

BUILDING CODE

St. Charles County adopted the 2015 International Codes with amendments, which will go into effect on Monday, August 14, 2017. All building permit applications received on or after that date will be required to meet the newly adopted code.

Below are the amendments to the adopted code.

Section 500.100. Adoption of Building Code of St. Charles County.

A. St. Charles County hereby adopts the 2015 International Building Code, a copy of which shall be deposited in the Office of the County Registrar with this ordinance, including Appendixes C and K, with the following amendments by additions, insertions, deletions to read as follows:

(CHAPTER 1 ADMINISTRATION) (SECTION 101 GENERAL)

101.1 Title. These regulations shall be known as the Building Code of **St. Charles County** ~~[[NAME OF JURISDICTION]]~~, hereinafter referred to as "this code."

101.4.90 Aquatic recreation facilities. The provisions of the International Swimming Pool and Spa Code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading.

(SECTION 103 DEPARTMENT OF BUILDING SAFETY)

103.1 Creation of enforcement agency. **The Division of Building and Code Enforcement of the Department of Community Development shall be the enforcement agency for this Code and the Division's director shall be the building official or code official referred to in this Code.** ~~[The Department of Building Safety is hereby created and the official in charge thereof shall be known as the Building Official.]~~

103.2 Appointment. The Building Official shall be appointed **as provided by ordinance** ~~[by the chief appointing authority of the jurisdiction].~~

(SECTION 105 PERMITS)

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. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11 m²).
2. Fences not over **6 feet** [~~7 feet~~] (2134 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from **the adjacent grade** [~~the bottom of the footing~~] to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

14. *Temporary structures that are located in agricultural districts and which use is primarily agricultural in nature, that are not accessible to the general public.*
15. Flag poles less than 40 feet in height.
16. Replacement of doors and windows where the opening size is not increased or decreased.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

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 installations of towers and antennas.

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 (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) 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 such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. **Fixture replacement with similar fixtures where plumbing connections are not relocated.**

105.5 Expiration. Every permit issued shall become invalid **and expired** unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. 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 **shall be granted only upon a showing of justifiable cause and substantial progress. If a permit expires pursuant to this provision, the building official may issue a new permit upon advance payment of an administrative penalty of the original permit fee or one hundred dollars (\$100.00), whichever is less. The reissued permit must be picked-up within seven (7) days of the issued date.** [~~justifiable cause demonstrated.~~]

(SECTION 107 SUBMITTAL DOCUMENTS)

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted **as required by the building official** [~~in two or more sets~~] with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

107.90 Electronic submission. Where design documents including, but not limited to, plot plans, site plans, design drawings, specifications, etc. are originally created electronically, the

building official is authorized to require electronic submittal of documents in a portable document format (PDF) or similar format for review. Where design documents were originally prepared on paper and are submitted in a paper form, the building official is authorized to charge a fee for converting those drawings to PDF equal to the cost incurred by County staff recreating the document and not to exceed more than one (1) dollar per page.

Exception:

Where submittal documents were originally prepared by hand and are 11 inches by 17 inches or less, the fee for document conversion shall not be charged.

(SECTION 110 INSPECTIONS)

110.90 Workmanship. All work shall be executed in a workmanlike and skilled manner so that, for example, floors are level, walls are plumb and square, windows and doors are plumb, square and easily operable, exterior building envelopes are weather-tight and exclude the elements, building materials are undamaged, and surfaces are unmarred. All work performed shall be in compliance with this code, per industry standards, and in accordance with the manufacturer's installation instructions.

(SECTION 113 BOARD OF APPEALS)

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, ***the County Building Commission shall serve as a board of appeals*** ~~[there shall be and is hereby created a board of appeals]~~. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. 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 equally good or better form of construction is proposed. The board shall not have authority to waive requirements of this code.

113.3 Qualifications. See Section 500.110, Ordinances of St. Charles County, Missouri ~~[The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.]~~

113.90 [113.4] Means of appeal. Except as provided in Section 115.12, a person shall have the right to appeal a decision of the building official to the Building Commission. 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 equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within twenty (20) days after the notice was served. The filing fee for an appeal to the Building Commission shall be one hundred dollars (\$100.00); however, if costs related to the appeal incurred by the County are less than one hundred dollars (\$100.00), the remaining amount shall be reimbursed to the applicant. If the applicant's appeal is successful, the full amount of appeal fees shall be reimbursed.

(SECTION 114 VIOLATIONS)

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, **shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred (\$500.00) dollars, and each day's continuance of a violation shall be deemed a separate offense** [~~shall be subject to penalties as prescribed by law~~].

(SECTION 115 STOP WORK ORDER)

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. ***Any person served with a stop work order shall pay an administrative penalty of up to two hundred fifty dollars (\$250.00).***

(SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT)

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in [~~this~~] section ***500.520, Ordinances of St. Charles County, Missouri.*** A vacant structure that is not secured against entry shall be deemed unsafe.

116.2 Record. The building official shall cause a report to be filed on an unsafe condition ***as provided for in Section 500.520, Ordinances of St. Charles County, Missouri.*** The report shall state the occupancy of the structure and the nature of the unsafe condition.

116.4 Method of service. ***Notice shall be served as provided for in Section 500.520, Ordinances of St. Charles County, Missouri.*** [Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.]

(CHAPTER 3 USE AND OCCUPANCY)
(SECTION 310 RESIDENTIAL GROUP R)

310.5.1 Care facilities within a dwelling. Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the International Residential Code.

Exception:

Child day care facilities in existing buildings complying with the International Residential Code shall not be required to be sprinklered.

(CHAPTER 12 INTERIOR ENVIRONMENT)
(SECTION 1203 VENTILATION)

1203.90 Roof vents. ***The roof system of one (1) story buildings of unlimited area when of types 2, 3 or 4 construction shall be provided with smoke and heat vents.***

Exception: Vents are not required for buildings subdivided into spaces not greater than ten thousand (10,000) square feet with fire separation assemblies of not less than one (1) hour fire-resistance rating.

1203.91 Vent size and spacing. ***Smoke and heat vents shall be spaced at a maximum spacing of one hundred fifty (150) feet between centers. One (1) square foot of open vent area is required per three hundred (300) square feet of floor area.***

(CHAPTER 16 STRUCTURAL DESIGN)
(SECTION 1612 FLOOD LOADS)

1612.3 Establishment of flood hazard areas. For flood hazard areas, see Article XI, Sections **405.245** et seq. of the Unified Development Ordinance of St. Charles County, Missouri, Ordinances of St. Charles County, Missouri. [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 in an engineering report entitled "The Flood Insurance Study for [INSERT NAME OF JURISDICTION]," dated [INSERT DATE OF ISSUANCE], as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) 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.]

(CHAPTER 31 SPECIAL CONSTRUCTION)
(SECTION 3107 SIGNS)

3107.1 General. Signs shall be designed, constructed and maintained in accordance with this code and the Ordinances of St. Charles County, Missouri.

(SECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES)

3109.1 General. Aquatic recreation facilities shall comply with the Swimming Pool and Spa Code of St. Charles County, Missouri.

3109.2 Definition. Delete in its entirety.

3109.3 Public swimming pools. Delete in its entirety.

3109.4 Residential swimming pools. Delete in its entirety.

3109.4.1 Barrier height and clearances. Delete in its entirety.

3109.4.1.1 Openings. Delete in its entirety.

3109.4.1.2 Solid barrier surfaces. Delete in its entirety.

3109.4.1.3 Closely spaced horizontal members. Delete in its entirety.

3109.4.1.4 Widely spaced horizontal members. Delete in its entirety.

3109.4.1.5 Chain link dimensions. Delete in its entirety.

3109.4.1.6 Diagonal members. Delete in its entirety.

3109.4.1.7 Gates. Delete in its entirety.

3109.4.1.8 Dwelling wall as a barrier. Delete in its entirety.

3109.4.1.9 Pool structure as barrier. Delete in its entirety.

3109.4.2 Indoor swimming pools. Delete in its entirety.

3109.4.3 Prohibited locations. Delete in its entirety.

3109.5 Entrapment avoidance. Delete in its entirety.