in this legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.700.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed the law, and each section, subsection, clause or phrase thereof; irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

That nothing in this legislation on in the Energy Conservation 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**SECTION 9.500.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE
COMMERCIAL PROVISIONS**

9.500.020.1 AMENDMENTS.

The following sections of the 20158 International Energy Conservation Code are omitted and not hereby incorporated and the following identically numbered sections are adopted in lieu thereof:

C101.1 Title.

This code shall be known as the Energy Conservation Code of the City of Gladstone, Clay County, Missouri, and shall be cited as such. It is referred to herein as “this code.”

C108.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances.

SECTION C109 MEANS OF APPEAL

C109.1 Application for appeal.

A person shall have the right to appeal a decision of the *code official* to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The application shall be filed on a form obtained by the *code official* within twenty (20) days after the notice was served.

9.500.020.2 ADDITIONS.

The following sections are hereby incorporated and adopted in the 2018 International Energy Conservation Code:

No sections added.

9.500.020.3 DELETIONS.

The following sections of the 2018 International Energy Conservation Code are omitted and not hereby incorporated.

No sections deleted.

**CHAPTER 600
FIRE PREVENTION REGULATIONS**

ARTICLE 1. FIRE CODE

**SECTION 9.600.010
ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE**

That a certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the *International Fire Code*, 2018 edition, including Appendix Chapters:

- Appendix B, Fire-Flow Requirements for Buildings,
- Appendix C, Fire Hydrant Locations and Distributions,
- Appendix D, Fire Apparatus Access Roads,
- Appendix E, Hazard Categories,
- Appendix F, Hazard Ranking,
- Appendix G, Cryogenic Fluids – Weight and Volume Equivalents,
- Appendix H, Hazard Materials Management Plan (HMMP) and Hazardous Materials Inventor Statement (HMIS) Instructions,
- Appendix I, Fire Protection Systems – Noncompliant Conditions, and
- Appendix J, Building Information Sign.

as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the safeguard of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the of the City Clerk of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in the legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.600.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, or otherwise be declared invalid, such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof; irrespective of the fact that

any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, or otherwise be declared invalid..

That nothing in this legislation or in the Fire Code hereby be adopted shall be construed to affect any suit or proceeding pending in any court, or right acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 9.600.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL FIRE CODE

9.600.020.1 AMENDMENTS.

The followings sections of the 2018 International Fire Code are omitted and not hereby incorporated as the follow identically numbered sections are adopted in lieu thereof:

[A] 101 Title.

These regulations shall be known as the Fire Code of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code”.

[A] 102.7 Referenced codes and standards.

The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such code and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such referenced and as further regulated in Sections 102.7.1 and 102.7.2. In addition to the codes and standards referenced in Chapter 80 the following codes and standards shall be considered to be part of the requirements of this code:

- NFPA 3: Recommended Practice for Commissioning of Fire Protection and Life Safety Systems,
- NFPA 10: Standard for Portable Fire Extinguishers,
- NFPA 13: Standard for Installation of Sprinkler Systems,
- NFPA 14: Standard for the Installation of Standpipe and Hose Systems,
- NFPA 20: Standard for the Installation of Stationary Pumps for Fire Protection,
- NFPA 24: Standard for the Installation of Private Fire Service Mains and Their Appurtenances,
- NFPA 25: Standard for the Inspection, Testing, and Maintenance of Water Based Fire Protection Systems,
- NFPA 58: Liquid Petroleum Gas Code,

- NFPA 72: National Fire Alarm and Signaling Code,
- NFPA 99: Health Care Facilities Code, and

SECTION 109 MEANS OF APPEAL

109.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *fire marshal* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

109.2 Application for appeal.

Persons directly affected by a decision of the *fire marshal* or a notice issued under this code shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *fire marshal* within ten (10) days of orders, decisions, or determination therefore made by the *fire marshal*.

109.3 Authority on appeals.

See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

110.4 Violation penalties.

Any person who shall violate a provisions of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances. The imposition of one (1) penalty shall not excuse the violation, ~~or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

112.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances.

307.4.1 Bonfires.

Bonfires shall be prohibited within the jurisdiction.

308.1.4 Open-flame cooking devices.

Open-flame cooking, heating, or decorative devices, fueled by charcoal, wood, propane gas, natural gas, or other such fuels, and the fuels for such devices, shall not be operated, stored or located on decks, balconies, porches, and patios, or within ten (10) feet of any dwelling unit within any apartment building; as defined in Title X, Chapter 200, Division 2, Section 10.200.202.

503.3 Marking.

Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced, repaired, or repainted when necessary to provide adequate visibility.

The entire face and top of curb shall be painted either Red with White lettering or Yellow with Red lettering. Lettering shall be 4 inches high with a minimum stroke width of $\frac{3}{4}$ inch and shall be spaced no further apart than 25 feet along the face of the curb.

In the absence of curb and where specified by the *fire code official* shall be marked with a 10-inch Red strip with White lettering or a Yellow Strip with Red lettering. Lettering shall be 4 inches high with a minimum stroke width of $\frac{3}{4}$ inch and shall be spaced no further apart than 25 feet.

If vertical signage is used, the minimum cumulative size shall be 96 square inches. The sign shall contain the words “No Parking” or the universal symbol for no parking along with the words “Fire Lane”. The sign shall be white with red lettering. The bottom of the sign shall be mounted 7 feet above grade and outer edge of the sign shall be 2 feet to 3 feet from the front face of the curb or edge of pavement when no curb present. Signs shall be spaced no further apart than 20 feet.

505.1 Address identification.

New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 8 inches high with a minimum stroke width of $\frac{1}{2}$ inch. Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be view from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Exceptions:

1. Residential Group R-2 and R-3 shall be a minimum of 4 inches.
2. Home Day Care Facilities approved by a Special Use Permit shall be 6 inches high.
3. Existing non-conforming uses shall not be required to modify their addresses; unless they are so worn, faded, or otherwise required to be replaced by the *fire code official* for due cause.

506.1.1 Locks.

An *approved* lock, lockable device or shutoff device shall be installed on the following:

The following shall require a key box or an approved lockable or shutoff device.

1. All fire department connections and standpipe connections.

Exception: Existing connections shall be converted by January 1, 2023 or if the *fire code official* finds missing cap(s) then all connections shall be brought into compliance promptly.

2. Automatic entrance gates or similar barriers shall be equipped with an approved fire department operating/opening device.
3. Non-automatic entrance gates or similar barriers.
4. Excessive travel from entrance or other exigent circumstances exist.
5. Electrical service(s) in excess of 200 amps.

507.5.2 Inspection, testing and maintenance.

Fire hydrant systems shall be subject to periodic testing as required by the *fire code official*. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, *alterations* and servicing shall comply with *approved* standards and NFPA 291. Records of tests and required maintenance shall be maintained.

507.5.3 Private fire service mains and water tanks.

Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 and NFPA 291 at the following intervals:

1. Private fire hydrants of all types: Inspection annually and after each operation; flow test and maintenance annually.
2. Fire service main piping: Inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainers: Inspection and maintenance after each use.

Records of inspections, testing and maintenance shall be maintained.

507.5.5 Clear space around hydrants.

A 5-foot clear space shall be maintained around the circumference of the fire hydrants, except as otherwise required or *approved*.

Exception: No tree shall be planted within ten (10) feet of any fire hydrant.

509.1 Identification.

Fire protection equipment shall be identified in an *approved* manner. Rooms containing controls for mechanical systems, sprinkler riser and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. *Approved* signs required to identify

fire protection equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible. Signage shall be affixed to the doors of these rooms. The signage shall be red letters a minimum of 4 inches high with a minimum stroke width of ½ inch. The *fire code official* may require trailblazing signage from the main entrance to these rooms.

901.603.2 Test Documentation.

When required inspection, testing, or maintenance occurs on any fire protection system, testing documents shall be submitted to the fire marshal within thirty (30) days of completion through an approved third-party inspection agency. Reporting parties shall pay any fees associated with said service to the third-party inspection agency.

912.2 Location.

With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of the fire department connection shall be located within 75 feet of a fire hydrant and within 10 feet from a paved surface and shall be *approved* by the *fire code official*.

912.5 Signs.

A metal sign with raised letters not less than 4 inches in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable. Where the fire department connection does not serve the entire building, a sign shall be provided indicating the portions of the building served.

1004.9 Posting of occupant load.

Every room or space that is an assembly occupancy shall have the *occupant load* of the room or space posted in a conspicuous place, near the main *exit* or *exit access* doorway from the room or space. Posted signs shall be an *approved* legible permanent design using Arabic numerals or alphabet letters with letters a minimum height of 3 inches and a minimum stroke width of ½ inch.

5601.1.3 Fireworks.

The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.
3. The use of fireworks for fireworks displays as allowed in Section 5608.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided that such fireworks and facilities comply with NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks.

5. The use or possession of fireworks of any kind within the jurisdiction's parkland is permitted, by permit, only when authorized in writing by the Parks, Recreation and Cultural Arts Director for outdoor special events and approved by the City Council.

5601.2.2 Sale, retail display, use and possession.

Within the jurisdiction, *persons* shall not:

1. Construct a retail display or offer for sale *explosives, explosive materials* or fireworks.
2. Offer for sale, sell, purchase, use, ignite, display or discharge any fireworks.
3. Possess any fireworks.

Exception: Fireworks safely stored within a home or within the locked truck or other locked storage compartment of a motor vehicle.

4. Permit the sale, purchase, use, ignition, display, explosion or possession of fireworks by another person upon any real property they are in control of.
5. Display or cause to be displayed public fireworks for entertainment purposes.

5601.2.4.1 Blasting.

Blasting is prohibited within the jurisdiction.

5704.2.9.6.1 Locations where above-ground tanks are prohibited.

Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, provided that an application for a permit may be filed for a tank with a capacity of up to 1,000 gallons if such tank will be located on any property zoned for commercial or industrial use; or property used for industrial purposes, regardless of the property's zoning. Not more than 1,000 gallons of combustible or flammable liquid shall be stored on any one lot, tract, parcel or premises.

5706.2.4.4 Locations where above-ground tanks are prohibited.

Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, provided that an application for a permit may be filed for a tank with a capacity of up to 1,000 gallons if such tank will be located on any property zoned for commercial or industrial use; or property used for industrial purposes, regardless of the property's zoning. Not more than 1,000 gallons of combustible or flammable liquid shall be stored on any one lot, tract, parcel or premises.

5806.2 Limitations.

Storage of flammable *cryogenic fluids* in stationary containers outside of buildings is prohibited, provided that an application for a permit may be filed for a tank with a capacity of up to 1,000 gallons if such tank will be located on any property zoned for commercial or industrial use; or property used for industrial purposes, regardless of the property's zoning. Not more than 1,000 gallons of combustible or flammable liquid shall be stored on any one lot, tract, parcel or premises.

6104.2 Maximum capacity within established limits.

Storage of liquefied petroleum gas is prohibited, provided that an application for a permit may be filed for a tank with a water capacity of 2,000 gallons if such tank will be located on property with an M-1 use. Not more than 2,000 gallons, water capacity, of liquefied petroleum gas shall be stored on any lot, tract, parcel or premises.

SEC. 9.600.020.2 ADDITIONS.

The following sections are hereby incorporated and adopted in the 2018 International Fire Code:

104.11.4 Temporary directive.

A dangerous condition not specifically addressed by this code but in the opinion of the Director of Public Safety, Fire/EMS Division Chief, and/or the *fire code official*, is a dangerous condition that relates to the intention of this code and that constitutes a distinct hazard to life or property; a temporary directive may be issued to address such condition. The directive shall expire no later than sixty (60) days from the date of issuance.

107.2.1.1 Priority inspections.

An inspection request that is time sensitive; which the *fire code official* reprioritizes to occur out of a routine inspection schedule.

107.5 State required inspections:

The *fire code official* may require documentation that the following items have been inspected annually as required by the State Fire Marshal’s Office:

1. Fire sprinkler systems,
2. Daycares,
3. Residential institutions,
4. Amusement rides,
5. Pressure vessels, and
6. Elevators.

307.1 Open burning; permitted.

Open burning, of *approved* materials, within the jurisdiction shall be contained to approved fire pits, approved outdoor fireplaces, or barbeque grills.

307.1.2 Prohibited burning.

The following shall be prohibited within the jurisdiction:

1. The burning of rubbish, garbage, or yard waste. (Include leaves, grass, and other yard debris.)

Exception: Burning may be done in an incinerator approved by the local health department and the jurisdiction.

2. Persons who willfully set fire to any grass, weeds or any other flammable materials outdoors.

Exceptions:

- a. The use of charcoal, lighter fluid, wood chips and similar flammable materials for the sole use of cooking or smoking food. Such materials shall be located within a device specifically designed for this purpose, located away from combustible materials, attended at all times and extinguished immediately after completion of use.
 - b. Temporary UL-approved heating devices located away from combustible materials, be attended by competent person and compliant with this code.
 - c. The use of fifty-five (55) gallon barrels or similar devices containing a minimal amount of untreated natural wood construction waste may be utilized for warming of construction workers. Such containers shall be located away from combustible materials, attended at all times and extinguished immediately after completion of use. This method of warming is only applicable to construction sites possessing a valid building permit, which authorizes the construction of structures exceeding 1,200 square feet and may be prohibited by the jurisdiction at any time upon written notice to the holder of the building permit.
 - d. Fire pits in compliance with this code.
3. The burning of solid waste as defined by applicable federal, state and local regulations.

307.1.3 Fire hazard emergency.

The City Manager may declare a fire hazard emergency and prohibit open burning of any material for the protection of the health, welfare and safety of the jurisdiction. Such prohibition against open burning shall continue until rescinded by the City Manager.

307.4.3.1 Fire pits, fireplace; outdoor.

Fire pits and fireplaces located outdoors within the jurisdiction shall observe the following:

1. Must be a minimum of fifteen (15) feet from combustible materials.
2. Shall not be places under trees and/or overhead wires.
3. Fire pits shall be a minimum of twelve (12) inches in height and not higher than twenty-four (24) inches; made of noncombustible materials.
4. Fire pits shall have a maximum diameter of thirty-six (36) inches.

5. Flames shall not exceed eighteen (18) inches above the top of the fire pit.
6. Flames shall not exceed the top of the fireplace flue.
7. A readily available water source or fire extinguisher adequate for fire extinguishment.
8. Use of fire pits and fireplaces shall be attended at all time by an adult.
9. Flying embers shall be kept to a minimum.
10. Fire pits and fireplaces shall be maintained in good working order.
11. It is prohibited to burn rubbish, garbage, trash, yard waste, and construction material.
12. The use of fire pits and fireplaces is prohibited when there is a burn ban in place, or the wind speed is in excess of 15 MPH.

307.6 Parkland.

The igniting and maintaining of any fire on parkland is prohibited.

Exception: In designated grills or other fireplaces provided by the jurisdiction as prescribed:

1. Fire shall not be left unattended.
2. Fire shall be extinguished after use.

307.6.1 Fire danger.

The jurisdiction may prohibit all fires on parkland by posting of signs to that effect during designated periods of drought.

504.4 Signage.

Door(s) leading from a common area or hallway to the building roof access shall have signage affixed to the door(s). The signage shall be letters a minimum of 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm). The letters shall be contrasting to the background.

506.1.1.1 Decals.

The *fire code official* may place a decal on doors servicing occupancies with any of the boxes, locks or devices in sections 506.1 and 506.1.1.

507.2.1.1 Fire hydrant makings.

Fire hydrants located on private fire service mains and/or private water mains shall have their based painted red and the caps shall be painted as follows:

1. 2-inch main shall be painted Red.

2. 4-inch main shall be painted Orange.
3. 6-inch main shall be painted Green.
4. 8-inch or larger main shall be painted Blue.

507.5.7 Crossing or driving over fire hose.

It shall be unlawful for the driver of any vehicle to drive over an unprotected fire hose when laid down on any street, alley, parking lot, or private way, or cause to be done or cause to be done in violation of this section.

Exception: With approval of the Fire Department official in charge on scene.

606.9 Elevator machine room access and signage.

An *approved* means of access shall be provided to the elevator machine rooms, control rooms, control spaces and machinery spaces. The door(s) to these rooms shall have signage affixed to the door(s). The signage shall be red letters a minimum of 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm). The *fire code official* may require trailblazing signage from the main entrance to the elevator mechanical room.

903.2.12.1 Cumulative renovation.

In consideration of whether an *automatic sprinkler system* must be installed in a building, where any adopted code defines the threshold for renovations of 50% or more of a floor or building for applicability of codes in consideration of an *automatic sprinkler system*, the 50% shall be defined as the cumulative sum of the floor and/or building area for all work performed and/or permits obtained since January 1, 2015.

912.2.3 New buildings.

The exterior fire department connection, building or remote connection, shall be indicated by an *approved* sign mounted to or adjacent to the fire department connection. Such sign shall have letters "FDC" not less than 6 inches (152 mm) in height. The letters shall be white reflective lettering on a red retro-reflective background.

913.1.1 Required. Fire pumps shall be required for commercial buildings that require fire sprinkler systems where the following conditions exist:

1. The building exceeds 2 stories in height measured from any ground surface level. This shall include a 2 story building with a basement exposed on at least one side of the building with a walk-out door or window, and
2. The static pressure on the fire main serving the building sprinkler system has less than 80 psi (551.58 kPa) as measured in the highest hours of demand annually for the system or residual pressure below 60 psi (413.69 kPa). In absence of any specific information the demand hour shall be considered the highest hour between Noon and Midnight in during the first week of August.

Where fire pumps are required they shall be electric motor driven; unless otherwise specifically approved by the *fire code official*.

1022.2.3 Numbering.

Where a building or structure, either with one or multiple tenants, has three or more exits, a sequential numbering system shall be required. The numbers shall be affixed to the doors on the interior and exterior. The numbers shall be red with a minimum height of 4 inches (102 mm) and a minimum stroke width of ½ inch (12.7 mm).

3304.1.1 Ignitable and combustible materials.

No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper or materials within or against any building, vehicle, or under any tree or in underbrush.

5608.2.3 Bond required.

Prior to issuing any permit for a fireworks display, the applicant shall file with the jurisdiction a surety bond or a public liability policy in the amount requested by the jurisdiction having authority, for the purpose of the payment of damages to property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgement results. The surety bond or public liability policy shall list the jurisdiction having authority as additionally insured.

SECTION D109 PROTECTION OF TRAFFIC

D109.1 Trenches and excavations.

Street/road/highway construction within or adjacent to fire apparatus access roads shall have erected and maintain suitable timber barriers to confine earth from trenches and excavations in order to encroach upon streets/roads/highways as little as possible. The construction site shall be maintained with adequate and safe crossings over trenches and excavations under improvement to accommodate vehicular and pedestrian traffic.

SEC. 9.600.020.3 DELETIONS.

The following sections of the 2018 International Fire Code are omitted and not hereby incorporated:

1103.2 Emergency responder radio coverage in existing buildings.

ARTICLE 2. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM

DIVISION 1 SCOPE AND ADMINISTRATION

PART 1 – SCOPE AND APPLICATION

SECTION 9.600.101 GENERAL

9.600.101.1 Title.

This article shall be known as Automated External Defibrillator (AED) Program of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this article”

9.600.101.2 Scope.

The provisions of this chapter are to provide within easily accessible locations, within building in this jurisdiction, AED’s for use by capable people.

9.600.101.3 Intent.

The purpose of this article is to create and maintain the City’s public AED program and establish guidelines for use, training, and data collection, as well as requirements and procedures for implementing and using AED’s by qualified laypersons within the City.

SECTION 9.600.102 APPLICABILITY

9.600.102.1 General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. ~~Where, in any specific case, different sections of this article specify different requirements, the most restrictive shall govern.~~

9.600.102.2 Other laws.

The provision of this article shall not be deemed to nullify any provisions of local, state or federal law.

9.600.102.3 Application of references.

Reference to division or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this chapter.

9.600.102.4 Referenced codes and standards.

The codes and standards referenced in this chapter shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 9.300.102.4.1 and 9.300.102.4.2.

9.600.102.4.1 Conflicts.

Where conflicts occur between provisions of this chapter and the referenced standards, the provisions of this chapter shall apply.

9.600.102.4.2 Provisions in referenced codes and standards.

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this chapter, the provisions of this chapter, as applicable, shall take precedence over the provisions in the referenced code or standard.

9.1100.102.5 Partial invalidity.

In the event that any part or provision of this chapter is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

9.1100.102.6 Existing structures.

The legal use of any AED existing on the date of adoption of this article shall comply with Section 9.600.301.1.

SECTION 9.600.103

DUTIES AND POWERS OF FIRE DIVISION CHIEF AND PROGRAM MANAGER

9.600.103.1 General.

The Director of Public Safety, *Fire Division Chief* and *program manager* are hereby authorized to enforce the provisions of this article and shall have the authority to render interpretations of this article, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this article and shall not have the effect of waiving requirements specifically provided for in this article.

9.600.103.2 Duties; Director of Public Safety.

The Director of Public Safety or his/her designee shall have the following duties:

1. Shall have the right to audit any use of an *automated external defibrillator* that is subject to this article. The Director of Public Safety or his/her designee may review maintenance and repair records, training records, reports of cardiopulmonary resuscitation or *automated external defibrillator* use, and any other records necessary to determine compliance with the terms of this article and any corresponding regulations. The audit may also include gathering clinical data and information from the person who used the *automated external defibrillator*, and from the *automated external defibrillator* itself.
2. May delegate duties to appropriate personnel, including the *medical director* or other persons or entities determined by the Director of Public Safety to be qualified to oversee the operations of the *public access defibrillation program*.
3. Shall review or have reviewed applications of the *public access defibrillation program* and certify only those programs that establish conformance with the *public access defibrillation program* duties, defined by this article and any adopted regulations. Such certification shall be effective for twelve (12) months following such certification, unless it is revoked as a

result of an audit by the *Fire Division Chief* or *program manager*, which determines that the *public access defibrillation program* has failed to comply with the *public access defibrillation program* regulations outlined in Section 9.600.302. Each *public access defibrillation program* must apply and be re-certified every twelve (12) months.

9.600.103.3 Duties; program manager.

The *program manager* shall have the following duties:

1. Shall maintain a list of authorized *public access defibrillation sites*, which shall be available to the Gladstone Fire and EMS Division.
2. Shall have the right to audit any use of an *automated external defibrillator* that is subject to this article. The *program manager* may review maintenance and repair records, training records, reports of cardiopulmonary resuscitation or *automated external defibrillator* use, and any other records necessary to determine compliance with the terms of this article and any corresponding regulations. The audit may also include gathering clinical data and information from the person who used the *automated external defibrillator*, and from the *automated external defibrillator* itself.

**DIVISION 2
DEFINITIONS**

**SECTION 9.600.201
GENERAL**

9.600.201.1 Scope.

Unless otherwise expressly stated, the following words and terms shall, for the purpose of this article, have the meaning shown in this section.

9.600.201.2 Interchangeability.

Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

9.600.201.3 Terms defined in other codes.

Where terms are not defined in this chapter and are defined in the International Fire Codes as adopted by the jurisdiction, such terms shall have the meanings ascribed to them as in that code.

9.600.201.4 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**SECTION 9.600.202
GENERAL DEFINITIONS**

AUTHORIZED USER. Any person who has met the training standards of this article, and is authorized to use an AED by the program manager in accordance with this article.

AUTOMATED EXTERNAL DEFIBRILLATOR (AED). An external defibrillator capable of cardiac rhythm analysis that will charge and, with or without further operator action, deliver a shock after electronically detecting that a “Shockable Rhythm” is present.

FIRE DIVISION CHIEF. The chief of the Fire and EMS Division, as appointed by the Director of Public Safety of the City of Gladstone.

HEALTH CARE FACILITY. A hospital, nursing home, physician’s office or other fixed location at which medical and health care services are routinely preformed.

MEDICAL DIRECTOR. A physician, appointed by the City Manager, who is trained to operate, maintain, and review usage of *AED*’s and who develops, implements, and maintains the medical control provisions of this article and any regulations promulgated pursuant thereto.

PROGRAM MANAGER. A person, appointed by the Director of Public Safety, who works with the *medical director* to oversee the administration of the *PAD program* at specific sites within the City of Gladstone.

PUBLIC ACCESS DEFIBRILLATION (PAD) PROGRAM. The program to provide and utilize *AED*'s by rescuers to treat victims of cardiac arrest in public or private places, including first aid providers not associated with the pre-hospital emergency medical services provider for the City; staff of nursing homes not otherwise exempt by this article, and similar activities.

PUBLIC ACCESS DEFIBRILLATION (PAD) SITE. An agency, business, organization, individual, or other entity that sponsors a *PAD program* and allows placement of an *AED* on its premises.

**DIVISION 3
REGULATIONS**

**SECTION 9.600.301
AUTOMATED EXTERNAL DEFIBRILLATOR (AED)**

9.600.301.1 AED's; use of.

No business, entity, institution, or person shall begin a *public access defibrillator program* or maintain an existing *public access defibrillator program* unless certified by the Director of Public Safety or his/her designee.

Exceptions:

1. Hospitals licensed by the State of Missouri.
2. Physicians licensed by the State of Missouri as a physician pursuant to RSMo. Ch. 334.
3. Nurses licensed by the State of Missouri as a nurse pursuant to RSMo. Ch. 335.
4. Mutual aid providers working for an ambulance service, fire department, or other emergency medical services (EMS) agency that are called into the City to provide mutual aid to the City's pre-hospital emergency medical services.
5. Person(s) working for the City of Gladstone's Fire and EMS Division that are trained and approved by the City to provide pre-hospital emergency medical services.
6. *Health care facilities* that are properly licensed by the State of Missouri.

**SECTION 9.600.302
PUBLIC ACCESS DEFIBRILLATION PROGRAM REGULATIONS**

9.600.302.1 General.

Any person, business, entity, or institution acquiring an *automated external defibrillator* shall adhere to the following regulations:

9.600.302.1.1 Training.

Authorized use of an *automated external defibrillator* shall be only by persons who have received training by the American Heart Association, American Red Cross, or an equivalent nationally recognized course approved by the *medial director*, which includes training in the identification of cardiac arrest, administration of cardiopulmonary resuscitation, and the use of *automated external defibrillators*.

9.600.302.1.2 Maintenance.

Automated external defibrillators shall be maintained and tested in accordance with the manufacture's operational guidelines, and maintain records of the same. Records of

maintenance and testing shall be made available to the Director of Public Safety, *Fire Division Chief* and/or *program manager* upon request.

9.600.302.1.3 Automated external defibrillator; notification of use.

Any person who renders emergency care or treatment outside of a health care facility or emergency medical services system by using an *automated external defibrillator* must notify the emergency medical services system through proper use of the 911 system or other means, to seek pre-hospital emergency medical services, as soon as possible.

9.600.302.1.4 Medical control.

Anyone acquiring an *automated external defibrillator* for use outside a *health care facility* shall have an authorized physician to:

1. Provide the medical protocol for the use of the device;
2. Review and advise regarding the training and skill maintenance of authorized users; and
3. Review situations where the *automated external defibrillator* is used to render emergency care.

Such protocol will be made available to the Director of Public Safety or his/her designee upon request. The City's *medical director* may be utilized to satisfy requirements of this subsection.

9.600.302.1.5 Cooperation with the Director of Public Safety, Fire Division Chief and/or program manager.

Any user of an *automated external defibrillator* shall fully cooperate with officials within the Public Safety Department in any audit or other quality assurance review, including the retrieval of clinical data from the device itself.

9.600.302.1.6 List of authorized user.

A *public access defibrillation program* shall maintain a list of the authorized users, which shall also reflect the user's training and qualifications. This list is subject to audit by the officials within the Public Safety Department.

SECTION 9.1100.304

APPEALS

9.1100.304.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *fire division chief* and/or *program manager* relative to the application and interpretation of this article; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

9.1100.304.2 Application for appeal.

Persons directly affected by a decision of the *fire division chief* and/or *program manager* or a notice issued under this chapter shall have the right to appeal to the Uniform Code Board of

Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *fire division chief* and/or *program manager* within ten (10) days of orders, decisions, or determinations therefore made by the building official.

9.1100.304.2 Authority on appeal.

See Title I, Chapter 110, Article 4 of the City of Gladstone’s Code of Ordinances.

**DIVISION 4
VIOLATION AND PENALTIES**

**SECTION 9.600.401
VIOLATIONS**

9.600.401.1 Unlawful acts.

It shall be unlawful for any person, firm, or corporation to be in conflict with or in violation of any of the provisions of this chapter.

9.600.401.2 Violation; penalties.

Any person, who violates a provision of this chapter or fails to comply with any order made thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the uniform code board of appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the City of Gladstone, Clay County, Missouri Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 700
FUEL GAS REGULATIONS**

**SECTION 9.700.010
ADOPTION OF THE 2018 INTERNATIONAL FUEL GAS CODE**

That a certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the International Fuel Gas Code, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Gladstone, Clay County, Missouri, for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.700.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

That nothing in this legislation or in the International Fuel Gas 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**SECTION 9.700.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL FUEL GAS CODE**

9.700.020.1 AMENDMENTS.

The following section(s) of the 2018 International Fuel Gas Code are omitted and not hereby incorporated as the following identically numbered sections are adopted in lieu thereof:

[A] 101.1 Title.

These regulations shall be known as the Fuel Gas Code of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code.”

[A] 106.6.2 Fee schedule.

The fees for work shall be in accordance with the schedule established by the applicable governing body.

[A] 106.6.3 Fee refunds.

The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[A] 108.4 Violation penalties.

Any person who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under provisions of this code, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances. The imposition of one (1) penalty shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 108.5 Stop work orders.

Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances.

403.4.3 Copper and brass.

Copper, Copper alloy pipe, brass, threaded copper and threaded brass shall not be used. Threaded aluminum-alloy shall not be used with gases corrosive to such materials.

109.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

109.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this code shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determination therefore made by the *building official*.

109.3 Authority on appeals.

See Title I, Chapter 110, Article 4 of the City of Gladstone’s Code of Ordinances.

403.5.3 Copper and copper alloy tubing.

Copper, copper alloy tubing, brass and brass tubing shall not be used.

9.700.020.2 ADDITIONS.

The following section(s) are hereby incorporated and adopted in the 2018 International Fuel Gas Code:

No sections added.

9.700.020.3 DELETIONS.

The following section(s) of the 2018 International Fuel Gas Code are omitted and not hereby incorporated:

109.2.1 Qualifications.

109.2.2 Alternate members.

109.2.3 Chairman.

109.2.4 Disqualification of member.

109.2.5 Secretary.

109.2.6 Compensation of members.

109.4 Open hearing.

109.4.1 Procedure.

109.5 Postponed hearing.

109.6 Board decision.

109.6.1 Resolution.

109.6.2 Administration.

109.7 Court review.

**CHAPTER 800
MECHANICAL REGULATIONS**

**SECTION 9.800.010
ADOPTION OF THE 2018 INTERNATIONAL MECHANICAL CODE**

That a certain document, one (1) copy of which are on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the *International Mechanical Code*, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.800.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

That nothing in this legislation or in the *International Mechanical 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**SECTION 9.800.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL MECHANICAL CODE**

9.800.020.1 AMENDMENTS.

The following section(s) of the 2018 International Mechanical Code are omitted and not hereby incorporated as the following identically numbered sections are adopted in lieu thereof:

[A] 101.1 Title.

These regulations shall be known as the *Mechanical Code* of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code.”

[A] 106.5.2 Fee schedule.

The fees for mechanical work shall be in accordance with the schedule of fees and charges as established by the jurisdiction having authority.

[A] 106.5.3 Fee refunds.

The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[A] 108.4 Violation penalties.

Any person who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair mechanical work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under provisions of this code, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances. The imposition of one (1) penalty shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 108.5 Stop work orders.

Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances.

109.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

109.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this code shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determination therefore made by the *building official*.

109.3 Authority on appeals.

See Title I, Chapter 110, Article 4 of the City of Gladstone’s Code of Ordinances.

9.800.020.2 ADDITIONS.

The following section(s) are hereby incorporated and adopted in the 2018 International Mechanical Code:

No sections added.

9.800.020.3 DELETIONS.

The following section(s) of the 2018 International Mechanical Code are omitted and not hereby incorporated:

109.2.1 Qualifications.

109.2.2 Alternate members.

109.2.3 Chairman.

109.2.4 Disqualification of member.

109.2.5 Secretary.

109.2.6 Compensation of members.

109.4 Open hearing.

109.4.1 Procedure.

109.5 Postponed hearing.

109.6 Board decision.

109.6.1 Resolution.

109.6.2 Administration.

109.7 Court review.

**CHAPTER 900
PLUMBING REGULATIONS**

ARTICLE 1. PLUMBING CODE

SEC. 9.900.010

ADOPTION OF THE 2018 INTERNATIONAL PLUMBING CODE

That a certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the International Plumbing Code, 2018 edition, including Appendix Chapters:

Appendix B, Rates of Rainfall for Various Cities,

Appendix C, Structural Safety,

Appendix D, Degree Day and Design Temperatures, and

Appendix E, Sizing of Water Piping System.

as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of Plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.900.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

That nothing in this legislation or in the International Plumbing 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 9.900.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL PLUMBING CODE

9.900.020.1 AMENDMENTS.

The following section(s) of the 2018 International Plumbing Code are omitted and not hereby incorporated and the following identically numbered sections are adopted in lieu thereof:

101.1 Title.

These regulations shall be known as the International Plumbing Code of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code”.

106.6.2 Fee schedule.

The fees for work shall be in accordance with the schedule established by the applicable governing body.

106.6.3 Fee refunds.

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than eighty percent (80%) of the permit fee when no work has been done under a permit issued in accordance with this code.
3. Not more than eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

108.4 Violation penalties.

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair plumbing work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances. The imposition of one (1) penalty shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop work orders.

Upon notice from the code official that plumbing work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as provided in Section 1.100.140 of this Gladstone Code of Ordinances.

109.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

109.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this code shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determination therefore made by the *building official*.

109.3 Authority on appeals.

See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

305.4.1 Sewer depth.

Building sewers shall be installed not less than 36 inches below grade.

605.3 Water service pipe.

Water service pipe shall be Type K copper and conform to NSF 61 and one of the standards listed in Table 605.3; or cross-linked polyethylene (PEX) plastic pipe and tubing conforming to one of the standards listed in Table 605.3 Water service pipe or tubing, installed underground and outside of the structure, shall have a working pressure rating of not less than 160 psi at 73.4°F. Where the water pressure exceeds 160 psi, piping material shall have a working pressure rating not less than the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate at or before the full open valve located at the entrance to the structure. All ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104/A21.4.

**TABLE 608.1
APPLICATION OF BACKFLOW PREVENTERS**

DEVICE	DEGREE OF HAZARD ^a	APPLICATION ^b	APPLICABLE STANDARDS
Backflow prevention assemblies:			
Double check backflow prevention assembly and double check fire protection backflow prevention assembly	Low hazard	Backpressure or backsiphonage Sizes 3/8"-16"	ASSE 1015, AWWA C510, CSA B64.5, CSA B64.5.1
Double check detector fire protection backflow prevention assemblies	Low hazard	Backpressure or backsiphonage Sizes 2"-16"	ASSE 1048
Double check detector backflow prevention assembly	Low hazard	Back pressure or backsiphonage Sizes "any"	ASSE 1015, AWWA C510, CSA B64.5, CSA B64.5.1
Reduced pressure principle backflow prevention assembly and reduced pressure principle fire protection backflow assembly	High or low hazard	Backpressure or backsiphonage Sizes 3/8"-16"	ASSE 1013, AWWA C511, CSA B64.4, CSA B64.4.1
Reduced pressure detector fire protection backflow prevention assembly	High or low hazard	Backpressure or backsiphonage (Fire sprinkler systems)	ASSE 1047
Reduced pressure principle backflow prevention assembly for carbonated beverage machines	High or low hazard	Backpressure or backsiphonage Sizes 1/4"-3/4"	ASSE 1015, AWWA C510, CSA B64.5, CSA B64.5.1
Reduced pressure principle backflow prevention assembly	High or low hazard	Backpressure or backsiphonage Sizes "any"	ASSE 1013, AWWA C511, CSA B64.4, CSA B64.4.1
Backflow preventer plumbing devices:			
Antisiphon-type fill valves for gravity water closet flush tanks	High hazard	Backsiphonage only	ASSE 1002./ASME A112.1002/CSA B125.12, CSA B125.3
Hose connection backflow preventer	High or low hazard	Low head backpressure, rated working pressure, backpressure or backsiphonage Sizes 1/2"-1"	ASME A112.21.3, ASSE 1052, CSA B64.2.1.1
Hose connection vacuum breaker	High or low hazard	Low head backpressure or backsiphonage Sizes 1/2", 3/4", 1"	ASME A112.21.3 ASSE 1011, CSA B64.2, CSA B64.2.1
Laboratory faucet backflow preventer	High or low hazard	Low head backpressure and backsiphonage	ASSE 1035, CSA B64.7
Pipe-applied atmospheric-type vacuum breaker	High or low hazard	Backsiphonage only Sizes 1/4"-4"	ASSE 1001, CSA B64.1.1
Vacuum breaker wall hydrants, frost-resistant, automatic-draining-type	High or low hazard	Low head backpressure or backsiphonage Sizes 3/4"-1"	ASME A112.21.3, ASSE 1019, CSA B64.2.2
Other means or methods:			
Air gap	High or low hazard	Backpressure or backsiphonage	ASME A112.1.2
Air gap fittings for use with plumbing fixtures, appliances and appurtenances	High or low hazard	Back pressure or backsiphonage	ASME A112.1.3
Barometric loop	High or low hazard	Backsiphonage only	(See Section 608.13.4)

For SI: 1 inch = 25.4 mm.

- a. Low hazard-See Pollution (Section 202).
High hazard-See Pollution (Section 202).
- b. See Backpressure, low head (Section 202).
See Backsiphonage (Section 202).

903.1 Roof extension.

All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet above the roof.

9.900.020.2 ADDITIONS.

The following section(s) are hereby incorporated and adopted in the 2018 International Plumbing Code:

No sections added.

9.900.020.3 DELETIONS.

The following section(s) of the 2018 International Plumbing Code are omitted and not hereby incorporated.

109.2.1 Qualifications.

109.2.2 Alternate members.

109.2.3 Chairman.

109.2.4 Disqualification of member.

109.2.5 Secretary.

109.2.6 Compensation of members.

109.4 Open hearing.

109.4.1 Procedures.

109.5 Postponed hearing.

109.6 Board decision.

109.6.1 Resolution.

109.6.2 Administration.

109.7 Court review.

ARTICLE 2. PLUMBERS AND PLUMBING CONTRACTORS

DIVISION 1
PERMITS

SECTION 9.900.101
GENERAL

9.900.101.1 Permits issued.

Permits shall be issued only to persons holding a valid certificate and business license and master plumbers license issued pursuant to this article 2 of this chapter and the International Plumbing Code as adopted by the *jurisdiction*.

Exception: A permit may be issued to any person to do work regulated by this chapter in a dwelling unit as defined in the International Residential Code as adopted by the *jurisdiction*, provided that the person is a *bona fide owner* of such dwelling unit and that the same is or will be occupied by such bona fide owner.

**DIVISION 2
DEFINITIONS**

**SECTION 9.900.201
GENERAL**

9.900.201.1 Scope.

Unless otherwise expressly stated, the following terms shall, for the **purpose of this chapter, have the meaning shown in this section.**

9.900.201.2 Interchangeability.

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

9.900.201.3 Terms defined in other codes. Where terms are not defined in this chapter and are defined in the International Plumbing Code as adopted by the jurisdiction such terms shall have the meaning ascribed to them in that code.

9.900.201.4 Term not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**SECTION 9.400.202
GENERAL DEFINITIONS**

APPROVED. Acceptable to the *building official*.

APPROVED AGENCY. An established and recognized agency that is regularly engaged in conducting test, furnishing inspection services or furnishing product certification where such agency has been *approved* by the *building official*.

BONA FIDE OWNER. The person or persons having legal ownership.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this article, or a duly authorized representative.

JURISDICTION. The governmental unit that has adopted this article.

MASTER PLUMBER. An individual licensed and authorized to install and to assume responsibility for contractual agreements pertaining to plumbing, and to secure any permits required for plumbing installations.

OWNER. Any person, agent, operator, firm, or corporation having any legal or equitable interest in the property; or recorded in the official records of the state, county, or municipality as holding an interest or title to the property; or otherwise having control of

the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PLUMBER. A person who installs and repairs piping, fixtures, appliances, and appurtenances in connection with the water supply, drainage systems, fuel gas, etc., both inside and outside of buildings.

PLUMBING CONTRACTOR. A person or firm, engaged in the business of installing or repairing piping, fixtures, appliances, and appurtenances in connection with the water supply, drainage systems, fuel gas, etc., both inside and outside of buildings; and who is or employs a licensed *master plumber* in a managerial capacity.

**DIVISION 3
LICENSES**

**SECTION 9.900.301
MASTER'S LICENSE REQUIRED; EXCEPTIONS**

9.900.301.1 General. It is unlawful for any person to conduct, carry on or engage in the business as a *plumber* or *plumbing contractor* without having first been issued a valid master plumber's license by the *building official*.

Exceptions:

1. Work done under the employment and supervision of a *master plumber*.
2. Work done under the employment of a *plumbing contractor* which is owned by a *master plumber*.
3. Work done under the employment of a *plumbing contractor* which employs a *master plumber* in a managerial capacity.
4. Work is done in compliance with section 9.900.101.

**SECTION 9.900.102
APPLICATION FOR LICENSE; ISSUANCE**

9.900.102.1 Application.

Application for a master plumber's license shall be made in writing on forms provided by the city to the board of plumbing examiners. The application shall state the applicant's name, mailing address, general qualifications and other data pertinent to the issuance of such certificate and license.

9.900.102.2 Eligibility.

A master plumber's license may be issued to:

1. A person who has taken and passed an approved examination pursuant to section 9.900.105 and who has been certified by the board of plumbing examiners as a *master plumber*.
2. A person currently holding a valid master plumber's license issued by a county or city whose requirements relating to the issuance of such license are equivalent to the provisions of this article, as determined by the board of plumbing examiners; provided that no waiver of examination shall be made to any person certified and licensed by a county or city which does not have in force the current addition of the International Plumbing Code.

9.900.102.3 Duration.

All certificates and licenses shall be valid for a period of one (1) year starting at the beginning of the city’s fiscal year (July 1), except that the first certificate and license granted shall extend from the date issued to the end of the city’s fiscal year (June 30).

9.900.102.4 Renewal.

Master plumber’s licenses currently issued may be renewed on or before July 1st, upon payment of a renewal fee, in accordance with the city “Schedule of Fees and Charges”, as amended, without further examination. If any master plumber’s license is not renewed on or before the renewal day (July 1st), the applicant may be required to meet the requirements as set forth in section 9.900.102.1 and 9.900.102.2.

9.900.102.5 Transferability.

Master plumber’s licenses are not transferable from one person to another person.

**SECTION 9.900.103
EXAMINATION OF APPLICANT**

9.900.103.1 General.

Applicants applying for a master plumber’s license who shall show proof to the board of plumbing examiners that they have passed an approved examination for *master plumber*, or have passed an equivalent or more stringent test as determined by the board of plumbing examiners, shall be eligible for a master plumber’s license.

**SECTION 9.900.104
BUSINESS LICENSE**

9.900.104.1 General.

The master plumber’s license provided for in this article shall in no way affect the duty to obtain any and all business licenses required by other laws or ordinances of the *jurisdiction*. A separate business license shall not be required if the *master plumber* is not a *plumbing contractor*. However, every *plumbing contractor* shall have a valid business license before performing plumbing work within the *jurisdiction*.

**SECTION 9.900.105
BOARD OF PLUMBING EXAMINERS**

9.900.105.01 Creation of board.

The board of plumbing examiners is hereby created and the official in charge thereof shall be the city manager.

9.900.105.02 Membership of board.

The board of plumbing examiners shall consist of three (3) persons as follows:

1. The city manager or the city manager’s designee;

2. The *building official*; and
3. The deputy of the *building official*.

9.900.105.3 Approval.

All votes of business of the board shall require a concurring vote of two-thirds of its members. A vote equal to a quorum is required to pass or deny any request. A quorum shall consist of a simple majority of board members.

9.900.105.4 Rules and procedures.

The board is authorized to establish policies and procedures necessary to carry out its duties.

9.900.105.5 Revocation or suspension of certificate and license.

If it is determined that a person who has been issued a master plumber's license under this article is incompetent or lacks knowledge on matters relevant to such license, or it is determined that the license was obtained by fraud or based on inaccurate or incomplete information, the board, after hearing thereon, may cancel, suspend, or revoke the license issued to such person; provided that such person shall be given ten (10) days written notice thereof prior to the time fixed for the hearing, which notice shall specify the time, place, purpose and grounds for such hearing, so that such person may have any opportunity to have counsel present and produce witnesses in their behalf. A person who has such person's own license canceled, suspended, or revoked shall have the right to appeal the board's decision to the uniform code board of appeals within ten (10) days of the board's decision by filing a written protest with the secretary of the uniform code board of appeals. If the license of any person is so canceled, suspended, or revoked, another license shall not be granted until the board reinstates such person.

SECTION 9.1100.306

APPEALS

9.1100.306.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

9.1100.306.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this chapter shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determinations therefore made by the building official.

9.1100.306.2 Authority on appeal.

See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

**DIVISION 4
VIOLATION AND PENALTIES**

**SECTION 9.900.406
VIOLATIONS**

9.900.406.1 Unlawful acts.

It shall be unlawful for any person, firm, or corporation to be in conflict with or in violation of any provisions of this chapter.

9.900.406.2 Violation penalties.

Any person who violates a provision of this chapter or fails to comply with any order made thereunder, or any certificate of permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the Uniform Code Board of Appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided for in section 1.100.140 of the City of Gladstone, Clay County, Missouri Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 1000
PROPERTY MAINTENANCE AND
NUISANCE REGULATIONS**

ARTICLE 1. PROPERTY MAINTENANCE CODE

Section 9.1000.010

Adoption of the 2018 International Property Maintenance Code

That a certain document, one (1) copy of which are on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as *the International Property Maintenance Code*, 2018 edition including Appendix Chapters:

Appendix A, Boarding Standard.

as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the conditions and maintenance of all property, buildings and *structures*; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that *structures* are safe, sanitary and fit for occupation and use; and the condemnation of buildings and *structures* unfit for human occupancy and use, and the demolition of such existing *structures* as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in the legislation, with the amendments, additions, and deletions, if any, prescribed in Section 9.1000.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

That nothing in this legislation or in the International Property Maintenance 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; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 9.1000.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE

9.1000.020.1 AMENDMENTS.

The following section(s) of the 2018 International Property Maintenance Code are omitted and not hereby incorporated as the following identically numbered sections are adopted in lieu thereof:

[A] 101.1 Title.

These regulations shall be known as the International Property Maintenance Code of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code.”

[A] 103.5 Fees.

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be in accordance with the schedule of fees and charges as adopted by the City of Gladstone, Clay County, Missouri.

111.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

111.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this code shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determination therefore made by the *building official*.

111.3 Authority on appeals.

See Title I, Chapter 110, Article 4 of the City of Gladstone’s Code of Ordinances.

[A] 112.4 Failure to comply.

Any *person* who shall continue any work after having been served with a stop work order, except such work as the *person* is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than fifty (\$50.00) dollars or more than five-hundred (\$500.00) dollars.

**SECTION 202
GENERAL DEFINITIONS**

ACCESSORY LIVING QUARTERS. An accessory building used solely as the temporary *dwelling* of guests of the *occupant(s)* of the *premises*; such *dwelling* having no *kitchen* facilities and not rented or otherwise used as a separate *sleeping unit*.

ACCESSORY USE. A use conducted on the same lot as the primary use of the structure to which it is related; a use that is clearly incidental to, and customarily found in connection with, such primary use.

ADDITION. An extension or increase in floor area, number of stories, or height of a building or structure.

ALLEY. Any *public way* or thoroughfare more than 10 feet, but less than 16 feet in width, which has been dedicated to the public for public use.

ALTERATION. Any construction, retrofit, or renovation to an existing structure other than repair or addition that requires a *permit*. Also, a change in building, electrical, gas, mechanical, or plumbing system that involves an extension, addition or change to the arrangement, type or purpose of the original installation that requires a *permit*.

ANCHORED. Secured in a manner that provides positive connection.

APPROVED. Acceptable to the *building official* or authority having jurisdiction.

ATTIC. The unfinished space between the ceiling assembly and roof assembly.

ATTIC, HABITABLE. A finished or unfinished *habitable space* within an *attic*.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a *dwelling* or *sleeping unit*.

BLIGHTED. Any *structure* or *premises*, which by reason of dilapidation, overcrowding, lack of ventilation, light or sanitary facilities, or any combination of these factors are detrimental to safety, health and morals.

BOARD, THE. The Board of Zoning Adjustments (BZA) of the City of Gladstone, Clay County, Missouri.

BUILDING. Any *structure* utilized or intended for supporting or sheltering any *occupancy*.

BUILDING, MAIN. A building in which the principal use of the site is conducted.

BUILDING HEIGHT. The vertical distance *grade plane* to the average height of the highest roof surface.

BUILDING LINE. The line established by law, beyond which a building shall not extend, except as specifically provided by law.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code, or any duly authorized representative.

CANOPY. A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration. A canopy is permitted to be structurally independent or supported by attachment to a building on one or more sides.

CITY. The City of Gladstone, Clay County, Missouri.

COMPOST. A mixture consisting usually of decayed organic matter and used for fertilization and conditioning land, especially such mixture produced by decomposition in a *compost pile*.

COMPOST BIN. A *structure* specifically built to store *compost*.

COMPOST PILE. A stack of alternating layers of organic matter arranged so as to encourage conversion of the constituents into *compost*.

CONDEMN. To adjudge unfit for *occupancy*.

CONDOMINIUM. A single-dwelling unit in a multiunit dwelling or structure, that is separately owned and may be combined with an undivided interest in the common areas and facilities of the property.

CONGREGATE RESIDENCE. Any building or portion thereof containing facilities for living, sleeping and sanitation as required by this code, and may include facilities for eating and cooking for occupancy by other than a family. A *congregate residence* shall be permitted to be shelter, convent, monastery, dormitory, fraternity or sorority house, but does not include jails, hospitals, nursing homes, hotels or lodging houses.

COST OF SUCH DEMOLITION OR EMERGENCY. The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expanded for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the governing body or board of appeals.

COURT. A space, open and unobstructed to the sky, located at or above *grade* level on a *lot* and bounded on three or more sides by walls of a building.

DEBRIS. The remains of something broken down or destroyed; and/or discarded *garbage* or *rubbish*.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

DRIVEWAY. A private access road, the use of which is limited to persons residing, employed, or otherwise using or visiting the *premises* in which it is located.

DRIVEWAY APPROACH. That portion of the *driveway* that is located in the *city right-of-way*.

DWELLING. Any building that contains one or two *dwelling units* used, intended, or designed to be built, used, rented, leased, *let* or hired out to be occupied, or that are occupied for living purposes.

DWELLING, MULTIPLE UNIT. A building or portion thereof designed for occupancy by three or more families living independently in which they may or may not share common entrances and/or other spaces. Individual *dwelling units* may be owned as *condominiums*, or offered for rent.

DWELLING, SINGLE FAMILY. A detached *dwelling unit* with *kitchen* and sleeping facilities, designed for occupancy by one family.

DWELLING, TWO FAMILY. A building designed or arranged to be occupied by two families living independently, with the structure having only two *dwelling units*.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

DWELLING UNIT OR SLEEPING UNIT, MULTI-STORY. See “Multistory Unit.”

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee *owner(s)* of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EMERGENCY ESCAPE AND RESCUE OPENING. An operable exterior window, door or similar device that provides for a means of escape and access for rescue in the event of an emergency.

EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including brace, frames, lugs, snuggers, hangers saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

EXTERIOR WALL. A wall, bearing or nonbearing, that is used as an enclosing wall for the building, other than a *fire wall*, and that has a slope of 60 degrees or greater with the horizontal plane.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

FLIGHT. A continuous run of rectangular treads or *winders* or combination thereof from one landing to another.

FRONTAGE. The width of a lot or parcel abutting a public right-of-way measured at the front property line.

GARAGE, PRIVATE. A building or a portion of a building, in which *motor vehicles* used by the owner or tenants of the building or buildings on the premises are stored or kept, without provisions for repairing or servicing such vehicles for profit.

GARAGE, REPAIR. A building, structure, or portion thereof used for the servicing or repairing motor vehicles.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

GRADE. The finished ground level adjoining the building at all *exterior walls*.

GRADE PLANE. A referenced plane representing the average of finished ground level adjoining the building at *exterior walls*. Where the finished ground level slopes away from the *exterior walls*, the referenced plane shall be established by the lowest points within the area between the building and the *lot line* or, where the *lot line* is more than 6 feet from the building, between the building and a point 6 feet from the building.

GREASE COLLECTION CONTAINER. A container for temporarily storing fats, oils, and grease, and is usually made out of metal.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimize the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered *habitable spaces*.

HANDRAIL. A horizontal or sloping rail intended for grasping by the hand for guidance or support.

HISTORIC BUILDING. Any building or structure that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.
3. Certified as a contributing resource within a National Register or state or local designated historic district.

HOME OCCUPATION. The partial use of a *dwelling unit* for commercial or nonresidential uses by a resident thereof, which is subordinate and incidental to the use of the dwelling for residential purposes.

HOT TUB. See “Spa.”

HOUSEKEEPING UNIT. A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or *premises* of insects, rats, vermin or other pests.

JURISDICTION. The governmental unit that has adopted this code.

KITCHEN. An area used, or designated to be used, for the preparation of food.

LABELED. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, approved agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-*labeled* items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

LANDSCAPING. The finishing and adornment of unpaved *yard* areas. Materials and treatment generally include naturally growing elements such as grass, trees, shrubs and flowers. This treatment shall be permitted also to include the use of logs, rocks, fountains, water features and contouring of the earth.

LET FOR OCCUPANCY or LET. To permit, provide or offer possession or *occupancy* of a *dwelling unit*, *rooming unit*, building, premise or structure by a person who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement, or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

LIVING SPACE. Space within a *dwelling unit* utilized for living, sleeping, eating, cooking, bathing, washing and sanitation purposes.

LODGING HOUSE. A one-family dwelling where one or more occupants are primarily permanent in nature, and rent is paid for guestrooms.

LOT. A portion or parcel of land considered as a unit.

LOT LINE. A line dividing one *lot* from another, or from a street or any public place.

MEDIA, SOCIAL. Forms of electronic, digital, computerized or networked information and communication technologies through which users create online communities to share information, ideas, personal messages and other content. These can take many different forms, including internet forums, blogs, wikis, podcasts, and picture-, music- and video-sharing. Examples of social media applications are Google Groups, Wikipedia, My Space, Facebook, Craigslist, YouTube, Second Life, Flickr and Twitter.

MEDIA, TRADITIONAL. Communications that existed before *social media* such as television, radio, newspapers, magazines, newsletters, tax press and other print publications.

MOTOR VEHICLE. Any vehicle, automobile, automobile truck, automobile wagon, motorcycle, machine, tractor, trailer or semi-trailer propelled or drawn by mechanical power and used upon public streets in the transportation of passengers or property, or any combination thereof, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.

MOTOR VEHICLE, BUS. Any *motor vehicle* designed, constructed and/or used for the transportation of passengers, including taxicabs.

MOTOR VEHICLE, COMMERCIAL. Any *motor vehicle* used to transport goods, passengers, or property for the profit of an individual or business.

MOTOR VEHICLE, INOPERABLE. A *motor vehicle*, which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, a flat tire or incapable of being moved under its own power.

MOTOR VEHICLE, SCHOOL BUS. A passenger *motor vehicle* which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary of Transportation determines is likely to be significantly used for the purpose of transporting preprimary, primary, or secondary school students to such schools from home and from such schools to home.

MOTOR VEHICLE, TRUCK. Any self-propelled *commercial motor vehicle* except a *truck tractor motor vehicle*, designed and/or used for the transportation of property

MOTOR VEHICLE, TRUCK TRACTOR. A self-propelled *commercial motor vehicle* designed and/or used primarily for drawing other vehicles.

MOTOR VEHICLE, UNLICENSED. A motor vehicle that is not validly registered under the laws of the State of Missouri, other jurisdictions or does not display valid license plates.

MULTISTORY UNIT. A *dwelling unit* or *sleeping unit* with *habitable space* located on more than one *story*.

NEGLECT. The lack of proper maintenance for a building or *structure*.

OCCUPANCY. The purpose for which a *building* or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a *building*, or having possession of a space within a *building*.

OPEN SPACE. Land areas that are not occupied by buildings, structures, parking areas, streets, alleys or required *yards*. *Open spaces* shall be permitted to be devoted to *landscaping*, preservation of natural features, patios and recreational areas and facilities.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

OPERATOR. Any *person* who has charge, care or control of a *structure* or *premises* which is let or offered for *occupancy*.

OWNER. Any *person*, agent, *operator*, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PARK. A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.

PARKING, OFF-STREET. Parking of a *motor vehicle* anywhere but on the street.

PARKING LOT. An open area, other than a street, used for the parking of *motor vehicles*.

PARKING SPACE, MOTOR VEHICLE. A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office and work areas, for the parking of a *motor vehicle*.

PAVED AREA. A hard surfaced area consisting of concrete, asphalt, or other *approved* materials.

PERMIT. An official document or certificate issued by the *building official* that authorizes performance of a specified activity.

PERSON. An individual, heirs, executors, administrators or assigns, and also includes firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PERSONAL PROPERTY. Property other than real property consisting of things temporary or movable.

PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; or by other *approved pest elimination* methods.

[A] PREMISES. A *lot*, plot or parcel of land, *easement* or *public way*, including any *structures* thereon.

[A] PUBLIC WAY. Any street, alley or similar parcel of land that: is open to the outside air; leads to a street; has been deeded, dedicated, or otherwise permanently appropriated to the public for public use; and has clear width and height of not less than ten (10) feet.

RAMP. A walking surface that has a running slope steeper than 1-unit vertical in 20 unit's horizontal (5-percent slope).

RECYCLING BINS. A container for temporarily storing recyclable materials and is usually made out of metal.

RIGHTS-OF-WAY. The area on, below or above a public roadway, streets, alleys, bridges, bikeways, parkways and sidewalks in which the city has an ownership interest but not including; (a) the airways above a public rights-of-way with regards to cellular or other non-wire telecommunications or broadcast service; (b) easements obtained by utilities or private easements in platted subdivisions or tracts; or (c) poles, pipes, cables, conduits, wires, optical cables or other means of transmission, collection or exchange of communications, information, substances, data or electronic or electrical current or impulses utilized by a municipally owned or operated utility pursuant to Chapter 91, RSMo, or pursuant to a charter form of government.

RISER (STAIR). The vertical component of a step or *stair*.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except *garbage*; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, *yard* trimmings, tin cans, metal, mineral matter, glass, crockery and dust and other similar materials.

SLEEPING UNIT. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* and not *sleeping unit*.

SOCIAL NETWORKING. See “Media, Social.”

SPA. A product intended for the immersion of persons in temperature-controlled water circulated in a closed system, and not intended to be drained and filled with each use. A spa usually includes a filter, and electric, solar, or gas heater, a pump or pumps, and a control, and can include other equipment, such as lights, blowers, and water-sanitizing equipment.

STAIR. A change in elevation, consisting of one or more *risers*.

STAIRWAY. One or more flights of stairs, either interior or exterior, with the necessary landings and platforms connecting them to form a continuous and uninterrupted passage from one level to another within or attached to a building, porch or deck.

STORY. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

STREET. Any thoroughfare or *public way* not less than 16 feet (4877 mm) in width which has been dedicated.

STREET, PRIVATE. A right-of-way or *easement* in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two or more sites.

STREET, PUBLIC. Any street, road or way dedicated to public use.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act, which was prohibited, or failed to do an act, which the defendant was legally required to do.

STRUCTURE. That which is built or constructed.

SWIMMING POOL. Any structure that contains water over 24 inches (610 mm) in depth and which is used, or intended to be used for swimming or leisure activities. This includes in-ground, above-ground, and on-ground swimming pools.

SWIMMING POOL, PRIVATE. Any *swimming pool* used in connection with an occupancy in Use Group R-3 and which is available only to the family and guests of the householder.

SWIMMING POOL, PRIVATE INDOOR. Any *private swimming pool* that is totally contained within a private structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, PRIVATE OUTDOOR. Any *private swimming pool* that is not an indoor pool.

SWIMMING POOL, PUBLIC. Any *swimming pool* other than a *private swimming pool*.

TENANT. A *person*, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

TOWNHOUSE. A single-family *dwelling unit* constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a *yard* or *public way* on a least two sides.

TRASH. Anything worthless, useless, or discarded; *rubbish / garbage*.

TRASH BAG. A plastic bag put inside a *waste container* to hold the *waste, trash, garbage*, and *rubbish*; and keep the container clean.

TRAILER. A unit attached to a *motor vehicle* designed to carry property and/or passengers. A trailer cannot be motorized or self-operated. A trailer may include, but is not limited to the following; homemade, kit, farm wagon, boat, utility, flat bed, semi, livestock and camping.

ULTIMATE DEFORMATION. The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

UNSHELTERED STORAGE. Any *personal property* not stored in or under a structure such as a shed, carport, garage or deck that is permanent in nature.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WASTE. Are unwanted or unusable materials; any substance which is discarded after primary use, or is worthless, defective, and of no use.

WASTE CONTAINER. A container for temporarily storing *waste, trash, rubbish*, and/or *garbage*, and is usually made out of metal or plastic. Some common terms are refuse container, dumpster, trash can, and garbage can.

WEEDS. All grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

WEEDS, NOXIOUS. A noxious weed is an invasive species of a plant that has been designated by the country, state or national agricultural authorities as one that is injurious to agricultural and/or horticultural crops, natural habitats and/or ecosystems, and/or humans or livestock.

WINDER. A tread with nonparallel edges.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space, other than a *court*, unobstructed from the ground to the sky, except where specifically provided by this code, on the lot on which a building is situated.

YARD WASTE. Are grass clippings, yard vegetation, sod without dirt, twigs (less than 2 inches in diameter), leaves, etc.

YARD WASTE BAG. Is a brown paper recyclable bag for yard waste.

302.4 Weeds.

All *premises* and *exterior property* shall be maintained free from *weeds* or plant growth in excess of seven (7) inches. On undeveloped property, *weeds* or plant growth shall be maintained a minimum of one hundred (100) feet from all adjacent lot lines. All *noxious weeds* shall be prohibited.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after the service of a notice of violation, they may be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the cost of such removal and administration fees shall be paid by the *owner* or agent responsible for the property. If not paid by *owner* or agent responsible for the property, the cost of such abatement and other associated costs shall be assessed on the *owner's* real estate tax bill.

Exception: Premises adjacent to a stream may allow weeds or plant growth to grow beyond the height of seven (7) inches within ten (10) feet of the edge of the stream.

302.7 Accessory structure.

All accessory structures, including but not limited to, *detached* garages, carports, gazebos, decks, platforms, sheds, lean-tos, retaining walls, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles.

Except as provided for in other regulations, no motor vehicle that is inoperative, unlicensed

or has expired registration tags shall be parked, kept or stored on any *premises*, and no vehicle shall be at any time in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including bodywork, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purpose.

[F] 304.3 Premises identification.

Buildings shall have *approved* address numbers placed on the primary structure and in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.14 Insect screens.

Every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

308.2.1 Rubbish storage facilities.

The *owner, tenant and/or occupant* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner, tenant and/or occupant* of the *premises* shall be responsible for the removal of *rubbish*.

308.3.1 Garbage facilities.

The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the structure available to the *occupants* in each *dwelling unit*; or the *owner, tenant and/or occupant* shall supply *approved* leakproof, covered, outside garbage container; and the *owner, tenant and/or occupant* of the dwelling shall be responsible for the removal of *garbage*.

602.3 Heat supply.

Every *owner and operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces.

Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the space is occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

9.1000.020.2 ADDITIONS.

The following section(s) are hereby incorporated and adopted in the 2018 International Property Maintenance Code:

302.4.1 Weeds in public rights-of-way.

All *premises* and *exterior property* adjacent to the City of Gladstone, Clay County, Missouri or the State of Missouri's public rights-of-way along improved and/or unimproved streets shall comply with the requirements of Section 302.4, and adjacent property *owner* shall be responsible for seeding, sodding and plantings.

Exception: Any property along a public rights-of-way that contains a drainage ditch or incline, which cannot be mowed or maintained by normal residential mower or weed removal tool(s) as determined by the *building official*.

302.8.1 Off-street parking.

Off-street *parking areas* shall be used solely for the parking of licensed *motor vehicles* in operating condition.

302.8.1.1

Non-Commercial Motor vehicles. *Motor vehicles* shall be parked on an *approved driveway, parking lot, parking area, or paved area* that has a minimum thickness of 4 inches of either concrete, asphalt or other similar *approved* materials. Such *driveway,*

parking lot, parking area or paved area shall be at least as long and wide and encompass the entire area beneath any *motor vehicle* that is parked on said *driveway, parking lot, parking area, or paved area*.

Exception: Existing gravel *driveways* classified as an *approved* existing non-conforming *driveway*.

302.8.2 Commercial motor vehicle.

No *person* shall park or allow to be parked a *commercial motor vehicle* upon any residential *lot or premises*, improved or unimproved, in the city.

Exceptions:

1. City-owned and –operated vehicles; services vehicles owned by utility companies while in the process of services or maintenance; construction vehicles while being used in conjunction with construction or maintenance authorized by the jurisdiction having authority.
2. For the purpose of making delivery or pickup provided such vehicles are not left continuously parked between the hours of 9:00pm and 7:00am local time.
3. Pickup trucks rated at 1-ton (907 kg) or more that are owned and operated for the personal use, non-business related, of the individual who owns said pickup truck.
4. A *commercial motor vehicle* rated at 1-ton or less.

302.8.2.1 Commercial motor vehicles; parking thereof.

Commercial motor vehicles shall be parked on an *approved driveway, parking lot, parking area, or paved area*; gravel or other non-*approved* parking surfaces, existing or otherwise are not permitted. *Commercial motor vehicles* that are designed to be towed or towable shall be hitched to an operating *commercial motor vehicle* and shall have denotation of the business it belongs to.

302.8.3 Motor vehicles for sale.

Except as provided for herein no one shall park or allow to be parked a *motor vehicle* on private or public property zoned residential, commercial or manufacturing within view of a public street for the purpose of selling or advertising for sale, said *motor vehicle*.

Exceptions:

1. In residential zoned properties, one (1) *motor vehicle* shall be allowed to be placed on an approved paved area for the purpose of offering said *motor vehicle* for sale. No residential property shall be allowed more than four (4) *motor vehicles* for sale in a calendar year.

2. In commercial and manufacturing zoned properties, if a *person* with an ownership interest in said *motor vehicle* is an employee of a business within said property and has written permission from the property *owner* to use the property for the purpose of selling, or has a valid occupational license from the City of Gladstone, Clay County, Missouri for the sale of *motor vehicles* and said occupational license designating the *premises* involved as the business location.

Whether or not permission has been given to park on the property is an affirmation defense, and the showing of written permission and proof of employment meet the burden of proof.

302.8.3.1 Prima facie evidence.

The fact that a *motor vehicle* is advertised for sale via any *traditional media* or *social media*, shall be prima facie evidence that the *motor vehicle* is parked for the purpose of being offered for sale.

302.8.4 Motor vehicle encroachment.

No *motor vehicle* shall block or partially block any portion of the public sidewalk, or access pathway for public sidewalks at *driveway approaches* within the City of Gladstone, Clay County, Missouri rights-of-ways.

302.10 Open storage.

All *exterior property* and *premises*, open bed pickup trucks and open trailers located on any *premises*, *private street* or *public street* shall be free of *unsheltered storage* of any kind.

Exception: Useable BBQ grills as long as there is not a collection thereof, lawn furniture maintained in useable condition, bicycles maintained in operational use as long as there is not a collection thereof, firewood neatly stacked in the rear yard, and the temporary storage of landscape and building materials to be used on the *premises* for a current project under construction so long as the materials are neatly stacked in the rear yard and are not stored leaning against the side of a structure.

308.2.3 Burning.

No *person* shall burn or allow to be burned any *rubbish* within city limits.

308.2.4 Streets.

No *person* shall cart, place, sweep, throw, deposit or dispose in such a manner that it may be carried or deposited by the elements any *rubbish* upon streets, sidewalks, alleys, storm sewers, parkways, or other public place or upon any occupied *premises* with city limits.

308.2.5 Stream.

No *person* shall cart, place, sweep, throw, deposit or dispose in such a manner that it may

be carried or deposited by the elements any *rubbish* upon streams, lakes, bodies of water or ravines within city limits.

308.3.3 Burning.

No *person* shall burn or allow to be burned any *garbage* within city limits.

308.3.4 Streets.

No *person* shall cart, place, sweep, throw, deposit or dispose in such a manner that it may be carried or deposited by the elements any *garbage* upon streets, sidewalks, alleys, storm sewers, parkways, or other public place or upon any occupied premises with city limits.

308.3.5 Stream.

No *person* shall cart, place, sweep, throw, deposit or dispose in such a manner that it may be carried or deposited by the elements any *garbage* upon streams, lakes, bodies of water or ravines within city limits.

308.4 Disposal of contagious disease and inflammable or explosive rubbish and garbage.

Removal of wearing apparel, bedding or other *rubbish* or *garbage* from homes or other places where highly infectious or contagious diseases prevail shall be performed under the supervision and direction of the county health office. Such *rubbish* and *garbage* shall not be placed in containers used for regular collections or disposal.

Highly inflammable or explosive materials shall not be placed in containers for collection but shall be disposed of as directed by the Director of Public Safety at the expense of the *owner* or possessor thereof.

308.5 Storage of waste containers; residential. *Waste containers, trash bags and yard waste bags* used for the purpose of disposing of, *waste, trash, rubbish, garbage and yard waste* shall be stored no closer to the *public way* than the front *building line*; for corner lots all containers shall be stored no closer to the *public way* than the front *building line* and side *building line* adjacent to the street of any *premises*. In either case, *waste containers* or *trash bags* shall not be stored in front of the main building and/or attached garage; in addition, corner lots shall not have *waste containers* or *trash bags* stored on the side of the main building and/or attached garage adjacent to the *public way*.

Exception: On the day of scheduled pickup, during which *waste containers, trash bags and yard waste bags* may be temporarily placed near the *public way* for the purpose of pickup.

308.6 Storage and screening of waste containers; commercial.

All waste containers must be screened by a four (4) – sided enclosure, three sides of which will be composed of the same material and color of the main building or other *approved* material, with an *approved* gate for access being the fourth side. The gate access must

screen the waste container and be of the same color as the main building. Access gates must be kept closed.

308.7 Grease collection container; commercial.

All *grease collection containers* must be screened by a four (4) – sided enclosure, three sides of which will be composed of the same material and color of the main building or other *approved* material, with an *approved* gate for access being the fourth side. The gate access must screen the *grease collection container* and be of the same color as the main building. Access gates must be kept closed.

308.8 Recycling bins, commercial.

All *recycling bins* must be screened by a four (4) – sided enclosure, three sides of which will be composed of the same material and color of the main building or other *approved* material, with an *approved* gate for access being the fourth side. The gate access must screen the *recycling bin(s)* and be of the same color as the main building. Access gates must be kept closed.

**SECTION 310
COMPOSTING**

310.1 General.

No *person* shall place or allow the accumulation of *rubbish* or *garbage* on their *premises* unless used specifically for composting as set forth in this section.

310.2 Composting permitted.

Composting shall be permitted when located on a one- and two-family residential *premises*, contained within an *approved compost bin* and shall comply with the provision of this section.

310.3 Construction of compost bin.

A *compost bin* may contain more than one contiguous compartment and may be constructed of a commercially available unit or a *structure* made of woven wire (such as hog wire, chicken wire or chainlink), wood slat fencing (such as snow fencing), cement blocks, bricks or similar material.

310.4 Compost bin required.

Only one (1) *compost bin* is permitted on any residential *premises* up to 1-acre (4046.82 m²). On residential *premises* more than 1-acre (4046.82 m²), no more than two (2) *compost bins* are permitted. *Compost bins* shall comply with the following provisions.

1. A *compost bin* shall be no larger than 600 cubic feet (16.99 m³) and shall not exceed 4 feet (1219 mm) in height.
2. A *compost bin* shall be so constructed as not to allow the material within to be blown from the *compost bin* by wind.

310.5 Location on premises.

Compost bins shall be located as follows:

1. A *compost bin* shall be located in the rear yard.
2. A *compost bin* shall not be located within 5 feet (1524 mm) of any property line and shall be at least 60 feet (18 288 mm) from the center of a roadway. A *compost bin* shall be no less than 5 feet (1524 mm) from any structure on the *premises*.
3. A *compost bin* shall be placed in a well-drained area with no standing water.

310.6 Maintenance.

Compost bins shall be maintained in accordance with the following provisions:

1. All *compost bins* shall be maintained in good repair and be structurally sound.
2. No odor emitted from a *compost bin* shall be detected more than 5 feet (1524 mm) in any direction from the *compost bin*.
 - 2.1 If odors are omitted and detectable greater than 5 feet (1524 mm) in any direction, then action shall be taken by the *owner, tenant* and/or *occupant* to eliminate such odor. Such action may include, but not limited to:
 - a. Adding lime to the *compost pile*,
 - b. Mixing or turning the *compost pile*, and/or
 - c. Regulating the moisture content of the *compost pile*.

310.7 Contents of compost pile.

Compost piles may contain any or all of the following:

1. Grass clippings,
2. Leaves,
3. Dead limbs,
4. Brush,
5. Logs,
6. Wood chips,

7. Foliage,
8. Vegetation from gardens,
9. Shrub cuttings,
10. Sod,
11. Soil,
12. Hay,
13. Straw,
14. Weeds, and/or
15. Sawdust.

9.1000.020.3 DELETIONS.

The following section(s) of the 2018 International Property Maintenance Code are omitted and not hereby incorporated:

[A] 111.2.1 Alternate members.

[A] 111.2.2 Chairman.

[A] 111.2.3 Disqualification of member.

[A] 111.2.4 Secretary.

[A] 111.2.5 Compensation of members.

[A] 111.4 Open hearing.

[A] 111.4.1 Procedure.

[A] 111.5 Postponed hearing.

[A] 111.6 Board decision.

[A] 111.6.1 Records and copies.

[A] 111.6.2 Administration.

[A] 111.7 Court review.

[A] 111.8 Stays of enforcement.

ARTICLE 2. PUBLIC NUISANCE ABATEMENT

DIVISION 1 SCOPE AND ADMINISTRATION

PART 1 – SCOPE AND APPLICATION

SECTION 9.1000.101 GENERAL PROVISIONS

9.1000.101.1 Title.

These regulations shall be known as Public Nuisance Abatement of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this Article”.

9.1000.101.2 Scope.

The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

9.1000.101.3 Intent.

The purpose of this article, in accordance with Section 67.398 of the Revised Statues of Missouri, is to provide for the abatement of a condition of any lot or land that has the presence of a nuisance.

9.1000.101.4 Severability.

If a section, subsection, sentence, clause, or phrase of this Article is for any reason, held to be unconstitutional or otherwise invalid; such decision shall not affect the validity of the remaining portions of this Article.

SECTION 9.1000.102 APPLICABILITY

9.1000.102.1 General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this article and the referenced standards, the provisions of this article shall apply. Where, in a specific case, different sections of this article specify different requirements, the most restrictive shall govern.

9.1000.102.2 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

PART 2 – ADMINISTRATION AND ENFORCEMENT

SECTION 9.100.103

DUTIES AND POWERS OF THE BUILDING OFFICIAL

9.1000.103.1 General.

The building official is hereby authorized and directed to enforce the provisions of this article. The building official shall have the authority to render interpretations of this article and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this article. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this article.

9.1000.103.2 Inspections.

The building official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

9.1000.103.3 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this article, or whenever the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this article, the building official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this article, provided that if such structure or premises is occupied the building official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner, owner's authorized agent or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

9.1000.103.4 Identification.

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this article.

9.1000.103.5 Notices and orders.

The building official shall issue all necessary notices or orders to ensure compliance with this article.

9.1000.103.6 Department records.

The building official shall keep official records of all business and activities of the department specified in the provisions of this article. Such records shall be retained in the official records for the period required for retention of public records.

**SECTION 9.1000.104
PUBLIC NUISANCE; PURPOSE; DEFINITION**

9.1000.104.1 Public nuisance.

Any person who shall create, commit, permit, or continue a nuisance of any kind, nature, or description in, upon, or about any private property in this jurisdiction, which does or could endanger life or limb, damage or depreciate the value of property, real or personal, or annoy or disturb the owners of property in or about the area where such nuisance exists, shall be deemed guilty of a misdemeanor.

9.1000.104.2 Purpose.

Sections 9.1000.104 through 9.1000.107 are meant to be regulations applicable to the abatement of nuisances defined in Section 9.1000.104.3. If this of Article conflicts with any other provisions of the City of Gladstone’s Code of Ordinances regarding abatement of nuisances, this Article shall govern.

9.1000.104.3 Definition.

Any condition on any lot or land that has the presence of debris of any kind including, but not limited to, weed cuttings, cut and fallen trees and shrubs, overgrown vegetation and noxious weeds which are seven (7) inches or more in height, rubbish and trash, lumber not piled or stacked seven (7) inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks as more fully described in Section 9.1000.104.1, discarded household furniture or appliances, broken furniture, any flammable material which may endanger public safety or any material which is unhealthy or unsafe, is hereby declared to be a public nuisance.

**SECTION 9.1000.105
NOTICE AND ABATEMENT**

9.1000.105.1 Notice.

When a public nuisance as defined in Section 9.1000.104.3 exists, the Community Development Director and/or their authorized representative shall so declare and shall give written notice to the owner of the property and, if the property is not owner-occupied, to any occupant of the property by personal service or regular first-class mail. If notice cannot be given by either personal service or first-class mail, then such notice may be posted on or about the premises described in the notice. Such notice shall, at a minimum:

1. Declare that a public nuisance exists;
2. Specifically describe each condition declared to be a public nuisance;

3. Identify what action will remedy the public nuisance;
4. Order the removal or the abatement of such condition within a reasonable amount of time not less than ten (10) days, unless the public nuisance present an immediate, specifically identified risk to the public health or safety;
5. State that if the owner of the property fails to begin removing the nuisance within the time allowed, or upon failure to pursue the removal of such nuisance without unnecessary delay, the Community Development Director shall cause the condition which constitutes the nuisance to be removed or abated and the cost of such removal or abatement may be included in a special tax bill or added to the annual real estate tax bill for the property and collected in the same manner and procedure for collecting real estate taxes;
6. State that if the owner or occupant of the property fails to begin removing the nuisance within the time allowed, or upon failure to pursue the removal of such nuisance without unnecessary delay, such owner or occupant of the property may be cited into Municipal Court for violating this Article and shall, upon conviction in Municipal Court, be subjected to punishment by a fine pursuant to Section 1.100.140(e)(b) of the City of Gladstone's Code of Ordinances.
7. State, in the case of overgrown vegetation and noxious weeds, that if more than once during the same growing season a repeat violation of the same ordinance by the same person on the same property is reported, the City may, without further notification, have the weeds removed and the cost of the same shall be billed to the owner as provided in Section 9.1000.106.

SECTION 9.1000.106
ABATEMENT OF NUISANCE

9.1000.106.1 Administrative warrant.

If the owner of such property fails to begin removing the nuisance within the time allowed, or upon failure to pursue the removal of such nuisance without unnecessary delay, the Community Development Director and/or their authorized representative shall cause the condition which constitutes the nuisance to be removed. If the owner, occupant, or other person with lawful possession of the premises in question refuses to allow the Community Development Director and/or their authorized representative to enter onto such premises to abate the nuisance conditions, the City may request an administrative warrant, if such administrative warrant is required by law.

9.1000.106.2 Tax bill; costs.

If the Community Development Director and/or their authorized representative causes such

condition to be removed or abated, the cost of such removal (which may include fees for the City's cost in administering this Article) and the proof of notice to the owner of the property shall be certified to the City Clerk who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the collecting official's option, for the property and the certified cost shall be collected by the official collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property from the date the tax bill is delinquent until paid.

9.1000.106.3 Weeds.

In the case of overgrown vegetation and noxious weeds, if more than once during the same growing season, a repeat violation of the same ordinance by the same person on the same property is reported, the City may, without further notification, have the weeds removed and the cost of the same shall be billed to the owner as provided for in Section 9.1000.106.2.

**SECTION 9.1000.106
VIOLATIONS**

9.1000.106.1 Unlawful acts.

It shall be unlawful for any person, firm, or corporation to be in conflict with or in violation of any of the provisions of this article.

9.1000.106.2 Violation; penalties.

Any person who violates a provision of this article or fails to comply with any order made thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the Uniform Code Board of Appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the City of Gladstone, Clay County, Missouri, Code of Ordinances. The imposition of one penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violations(s) or defects(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 2000
SWIMMING POOL AND SPA REGULATIONS**

ARTICLE 1. SWIMMING POOL AND SPA CODE

**Section 9.2000.010
Adoption of the 2018 International Swimming Pool and Spa Code**

That a certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Gladstone, Clay County, Missouri, in perpetuity, being marked and designated as the International Swimming Pool and Spa Code, 2018 edition, as published by the International Code Council, be and is hereby adopted as the Swimming Pool and Spa Code of the City of Gladstone, Clay County, Missouri, for regulating and governing the design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Pool and Spa Code on file in the office of the City of Gladstone, Clay County, Missouri are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, and amendments, additions, and deletions, if any, prescribed in Section 9.2000.020 of this chapter.

That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases by declared unconstitutional.

That nothing in this legislation or in the International Pool and Spa 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; nor shall any just or legal right to remedy of any character be lost, impaired or affected by this legislation.

**SECTION 9.2000.020
AMENDMENTS, ADDITIONS, AND DELETIONS
TO THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE**

9.2000.020.1 AMENDMENTS.

The following section(s) of the 2018 International Swimming Pool and Spa Code are omitted and not hereby incorporated as the following identically numbered sections are adopted in lieu thereof:

101.1 Title.

These regulations shall be known as the International Swimming Pool and Spa Code of the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this code.”

105.6.2 Fee schedule.

The fees for work shall be in accordance with the schedule established by the applicable governing body.

105.6.3 Fee refunds.

The *code official* shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than eighty percent (80%) of the permit fee when no work has been done under a permit issued in accordance with this code.
3. Not more than eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The *code official* shall not authorize the refunding of any fee except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

107.4 Violation penalties.

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair a pool or spa in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable as provided for in Section 1.100.140 of the Gladstone Code of Ordinances. The imposition of one (1) penalty shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

107.5 Stop work orders.

Upon notice from the *code official*, work on any system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe

condition, shall be guilty of a misdemeanor, punishable as provided for in section 1.100.140 of this Gladstone Code of Ordinances.

108.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Code Board of Appeals is hereby authorized to conduct said appeals.

108.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this code shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determination therefore made by the *building official*.

108.3 Authority on appeals.

See Title I, Chapter 110, Article 4 of the City of Gladstone’s Code of Ordinances.

320.1 Backwash water or draining water.

Backwash water and draining water shall be discharged to the storm sewer or into an *approved* disposal system on the premise, or shall be disposed of by other means *approved* by the authority having jurisdiction. Direct connections shall not be made between the end of the backwash line and the disposal system. Drains shall discharge through an air gap.

9.2000.020.2 ADDITIONS.

The following section(s) are hereby incorporated and adopted in the 2018 International Swimming Pool and Spa Code.

320.1.1 Prohibited means.

No backwash water or draining water shall be discharged, disposed or allowed to be directed onto or across an adjacent property.

9.2000.020.3 DELETIONS.

The following section(s) of the 2018 International Swimming Pool and Spa Code are omitted and not hereby incorporated.

108.2.1 Qualifications.

108.2.2 Alternate members.

108.2.3 Chairman.

108.2.4 Disqualification of member.

108.2.5 Secretary.

108.2.6 Compensation of members.

108.4 Open hearing.

108.4.1 Procedure.

108.5 Postponed hearing.

108.6 Board decision.

108.6.1 Resolution.

108.6.2 Administration.

108.7 Court review.

305.4 Structure wall as barrier.

ARTICLE 2. ADDITIONAL REQUIREMENTS

DIVISION 1 RESIDENTIAL

SECTION 9.2000.101 SWIMMING POOLS AND SPAS

9.2000.101.1 General.

In addition to the requirements of the 2018 International Swimming Pool and Spa Code, residential swimming pools and spas shall conform to Sections 9.2000.101.1.1 through 9.2000.101.1.4.

9.2000.101.1.1 Front yard setback.

Swimming pools and spas shall not be installed forward of the established front building line and in no case be installed in the front yard.

9.2000.101.1.2 Rear and side yard setbacks.

Swimming pools and spas shall not be located within ten (10) feet of the rear or side yard property line, in the case of corner lots, not less than fifteen (15) feet from the side property line adjacent to the street; and a minimum of twenty (20) feet from the principal building on an adjoining property.

9.2000.101.1.3 Side yard installation.

Swimming pools and spas installed in the side yard shall be a minimum of sixty (60) feet from the front property line.

9.2000.101.1.4 Easements.

In no case shall a swimming pool or spa be installed within an easement.

SECTION 9.2000.102 APPEALS

9.1100.102.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the building official relative to the application and interpretation of this chapter; the Uniform Code Board of Appeals is hereby authorized to conduct said appeals.

9.1100.102.2 Application for appeal.

Persons directly affected by a decision of the building official or a notice issued under this chapter shall have the right to appeal to the Uniform Code Board of Appeals, provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the building official within ten (10) days of orders, decisions, or determinations therefore made by the building official.

9.1100.102.2 Authority on appeal.

See Title I, Chapter 110, Article 4 of the City of Gladstone's Code of Ordinances.

**DIVISION 2
PUBLIC AND SEMI-PUBLIC**

**SECTION 9.2000.201
SWIMMING POOLS AND SPAS**

9.2000.201.1 General.

In addition to the requirements of the 2018 International Swimming Pool and Spa Code, public and semi-public swimming pools and spas shall conform to Sections 9.2000.201.1.1 through 9.2000.201.1.3.

9.2000.201.1.1 Permit to operate.

Any person, firm or corporation operating or maintaining a public or semi-public swimming pool or spa shall apply for and obtain a permit to operate such swimming pool or spa from the Clay County Public Health Center. The permit shall be valid for the period stated by the Clay County Public Health Center and shall be conspicuously posted on the pool premises.

9.2000.201.1.2 Inspection prior to operation.

The Clay County Public Health Center may inspect a public or semi-public swimming pool and spa prior to opening for operation and/or issuance of a permit to operate.

9.2000.201.1.3 Authority to deny, suspend or revoke permit to operate.

In the event of a failure to comply with the rules and regulations of the Clay County Public Health Center, the Clay County Public Health Center shall have the power to deny, suspend or revoke any permit to operate and/or prohibit the use of the swimming pool or spa until such time as the swimming pool or spa, in the opinion of the Clay County Public Health Center, is in compliance with the rules and regulations set forth.

**DIVISION 3
VIOLATION AND PENALTIES**

**SECTION 9.2000.301
VIOLATIONS**

9.2000.301.1 Unlawful acts.

It shall be unlawful for any person, firm or corporation to be in conflict with or in violation of any provisions of this article.

9.2000.301.2 Violation; penalties.

Any person who violates a provision of this article or fails to comply with any order made thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the Uniform Code Board of Appeals, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided for in section 1.100.140 of the City of Gladstone, Clay County, Missouri, Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such persons shall be required to correct or remedy such violation(s) or defect(s) within a reasonable time; and, when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.