BILL NO. 5716 ORDINANCE NO. 5569

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, AND FIXING PENALTIES FOR VIOLATIONS, AND AMENDING ORDINANCE NO. 4788, "MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI", BY ADOPTING THE INTERNATIONAL BUILDING CODE/2024, ALONG WITH THE 2024 INTERNATIONAL BUILDING CODE ERRATA FIRST PRINTING DATED AUGUST, 2023, WITH SPECIFIC AMENDMENTS THERETO, AS SET OUT BELOW, AS THE BUILDING CODE OF THE CITY OF RICHMOND HEIGHTS; AND REPEALING ALL INCONSISTENT OR CONFLICTING PROVISIONS OR ORDINANCES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. The International Building Code/2024, along with the 2024 International Building Code Errata first printing dated August, 2023, published by the International Code Council, Inc., together, hereafter referred to as International Building Code 2024, one (1) copy of which is filed in the office of the City Clerk and Building Commissioner of the City of Richmond Heights, attached hereto as Exhibit "A", is hereby adopted as the Building Code of the City of Richmond Heights, Missouri.

SECTION 2. Sections 500.010 through 500.020 of the Municipal Code of the City of Richmond Heights, Missouri", are hereby amended by repealing and deleting in its entirety Sections 500.010 and 500.020 and enacting in lieu thereof new Sections 500.010 and 500.020 to read as follows:

ARTICLE I INTERNATIONAL BUILDING CODES

SECTION 500.010 INTERNATIONAL BUILDING CODES

A. The International Building Code/2024 is hereby adopted and by this reference made a part of this Chapter as though set out in full herein.

B. *General Administrative Definitions*. Throughout the International Building Code, 2024 edition, whenever the terms "jurisdiction" or "local jurisdiction" appear it shall be deemed to mean "The City of Richmond Heights", likewise whenever the term "department of building safety" appears it shall be deemed to mean "The City of Richmond Heights Building Department," wherever the terms "code official" or "building official" appear it shall mean the Director of The City of Richmond Heights Building Department or the Director's duly authorized representative and whenever the terms "code," "this code," or "Building Code" appear it shall be deemed to mean the International Building Code, 2024 edition, likewise

whenever the terms International Property Maintenance Code, International Mechanical Code, International Plumbing Code and International Electrical Code appears it shall be deemed to mean, 2024 International Property Maintenance Code Section 500.030, 2015 International Mechanical Code Section 500.050, 2014 National Electrical Code Section 500.060 and 2015 Uniform Plumbing Code Section 500.070, of The Recompiled Municipal Code of The City of Richmond Heights, as adopted herein with the additions, deletions and changes as prescribed in this ordinance.

SECTION 500.020 AMENDMENTS, CHANGES AND DELETIONS IN THE BUILDING CODE

1) Subsection 101.1, (page 20), **and Subsection 1612.3** (page 463): Insert "Richmond Heights, Missouri".

2) Subsection R103.1, (page 21): Insert "Department of Building Safety".

3) Subsection R105.2, (page 24) **Work exempt from Permit. Building:** Is amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet.

4) Subsection R105.2, (pages 24) **Work exempt from Permit. Building:** Items #2, 3, 4, and 5 are hereby deleted.

5) Subsection 105.2 (page 24) **Work exempt from Permits. Building:** Item #7 is hereby amended by adding the following after the word work, "unless otherwise required in this code".

6) Subsection 107.1. General (page 26) is deleted in its entirety and replaced with a new Subsection 107.1 to read as follows:

107.1 General: The construction documents for new construction, alteration, repairs, expansion, addition or modification for buildings or structures shall be prepared by a registered design professional. All construction documents shall be prepared by the appropriate registered design professional consistent with the professional registration laws of the State of Missouri. The construction documents shall include the name and address of the registered design professional and shall be signed, sealed and dated by the registered design professional in accordance with Section 107.1.2

Except:

(1) Miscellaneous structures related to buildings of the R3 use group such as room additions, carports, garages, sheds and other similar structures unless the code official determines a registered design professional is needed to assure a safe construction design.

(2) Work of a minor nature approved by the code official in accordance with Section 105.2.

Subsection 107.1.2 Application of Seals (page 26) is added to read as follows:

Application of Seals: When construction documents are submitted in accordance with Subsection 107.1, the application of seals and signatures to those documents shall be required as follows:

All construction documents submitted with an application for a building permit shall bear an original embossed or wet ink seal and original signature on the front sheet of each discipline within each set of construction documents;

Or

The registered design professional for each discipline shall place his original seal and signature upon the cover sheet of each set of construction documents.

In addition, all other sheets of the construction documents, other than specifications or calculations, shall bear the original embossed, wet ink, or mechanically reproduced seals of the registered design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear an original seal and signature by the registered design professional. Such changes shall be clearly clouded.

7) Subsection 109.2 Schedule of permit fees (page 27): Is amended to read as follows:

On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by Section 505.100 of Ordinance # 4877.

8) Subsection 110.1, (page 28) is added at the end to read as follows:

No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the code official or his authorized representative. Written approval shall be given only after an inspection has been made of each successive step in the construction and all code requirements or corrections are completed as indicated by each of the inspections required. There shall be a final inspection and approval of all buildings to be completed before occupancy as described in Section 111.0 of the building code. Failure to obtain a final inspection before occupancy will constitute a violation of the building code, subject to the penalties as described in Section 114. Reinforcing steel or structural framework of any part of a building or structure shall not be covered or concealed in any manner without first obtaining the approval of the code official. The code official, upon notification from the permit holder or his agent, in accordance with rules of procedure posted the office of the code official, and described on the permit placard, shall make the following inspections and shall either approve that Section or portion of the construction as completed, or shall notify the permit holder or his/her agent that he/she has failed to comply with the code.

Subsection 110.3.1, (page 28) add the following to the end of Subsection 110.3.1:

A soil inspection is to be made after excavation for the structure is complete and trenches for footings, column pads, piers, spread footings, or other types of footings are ready for concrete. No concrete is to be poured without this inspection.

A pier inspection shall be performed where special foundations are required such as drilled and poured-in-place concrete piers, caisson and driven piles of all types, the code official shall make at least one inspection and more if the size of the job warrants it.

Reinforcing materials required in the above cases shall be placed to allow adequate inspections.

Survey markers shall be placed upon the ground to indicate the structure is within the property lines and correctly placed upon the property. A plat survey from the surveyor is required at the foundation inspection, to verify that the structure placement and proper elevation are correct. This phase of the building shall not be allowed to continue further, until this is verified by letter and survey.

9) Subsection 110.3.4, (page 28) add the following to the end of Subsection 110.3.4:

A framing or rough-in inspection shall be made after all framing, masonry walls, or fireplace vents and chimneys are completed, including the roof structure, fire stopping, wall bracing, sheathing, heating and cooling ductwork, or other appurtenances and accessories which may be concealed, and after plumbing, electrical, and fire rough-in inspections have been approved by those inspection departments. No mechanical, electrical or plumbing systems which are to be concealed shall be covered before this inspection has been made and approved by the code official.

10) Subsection 110.3.12, (page 28) is hereby deleted and replaced with the following:

110.3.12 Final Building Inspection: A final building inspection shall be made after the prior inspections required have been completed and the final mechanical, plumbing, and electrical inspections have been made and approved.

11) Subsection 113 Means of Appeals (page 30) is hereby deleted in its entirety and new Subsection

113 **Board of Appeals** is added to read as follows:

113.1 Application for appeal: Any 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 hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction can and should be used.

113.2 Membership of Board: The Board of Appeals shall consist of three (3) members, one member appointed by the city, one member chosen by the appellant, and a third member mutually chosen by the city and the applicant.

113.3 Qualifications: Each member of the Board must be a design professional registered with the State of Missouri as an architect or engineer or as a builder or superintendent of building construction with at least ten (10) years of experience, five (5) of which will have been in responsible charge of work. The design professional, builder or superintendent of construction must have experience in designing, building or installing the systems, equipment or types of construction which the appeal concerns.

113.4 Chairman: The Board shall select one of its members to serve as chairman.

113.5 Disqualification of member: A member shall not hear an appeal in which that member has any personal, professional or financial interest.

113.6 Secretary: The chief administrative officer shall designate a qualified clerk to serve as secretary to the Board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

113.7 Compensation of members: Compensation of members shall be determined by law.

113.8 Meetings: The Board members shall be appointed within thirty (30) days of an appeal being filed with the Building Commissioner. Credentials of the chosen members shall be exchanged between the city and the applicant within the thirty (30) day period. If within the thirty (30) day period the city and applicant have been unable to agree upon the third Board member, the two chosen members shall choose a qualified third member. If the two Board members are unable to reach agreement upon a third member, the city manager shall appoint the third qualified member. In the case where the city manager appoints the third member, such appointed member must be a registered design professional with at least ten (10) years experience in the design and construction of the system, equipment or type of construction upon which the appeal is based.

113.9 Open hearings: The applicant, the applicant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

113.10 Procedure: The Board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

113.11 Postponed hearing: When three members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

113.12 Board decision: The Board shall only modify or reverse the decision of the code official by a concurring vote of two members.

113.13 Decision: Certified copies of the Board's decision shall be furnished to the applicant and Code official.

113.14 Administration: The code official shall take immediate action in accordance with the decision of the Board.

113.15 Court review: Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision of the chief administrative officer.

12) Subsection 114.4 Violation penalties (page 30) are hereby deleted in their entirety and a new Subsection 114.4 is added, to read as follows:

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, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalties set forth in Section 100.150 of Ordinance #4788, the Richmond Heights Municipal Code.

13) Subsection 115.4 Failure to comply (page 30) is amended to read as follows:

Any person who shall continue to 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 liable to a fine of not less than One Hundred Dollars ($100.00), or more than One Thousand Dollars ($1000.00).

14) Section 116 Unsafe structures and equipment (page 30) is hereby deleted in its entirety.

15) Section 502.1 Address Identification (page 133) is hereby amended by adding a second paragraph, to read as follows:

If there is an alley accessible by emergency responder vehicles, whether privately or publicly owned and/or maintained, numbers shall also be placed on the alley elevation of the premises on which the house, building or structure is located. If there is a garage or carport fronting on an alley, house numbers shall also be placed on the alley elevation of the garage or carport.

16) Subsection 903.3.1.1 NFPA 13 Sprinkler systems (page 269) is hereby amended to read as follows:

Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13. In a mixed group building each tenant shall

have their own sprinkler control valve and flow switch connected to a fire alarm system as per section 907.2 of this code.

Subsection 903.3.1.1.1 Exempt locations (page 269) is hereby amended by deleting # 3.

Subsection 903.4.1 Sprinkler system supervision and alarms (pages 272) is hereby amended by deleting exceptions #3, 4, 5 and 7.

Subsection 903.5 Inspection, testing and maintenance (page 272) is hereby amended by the addition of:

Subsection 903.5.1 Water Flow Tests and subsection 903.5.2 Water flow safety factor to read as follows:

Subsection 903.5.1 Water flow tests: (page 272) Water flow tests for fire sprinkler systems shall be conducted between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Subsection 903.5.2 Water flow safety factor: (page 272) a safety factor shall be applied to all flow tests for fire sprinkler systems. A parallel curve shall be drawn to the actual flow test curve that has been reduced by 10 percent of the static pressure. A sprinkler system design shall not exceed the 10 percent curve.

17) Subsection 907.2.1.1 System initiation Group-A occupancies with an occupant load of 1,000 or more: (page 281) is hereby amended by deleting the exception.

18) Subsection 907.2.7.1.1 Occupant notification (page 283) is hereby amended by deleting the words "or from a water flow switch".

19) Subsection 1010.2.4 LOCKS AND LATCHES: (page 322) is hereby amended by deleting the first paragraph and inserting the following: Egress doors shall be readily open-able from the egress side without the use of a key or special knowledge or effort, except as listed by numbers 1, 4, 5, and 6 below.

20) Subsection 1013.6.1 (page 334) is hereby amended by adding a third paragraph, to read as follows:

Exit signs shall have red or green lettering, but shall be uniform in color throughout each individual building, unless approved by the Code Official.

21) Section 1403.1 General (pages 389-390) is hereby amended by adding Subsections 1403.14 and 1403.15 to read as follows:

1403.15 Metal exteriors: Buildings with metal exterior walls are required to have a minimum of fortyfive percent (45%) glazed area per floor.

Exception: Small storage buildings when used as an accessory use in residential dwelling districts.

1403.16 Wall finishes: Exposed plain faced unpainted concrete masonry units or blocks are not permitted for exterior wall finish.

22) Subsection 1804.4 Site grading (pages 489-490) is amended by inserting two new sections to read as follows:

1804.4.1 Erosion protection: Where water impacts the ground from the edge of the roof, downspout, scupper or other rainwater collection or diversion device, provisions shall be made to prevent soil erosion and direct the water away from the foundation.

1804.4.2 Enclosure of surface water runoff: Surface water runoff concentrated into an enclosed pipe system shall not be discharged closer than ten (10) feet from a property line without prior approval of the code official.

Exception: This section shall not apply to enclosed pipe storm sewer systems twelve (12) inches or greater in diameter that are under the jurisdiction of the St. Louis County Department of Highways and Traffic.

23) Subsection 1809.5 Frost protection (page 502) is amended by adding the following wording after # 1. For purposes of this code, the frost depth shall be thirty (30) inches below finished grade.

Subsection 1809.5 Frost protection Exceptions (page 502) is amended by deleting in its entirety all Exceptions.

24) Section 3108.0 Telecommunication and Broadcast Towers (page 666) shall be amended by adding subsection **3108.3** to read as follows:

3108.3 Except for dish antennas 2 feet or less in diameter section, all construction documents submitted for application for a dish antenna structure erected on a roof or attached to any building or structure shall bear the seal of a registered engineer.

25) Chapter 29 (pages 644-651) **Plumbing Systems**: is hereby deleted in its entirety.

26) Appendix A (page 708) is hereby adopted in its entirety and made part of this code.

SECTION 3. Nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding pending 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 Ordinance.

SECTION 4. If any section, subsection, provision, sentence, clause or phrase of this Ordinance or of the INTERNATIONAL BUILDING CODE/2018 is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or of said Code, and the City Council hereby declares that it would have passed the same even though such portion so held to be unconstitutional had not been included therein and, to this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall take effect and be in full force on the thirtyfirst day following its passage and being signed as provided by law.

PASSED and SIGNED this day 21st of April, 2025.

REGINALD FINNEY
MAYOR

ATTEST:

AMY HAMILTON
CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ,
CITY ATTORNEY

First reading: April 7, 2025
Second reading: April 21, 2025