

BUILDINGS AND BUILDING REGULATIONS*

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ARTICLE I. IN GENERAL**Sec. 7-1. Miscellaneous ordinances not affected by Code.**

Nothing in this code or the ordinance adopting this code affects ordinances establishing local or national historic districts. All such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this code.

(G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-2. Disclosure of name of owner of rental property.

Every agent or other person having the charge, control or management or who collects or who receives the rents of any lands, premises or other property in the city shall disclose the name of the owner of such land, premises or property or the name of the person for whom such agent or other person is acting, upon request being made therefore by an inspector, agent or officer of the customer assistance department or the building development supervisor.

(Code 1969, § 16-8; G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-3. House moving.

(a) *Permit required.* No person shall be permitted to move any house or other building along or upon any street, alley, parkway, boulevard, sidewalk or public place without first obtaining a special permit from the director of customer assistance, and then only within such stated time and over such stated route as may be established by the code official.

(b) *Deposit required.* Every person obtaining a permit for the use of such street, alley, parkway, boulevard, sidewalk or public place or any portion thereof shall be required to deposit with the director of customer assistance a sum in lawful money of the United States or its equivalent as may be fixed by such director, in an amount sufficient to pay for the cost of damage, if any, to such street, alley, parkway, boulevard, sidewalk or public place caused by any work being done under the authority of the permit.

(c) *Use of deposit.* If necessary repairs and restoration are made under the supervision and to the satisfaction of the director of public works and transportation at the expiration of such permit and

no damages have occurred to such street, alley, parkway, boulevard, sidewalk or public place, the deposit shall be returned in full. Upon the failure of the person obtaining such permit to repair and restore conditions as provided in this subsection within five business days of the expiration of such permit, the city may proceed to make such repairs and deduct the cost of repairs from such deposit, the balance, if any, to be returned to the person obtaining the permit.

(d) *Availability of permit.* Any permit issued by the director of customer assistance under this section, shall be kept at the place where the work is being done, and if issued in connection with hauling, shall be kept by the driver of the vehicle doing the hauling.

(e) *Inspection of permit.* The director of public works and transportation or any authorized agent or any member of the police department shall have the right to inspect any such permit. It shall be the duty of any person upon demand by any person or officer as stated in this subsection, to allow such person or officer to inspect the permit.

(Code 1969, §§ 19-24, 19-37; G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Cross reference(s)--Streets, sidewalks, and miscellaneous public places, ch. 25.

Sec. 7-4. Definitions.

As used in this chapter, in the those building standard codes specifically adopted in this chapter, and elsewhere in this code, unless the context otherwise indicates, the terms used herein shall be defined as follows:

- (1) *Agent:* An individual that has the authority to act on behalf of another.
- (2) *Apprentice:* A person who is registered with the city and who is undergoing a formal or informal apprenticeship or course of training under the direct supervision of an electrical, mechanical or plumbing journeyman or master. Such person shall not perform any work governed by this article, except as an assistant to and under the direct supervision of a licensed master or journeyman plumber, electrician or mechanical.
- (3) *Appliance or utilization equipment installer:* An unlicensed person who

- installs or repairs appliances or utilization equipment including but not limited to alarm systems, gasoline dispensing pumps, manufacturing equipment, water irrigation systems, elevators, and garage door openers.
- (4) *Building*: Any structure used or intended for supporting or sheltering any use or occupancy.
- (5) *Building official*: The officer or other authority designated by the city manager charged with the administration and enforcement of this code, or the building official's duly authorized representative.
- (6) *Building specialty trade*: The performance of construction work requiring special skill such as mechanical installation.
- (7) *Building safety department*: This means the building development section of the customer assistance department.
- (8) *Certified*: An acknowledgment of a person's competency by this jurisdiction, issued pursuant to this article.
- (9) *Code Official, building official or administrative authority*: The chief building official.
- (10) *Commercial and industrial*: Any use group other than a one and two family dwelling or townhouse as defined by the latest adopted edition of the International Building Code, and the latest adopted edition of the International Residential Code or other nationally accepted building codes that the city may be operating under in the future.
- (11) *Common ownership*: Common ownership constitutes at least 51% ownership by a firm, business, corporation, partnership, co-partnership or other organization or combination thereof.
- (12) *Contractor*: Any person, which also means and includes a firm, co-partnership, corporation, association, or other organization, or any combination thereof, who:
- a. Undertakes, with or for another within the city, to build, construct, alter, remodel, repair, or demolish any building or structure, or any portion thereof, for which a permit from the city is required, and which work is to be done for a fixed sum price, fee percentage, or other compensation;
 - b. Builds, constructs, alters, or adds to another building or structure either upon his or her own or another's property; or
 - c. General contractor, building contractor, residential contractor, concrete contractor and framing contractor. Unless provided otherwise by this article, only a contractor licensed under the provisions of this article may obtain a building permit.
- (13) *Contractor, specialty*: A contractor whose operations as such are the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.
- (14) *Co-partner*: A joint partner, as in a business enterprise; an associate.
- (15) *Designated representative*: An individual that may obtain a license on behalf of a firm and will be the qualifying party of the firm if the individual meets the minimum requirements defined herein.
- (16) *Direct supervision*: In the immediate presence of a licensed journeyman or master, within the same trade. They shall be in the vicinity of the person being supervised for the purpose of giving information, direction, and demonstration while such person is doing work that requires a license. Further, the person under supervision shall have knowledge of the whereabouts of the supervising licensed person and shall provide accurate information concerning his or her direct supervisor's location upon request of any city inspector or enforcement authority.
- (17) *Experience*: Awarded to individuals that have worked within the specific license category for the requisite time period. Individuals must be experienced workers

- fully qualified and able to perform the trade without supervision.
- (18) *Fulltime employee*: A person who spends at least 32 hours a week carrying out the work of the firm in a paid status.
- (19) *His or him*: Unless the context clearly requires otherwise, all terms and words used throughout this chapter, regardless of the number and gender in which used, shall be construed to include any other number, singular or plural, or any other gender, masculine, feminine or neuter, the same as if such words had been fully and properly written in that number or gender.
- (20) *Install*: To furnish, assemble, relocate, or make ready for use any material, equipment, appliance, or apparatus.
- (21) *Inspector*: A qualified person who is employed by the city to inspect the various trades to ascertain whether or not those installations meet or exceed the accepted standards as set forth in the adopted model code(s) and this code.
- (22) *Intern*: A person who is registered with the city, who does not have a high school diploma or equivalent and is enrolled in a formal or informal program or course of training under the direct supervision of a mechanical journeyman or master. Such person shall not perform any work governed by this article, except as an assistant to and under the direct supervision of a licensed master or journeyman mechanical. Once they have obtained their high school diploma or equivalent, they must register with the city as an apprentice.
- (23) *Journeyman*: An individual who has completed an apprenticeship and has demonstrated to the code official, through testing and experience, their practical and theoretical knowledge and hold a license issued pursuant to this article evidencing such person to be qualified to layout, install, maintain and repair work in his/her area of expertise. A journeyman is responsible for the supervision of any apprentice assigned to work with him/her.
- (24) *Legally registered name*: The name under which the business is registered to operate as a business with the Missouri Secretary of State or a commonly known alias for a sole proprietorship or partnership.
- (25) *Licensed*: An acknowledgement by this jurisdiction that a person meets the licensing criteria and has paid the required fees to practice a trade.
- (26) *Maintenance*: The upkeep of property or equipment.
- (27) *Master*: An individual who has demonstrated his/her skill through testing and experience in comprehending the planning, superintending and installing of the specific trade and who has demonstrated their knowledge to the code official and holds a license issued pursuant to this article evidencing such person to be qualified to control and have *authority* of all technical work performed under the authority of the contractor's enterprise and assures quality control and is responsible for compliance with all applicable laws, codes and regulations.
- (28) *Mechanical apparatus*: Includes all fuel-burning equipment, heating and power equipment, air conditioning equipment, refrigeration equipment, ventilation and other mechanical equipment and apparatus.
- (29) *Owner Occupant*: The bona fide owner and occupant of a single family dwelling.
- (30) *Project*: All the work, to include all trade work, necessary to complete the construction, alteration, renovation or addition of a structure. Splitting or phasing of requirements to circumvent any licensing requirement is strictly forbidden and will be addressed as a violation of this article.
- (31) *Qualifying party*: An individual who meets the experience and examination requirements for a license. Every license must have a qualifying party.
- (32) *Residential*: The R-3 use group as defined by the latest adopted edition of the International Building Code, and the latest adopted edition of the International

Residential Code or other nationally accepted building codes that the city may be operating under in the future.

- (33) *Structure*: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- (34) *This code*: The code of ordinances of the city of St. Joseph, Missouri.
- (35) *Trade*: An occupation or craft requiring dexterity and/or artistic skills in relation to the construction of a building, structure or system and its related equipment specific to electrical, mechanical and plumbing.
- (36) *Vicinity*: For the purposes of this article shall mean that the supervisor shall be on the same project or building site as the journeyman or master for both residential and non-residential projects.

(G.O. 2131, 10-24-05; G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-5. Liability for damages.

The issuance of any permit or certificates of occupancy, as required by these codes or ordinances shall not be construed to persons or property in connection with the operation, control or installation of any equipment, structures or systems, and the city shall not be held as assuming any liability by reason of the issuance of permits or certificates of occupancy.

(G.O. 2131, 10-24-05; G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-6. Violations and penalties.

(a) Any violation of any provision of this chapter during the same 12 month period, including the standards adopted by reference, shall be punishable as a misdemeanor and, upon conviction, punishment shall be assessed as follows except when specifically addressed otherwise:

- (1) For the first conviction, by a fine of not less than \$25.00.
- (2) For the second conviction, by a fine of not less than \$200.00 or by confinement in the

county jail for a term of not less than 30 days.

- (3) For the third and subsequent convictions, by a fine of \$500.00 or by confinement in the county jail for a term of not less than 60 days.
- (4) Nothing in this subsection shall be construed to prevent the imposition of a larger fine or the imposition of a longer jail sentence or the imposition of both a fine and imprisonment consistent with Section 1-14 of this code.

(b) Each day that a violation continues shall be deemed a separate offense.

(G.O. 2131, 10-24-05; G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-7. Exemption from fees.

The United States government or any of its agencies, State of Missouri, County of Buchanan or their agencies shall be exempt from payment of any fee for any permit or certificate of occupancy under this section for any buildings or structures owned by the above entities. Said exemption does not relieve the obligation to obtain applicable permits, unless otherwise provided under law.

(G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-8. Permit expiration.

All permits expire one year from the date of issuance, except in those cases where arrangements have been made with the building development supervisor for an extension or the permit was specifically issued for a shorter or longer time period. Permit extensions shall be granted in 180 day increments at one-half the original fee for each extension granted. The extension shall be requested in writing and justifiable cause demonstrated.

(G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-9. Responsibilities.

It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code and to ensure all subcontractors under them also comply with this code to include obtaining the required licenses and permits and ensuring the required inspections are performed. It

shall be the responsibility of the permit holder through their registered master or designated agent to make arrangements for:

- (1) All field inspections at appropriate times for required inspections of permitted work.
- (2) A final inspection prior to occupancy.
- (3) The re-inspection of any work which failed an inspection. All re-inspections must be completed within 30 days of the original inspection failure.

(G.O. 2224, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-10. Severability.

If any section, clause, sentence, or phrase of this chapter is determined to be invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this chapter.

(G.O. 2321, 4-6-09)

Secs. 7-11--7-31. Reserved.

ARTICLE II. BUILDING CODE

Sec. 7-32. Building code adopted.

(a) The International Building Code, 2006 edition (2006 IBC), including Appendix C, E, F, G, H, I, and J as published by the International Code Council, Inc., be, and hereby is, adopted as the building code for the City of St. Joseph, Missouri, of which two copies are on file in the office of the city clerk, for the purpose of regulating and governing the design, construction, alteration, enlargement, equipment, repair, demolition, removal, conversion, use or maintenance of all buildings and structures, including permits and penalties, and each and all of the regulations, provisions, penalties, conditions and terms of said building code are hereby referred to, adopted and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in Section 7-33 of this article.

(b) The International Residential Code for One- and Two-Family Dwellings, 2006 edition (2006 IRC), including Appendix B, C, D, E, F, G, H, J, K, M and N as published by the International Code Council, Inc., be and hereby is, adopted as the residential code for the City of St. Joseph, Missouri, of which two copies are on file in the office of the

city clerk for the purpose of regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the City of St. Joseph, Missouri, including permits, penalties and collection of fees therefore, save an except such portions that are hereinafter modified, deleted, added or amended, if any in Section 7-34 of this article.

(Gen. Ord. No. 1193, § 1(7-1), 7-18-94; G.O. 1866, 1-7-02; G.O. 2225, 5-7-07)

State law reference(s)--Adoption by reference, RSMo 67.280.

Sec. 7-33. Amendments and changes to the 2006 IBC.

The 2006 IBC, as adopted in Section 7-32, is changed by the following insertions, additions and deletions:

(1) *General:* All references to “board of appeals” shall be replaced by “building and fire prevention code board of appeals”.

(2) *Section 101 General.* The 2006 IBC, Section 101, General, is amended by deleting Subsection 101.1 and substituting the following:

101.1. Title. These regulations shall be known as the building code of the City of St. Joseph, Missouri, hereinafter referred to as “this code.”

(3) *Section 105 Permits.* The 2006 IBC, Section 105, Permits, is amended by deleting Subsection 105.2.

(4) *Section 106 Construction documents.* The 2006 IBC, Section 106, Construction documents, is amended by adding the following:

106.3.4.3 Design professional. The construction documents for new construction, alteration, repairs, expansion, addition or modification for buildings or structures shall be prepared by a Missouri registered design professional as required by the Missouri Board for Architects, Professional Engineers and Land Surveyors.

(5) *Section 108 Fees.* The 2006 IBC, Section 108, Fees, is amended by deleting Subsections 108.2, 108.4 and 108.6 and substituting the following:

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid in accordance with Chapter 7, Article VIII, schedule of fees,

Sections 7-400 through 7-404 of the City of St. Joseph’s Code of Ordinances.

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before first obtaining the necessary permits shall be charged double the normal required permit fee. The payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties presented herein.

108.6 Refunds. Fees collected under the above sections shall be refunded where such work has not been commenced prior to the abandonment thereof, and the permit has not expired by time limitations. However, if any such work has been commenced, and then abandoned, or where a permit has expired after work has commenced or where a permit has been revoked, no refund of any building fee shall be made.

(6) *Section 112 Board of appeals.* The 2006 IBC, Section 112, Board of Appeals, is amended by deleting Section 112.0, in its entirety, and substituting the following:

Section 112 Appeals.

112.1 Appeals to the building and fire prevention code board of appeals. Any person aggrieved by a decision of the building official’s or inspector’s interpretation of the building code, may appeal such decision to the building and fire prevention code board of appeals. The building and fire prevention code board of appeals shall thereupon make an independent determination on the question which the building official or inspector had to decide.

112.2 Appeals Procedure.

(a) The owner of a building or structure or any other person aggrieved by a decision of the building official or inspector may appeal to the building and fire prevention code board of appeals. Any such appeal shall be in writing and state the name and address of the appealing party and the

nature of his appeal and shall be made within five days after the building official's or inspector's decision.

(b) The building and fire prevention code board of appeals shall hold a public hearing within five business days after notice of appeal is filed. Notice of hearing shall contain a time and date for the hearing and be directed to the appealing party at the address given on his appeal by certified mail. The appellant, his attorney, and any other persons whose interests may be affected by the matter on appeal shall be given an opportunity to be heard, present evidence and examine adverse witnesses.

(c) The building and fire prevention code board of appeals shall render its decision in writing within a reasonable time, however in no event later than five days after the conclusion of the hearing. A tape recorded transcript of the hearing shall be made and minutes shall be kept.

(d) Any person aggrieved by a decision of the building and fire prevention code board of appeals may appeal that determination to the Circuit Court of Buchanan County, Missouri, under the provisions of RSMo Ch. 536. The appeal shall be made within 30 days after the mailing or delivery of the decision.

- (7) *Section 113 Violations.* The 2006 IBC, Section 113, Violations, is amended by deleting Subsection 113.4 and substituting the following:

113.4 Violation Penalties. Any person who shall violate a provision of the 2006 IBC, 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 building official, or a permit or certificate issued under the provisions of the basic code, shall be issued a citation and, if found guilty, fined as defined under Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

- (8) *Section 114 Stop Work order.* The 2006 IBC, Section 114, Stop Work Order, is

amended by deleting Subsection 114.3 and substituting the following:

114.3 Unlawful Continuance. Any person who shall continue any work in or about the building after having been served with a stop-work order, verbally or in writing, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be issued a citation and, if found guilty, fined in accordance with Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

- (9) *Section 115 Unsafe structures and equipment.* The 2006 IBC, Section 115, Unsafe Structures and Equipment, is amended by amending Subsection 115.1, and inserting a new Subsection 115.1.1, as follows:

115.1 Conditions. All structures or existing equipment which are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. All unsafe structures shall be classified as habitable or uninhabitable, taken down and removed or made safe, as the code official deems necessary and as provided in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

115.1.1 Vacant Structures.

(a) A vacant structure or vacant portion of a structure shall be secured against entry by trespassers or animals (including birds) and put in a safe, stable condition. The owner shall cause all exterior doors and windows to be locked and secured at all times. If any exterior windows or doors of such building have broken glass or broken panels, then the owner shall cause such openings to be closed by repairing or replacing the damaged unit in a good and workmanlike manner or by boarding the opening. If the owner chooses to board up such openings, he/she shall use weather

resistant plywood of at least three-eighths-inch thickness cut to fit the opening size and shall attach such plywood to the exterior of all such openings using wood screws of at least 1 1/2 inches long placed 12 inches on center. Such plywood shall be of a color or coated with a color which blends with the exterior of the building.

(b) If any other opening exists in the building envelope (walls, foundations, facia, soffit, roof or other) the owner shall cause such openings to be closed in a good and workmanlike manner using material approved for such purpose.

(c) The building must have a sound foundation and be free from excessive leaning, sagging or buckling members; and shall be secured to afford the building and its contents protection from the elements.

(d) Exterior porches, stairs, landings, retaining walls and other structures shall be put in good repair or removed.

(e) A building permit is not required of the owner for the performance of any or all of the above work for the securement of the vacant structure.

- (10) *Section 1612 Flood loads.* The 2006 IBC, Section 1612, Flood loads, is amended by deleting Subsection 1612.3, and substituting the following:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body 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 the City of St. Joseph, Buchanan County, Missouri," dated September 19, 1984, 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.

- (11) *Section 3202 Encroachments.* The 2006 IBC, Section 3202, Encroachments, is amended by inserting Subsection 3202.5 as follows:

3202.5 Jurisdictional Authority. For the purpose of this section, the authority having jurisdiction is the director of the customer assistance department.

- (12) *Section 3303 Demolition.* The 2006 IBC, Section 3303, Demolition, is amended by adding a new subsection to be known as Subsection 3303.7 to read as follows:

3303.7 Wrecking, Demolishing or Razing.

(a) No person, firm or corporation shall wreck, demolish, or raze a building or other structure within the corporate limits of St. Joseph without first obtaining a permit therefore from the customer assistance director. Such permit shall be issued only to an insured person, firm or corporation as hereinafter provided. A permit may be issued to an uninsured owner of record of land who desires to wreck or demolish or raze any building thereon, except that if such building shall be more than two stories high or shall be less than ten feet back from the street property line, such owner shall be required to give a certificate of insurance to the City of St. Joseph, as hereinafter provided and required from persons, firms, or corporations engaged in the business of wrecking, demolishing, or razing buildings.

(b) All applications for permits to wreck, demolish, or raze a building or other structure shall be made to the code official, and every such application shall state the location of the building or structure to be wrecked, demolished or razed, its length, width, height, and the principal materials of its construction, the length of time that will be required to wreck, demolish, or raze such building or structure and showing the ownership and location thereof, and the proof of permission of the owner to demolish. If such application complies with the terms and provisions of this section, then the code official shall issue such permit; provided, however, that if such work is not begun within 60 days after issuance of the

permit, such permit shall expire by limitation and be void.

(c) Every person, firm, partnership, corporation or joint venture shall provide evidence of contractor's general liability insurance with explosion, collapse and underground hazards specifically included, prior to the city's issuance of a permit for demolition, wrecking, or razing of any structure. Proof of such insurance shall be evidenced by a certificate of insurance signed by the insurer and/or the insurer's agent and shall certify the name of the insured and his/her address, the amounts and types of insurance actually in force, and limitation to the locality covered by the policy, the policy beginning and ending dates and an agreement to notify, in writing, the City of St. Joseph customer service manager, customer assistance department, 15 days prior to the termination of the policy. Such insurance shall be retained in force at all times during demolition, wrecking or razing of the structure or structures for which a permit is issued. Any permit issued in this section shall automatically terminate upon the lapse or termination of the required insurance coverage.

Minimum coverage shall be in the following amounts:

Death or injuries: \$100,000.00 per person; \$300,000.00 per occurrence.

Property damage: \$200,000.00 per occurrence.

The amounts stated above shall be deemed minimum coverage and shall not preclude the code official from requiring greater coverage when, in his/her judgment, the means, scope, method, special conditions or circumstances of the demolition, wrecking or razing so dictate.

(d) The issuance of a permit hereunder shall be conditioned among other things mentioned that such person, firm or corporation will pay any and all damage which may be caused to any property, public or private, within St. Joseph and any

and all claims for personal injury when injury is caused or inflicted by such person, firm or corporation or their agents, servants, employees, contractors or subcontractors and shall further condition that the City of St. Joseph shall be saved harmless from all costs, loss or expense arising out of the carrying on of such business.

(e) In the wrecking, demolishing or razing of any building or structure, the work shall be carried on in conformance with good engineering practice. Backfill material shall be clean earth free from organic matter. Use of any other type of backfill material shall require authorization of the code official and shall be stated on the permit. Should stone, brick or concrete be authorized as a supplement for a portion of the backfill, it must be a minimum of 12 inches below grade level. The supplement should not exceed 20 percent of the total backfill and should be thoroughly compacted.

- (13) *Section 3410 Compliance alternatives.* The 2006 IBC, Section 3410, Compliance alternatives, is amended by deleting Subsection 3410.2 and substituting the following:

3410.2 Applicability. Structures existing prior to February 7, 1966, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3403.0 through 3407.0. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in use Group H or I.

- (14) The 2006 IBC is amended by adding a new chapter to be known as Chapter 36, entitled "Housing Numbering," to be read as follows:

Chapter 36. Housing numbering

Section 3601.0 House Numbering. The city planner shall assign all numbers and address to new and existing buildings and keep a

record of the same according to streets. The code official shall furnish all owners and builders of buildings with said building numbers.

Section 3602.0 Duty of Contractor.

(a) The contractor or builder in charge of the greater part of the work of erecting or moving any building in the city shall report the location thereof to the code official and cause such number to be placed on the building as soon as practically possible.

(b) The contractor in charge of the greater part of the work remodeling, renovating or adding to any building or unit shall cause the number to be placed on the building or unit as soon as practically possible.

- (15) *Section H101 General.* The 2006 IBC, Section H101, General, is amended by adding Subsections H101.3 through H101.3.2 to be read as follows:

H101.3 Bonds and Liability Insurance. A person shall not erect, install, remove, re-hang or maintain over public property any sign for which a permit is required under the provisions of this code until an approved bond shall have been filed in the sum of \$100,000.00 per accident and for property damage in the amount of \$50,000.00 as herein required.

H101.3.1 Conditions. Such bond or insurance policy shall protect and save the jurisdiction of St. Joseph, Missouri, harmless from any and all claims or demands for damages by any reason of defects in the construction, or damages resulting from the collapse, failure or combustion of the sign or parts thereof. Insurance shall name the city as an additional insured.

H101.3.2 Notice of Cancellation. The obligation herein specified shall remain in force and effect during the life of every sign and shall not be cancelled by the principal or surety until after 30 days' notice to the code official.

(Gen. Ord. No. 1193, § 1(7-2), 7-18-94; G.O. 1866, 1-7-02; G.O. 1985, 11-10-03; G.O. 2225, 5-7-07; G.O. 2260, 10-22-07)

Sec. 7-34. Amendments and changes to the 2006 IRC.

The 2006 IRC, as adopted in Section 7-32, is changed by the following insertions, additions and deletions:

- (1) *General:* All references to “board of appeals” shall be replaced by “building and fire prevention code board of appeals”.

- (2) *Section R101 Title, Scope and Purpose.* The 2006 IRC, Section R101, Title, Scope and Purpose, is amended by deleting Subsection R101.1 and substituting the following:

R101.1 Title. These provisions shall be known as the *residential code of one-and two-family dwellings* of the City of St. Joseph, Missouri, and shall be cited as such and will be referred herein as “this code”.

- (3) *Section R105.Permits.* The 2006 IRC, Section R105, Permits is amended by deleting Subsection R105.2.

- (4) *Section R106 Construction Documents.* The 2006 IRC, Section 106, Construction Documents, is amended by deleting Subsection R106.1 and substituting the following:

R106.1 Submittal documents. Construction documents, special inspection and structural observation programs and othe data shall be submitted in one or more set with each application for a permit. The construction documents shall be prepared by a Missouri registered design professional where required by the State of Missouri. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a Missouri 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

Missouri registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

- (5) *Section R108 Fees.* The 2006 IRC, Section R108, Fees, is amended by deleting Subsections R108.2 and R108.5 and substituting the following:

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid in accordance with Chapter 7, Article VIII, schedule of fees, Sections 7-400 through 7-404 of the City of St. Joseph's Code of Ordinances.

R108.5 Refunds. Fees collected under the above sections shall be refunded where such work has not been commenced prior to the abandonment thereof, and the permit has not expired by time limitations. However, if any such work has been commenced, and then abandoned, or where a permit has expired after work has commenced or where a permit has been revoked, no refund of any building fee shall be made.

- (6) *Section R108 Fees.* The 2006 IRC, Section R108, Fees, is amended by adding the following:

R108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before first obtaining the necessary permits shall be charged double the normal required permit fee. The payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties presented herein.

- (7) *Section R112 Board of Appeals.* The 2006 IRC, Section R112, Board of Appeals, is amended by deleting Section R112.1 and substituting the following:

R112.1 Appeals to the building and fire prevention code board of appeals. Any person aggrieved by a decision of the

building official's or inspector's interpretation of the residential code, may appeal such decision to the building and fire prevention code board of appeals. The building and fire prevention code board of appeals shall thereupon make an independent determination on the question which the building official or inspector had to decide.

R112.1.1 Appeals Procedure.

(a) The owner of a building or structure or any other person aggrieved by a decision of the building official or inspector may appeal to the building and fire prevention code board of appeals. Any such appeal shall be in writing and state the name and address of the appealing party and the nature of the appeal and shall be made within five days after the building official's or inspector's decision.

(b) The building and fire prevention code board of appeals shall hold a public hearing within five business days after notice of appeal is filed. Notice of hearing shall contain a time and date for the hearing and be directed to the appealing party at the address given on the appeal by certified mail. The appellant, his/her attorney, and any other persons whose interests may be affected by the matter on appeal shall be given an opportunity to be heard, present evidence, and examine adverse witnesses.

(c) The building and fire prevention code board of appeals shall render their decision in writing within a reasonable time, however in no event later than five days after the conclusion of the hearing. A tape recorded transcript of the hearing shall be made and minutes shall be kept.

(d) Any person aggrieved by a decision of the building and fire prevention codes board of appeals may appeal that determination to the Circuit Court of Buchanan County, Missouri, under the provisions of RSMo Ch. 536. The appeal shall be made within 30 days after the mailing or delivery of the decision.

- (8) *Section R113 Violations.* The 2006 IRC, Section R113, Violations, is amended by

deleting Subsection R113.4 and substituting the following:

R113.4 Violation Penalties. Any person who shall violate a provision of the 2006 IRC, 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 building official, or a permit or certificate issued under the provisions of the basic code, shall be guilty of a misdemeanor, punishable by a fine under Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

- (9) *Section R114 Stop Work Order.* The 2006 IRC, Section R114, Stop Work Order, is amended by deleting Subsection R114.2 and substituting the following:

R114.2 Unlawful continuance. Any person who shall continue any work in or about the building after having been served with a stop work order, verbally or in writing, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be issued a citation and, if found guilty, fined in accordance with Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

- (10) *Section R301 Design Criteria.* The 2006 IRC, Section R301, Design Criteria, is amended by inserting the following into Table R301.2(1):

Wind speed = 90 mph; Seismic design category = B; Weathering = Severe; Frost Line Depth = 36 inches; Termite = Moderate to Heavy; Decay = slight to moderate; Winter Design Temp = 2 degrees; Flood hazard = September 19, 1984.

- (11) *Section R309 Garages and Carports.* The 2006 IRC, Section R309, Garages and Carports, is amended by deleting Subsection R309.1 and substituting the following:

R309.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood

doors not less than 1 3/8 inches (35mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35mm) thick, or 20-minute fire-rated doors. These doors shall have automatic door closers provided

- (12) *Section R907 Reroofing.* The 2006 IRC, Section R907, Reroofing, is amended by omitting paragraph 4 under Subsection R907.3, Re-covering versus replacement, in its entirety.
- (13) The 2006 IRC, is amended by repealing Chapters 21, 22, 25, 26, 27, 28, 29, 30, 31 and 32 in their entirety and Sections G2413, G2414, G2415, G2416, G2417, G2418, G2419, G2420, G2421, G2422 and G2424 in their entirety.
- (14) The 2006 IRC is amended by adding a new chapter to be known as Chapter 44, entitled "Housing Numbering," to be read as follows:

Chapter 44. Housing Numbering.

Section R4401 Housing numbering.

The city planner shall assign all numbers and addresses to new and existing buildings and keep a record of the same according to streets. The code official shall furnish all owners and builders of buildings with said building numbers.

Section R4402 Duty of Contractor.

(a) The contractor or builder in charge of the greater part of the work of erecting or moving any building in the city shall report the location thereof to the code official and procure a certificate of the number to be placed thereon, and shall cause such number to be placed on the building as soon as practically possible.

(b) The contractor in charge of the greater part of the work remodeling, renovating or adding to any building or unit shall cause the number to be placed on the building or unit as soon as practically possible.

(Gen. Ord. No. 1193, § 1(7-2), 7-18-94; G.O. 1866, 1-7-02; G.O. 2225, 5-7-07; G.O. 2260, 10-22-07)

Secs. 7-35--7-55. Reserved.

adopted edition of the International Residential Code.

ARTICLE III. ELECTRICAL CODE***DIVISION 1. GENERALLY****Sec. 7-56. Title.**

This article shall be known and cited as the electrical code of the City of St. Joseph, Missouri. (Gen. Ord. No. 852, § 1(7-56), 2-4-91; G.O. 2216, 1-29-07)

Sec. 7-57. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Class I-C License* means a person licensed as a "master electrician - commercial & industrial" under this article or a person licensed as a master electrician by the city prior to December 31, 1995.
- (2) *Class I-R License* means a person licensed as a "master electrician - residential" under this article.
- (3) *Class II-C License* means a person licensed as a "journeyman electrician - commercial and industrial" under this article.
- (4) *Class II-R License* means a person licensed as a "journeyman electrician - residential" under this article.
- (5) *Class III License* means a person licensed as an "apprentice electrician" under this article.

***Cross reference(s)**--Electrical standards and appeals board, § 2-741 et seq.

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

- (6) *Commercial and Industrial* means any use group to include all residential as defined by the latest adopted edition of the International Building Code, and the latest

- (7) *Residential* means the R-3 use group as defined by the latest adopted edition of the International Building Code, and the latest adopted edition of the International Residential Code.

(Code 1969, § 7-57; G.O. 1372, 1-2-96; G.O. 2216, 1-29-07)

Sec. 7-58. Reserved.**Sec. 7-59. Reserved.****Sec. 7-60. Electrical code adopted.**

The International Code Council Electrical Code - Administrative Provisions, 2006 edition (2006 ICCEC), as published by the International Code Council and the NFPA 70, National Electrical Code, 2005 edition, (2005 NEC), as published by the National Fire Protection Association, Inc., Chapters 1 through 9, be and hereby is adopted as the electrical code for the city of St. Joseph, Missouri, of which two copies are on file in the office of the city clerk for the purpose of regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the city and providing for the issuance of permits and collection of fees therefore save and except such portions as are modified, added or amended in this article, with the additions, insertions and changes, if any, prescribed in Section 7-61 of this article.

(Gen. Ord. No. 1194, § 1(7-89), 7-18-94; G.O. 1860, 11-26-01; G.O. 2216, 1-29-07; G.O. 2226, 5-7-07)

State law reference(s)--Adoption by reference, RSMo 67.280.

Sec. 7-61. Amendments to the 2006 ICCEC.

The 2006 ICCEC, as adopted in Section 7-60, is changed by the following insertions, additions and deletions:

- (1) **General:** Throughout the 2006 ICCEC, replace all references to "code official" with "code official or electrical inspector".
- (2) **General:** All references to "Board of Appeals" shall be replaced by "Electrical Standards and Appeals Board".

(3) *Section 101 General.* The 2006 ICCEC, Section 101, General, is amended by inserting “City of St. Joseph, Missouri” in place of “[Name of jurisdiction]”.

(4) *Section 102 Applicability.* The 2006 ICCEC, Section 102, Applicability, is amended by deleting Subsection 102.6 and substituting the following:

102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of the adopted 2005 NEC, this code and reference codes or standards, the provisions of the 2005 NEC shall apply, followed by this code.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer’s instructions shall apply.

(5) *Section 301 Department of Electrical Inspection.* The 2006 ICCEC, Section 301, Department of Electrical Inspection, is amended by deleting Section 301 in its entirety.

(6) *Section 401.General.* The 2006 ICCEC, Section 401, General, is amended by deleting Subsection 401.3

(7) *Section 404 Fees.* The 2006 ICCEC, Section 404, Fees, is amended by inserting at the end of Subsection 404.2 “Schedule listed in Section 7-400 and 401 of the Code of Ordinances” where it states “[Jurisdiction to insert appropriate schedule]”.

(8) *Section 404 Fees.* The 2006 ICCEC, Section 404, Fees, is amended by deleting Subsection 404.5 and substituting the following:

404.5 Refunds. Fees collected under the above sections shall be refunded where such work has not been commenced prior to the abandonment thereof, and the permit has

not expired by time limitations. However, if any such work has been commenced, and then abandoned, or where a permit has expired after work has commenced or where a permit has been revoked, no refund of any electrical fee shall be made.

(9) *Section 1003 Penalties.* The 2006 ICCEC, Section 1003, Penalties, is amended by deleting Subsection 1003.1 and substituting the following:

1003.1 Penalties. Any person who shall violate a provision of the 2006 ICCEC, or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair an electrical system or equipment in violation of an approved plan or directive of the building official, or a permit or certificate issued under the provisions of the basic code, shall be issued a citation and, if found guilty, fined as defined under Section 7-6 of the Code of ordinances of the City of St. Joseph, Missouri.

(10) *Section 1004 Stop Work Order.* The 2006 ICCEC, Section 1004, Stop Work Order, is amended by deleting Subsection 1004.3 and substituting the following:

1004.3 Unlawful continuance. 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 subject to the penalties established under Section 7-7 of the Code of Ordinances.

(11) *Chapter 11 Means of Appeal.* The 2006 ICCEC, Chapter 11, Means of Appeal, is amended by deleting Chapter 11 in its entirety.

(Code 1969, § 7-90; G.O. 1860, 11-26-01; G.O. 2216, 1-29-07; G.O. 2226, 5-7-07; G.O. 2260, 10-22-07)

Secs. 7-62--7-70. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Subdivision I. General Provisions

§7-411

Sec. 7-71. Administrator; personnel.

This article shall be administered by the director of customer assistance, who shall take such action as may be reasonable and necessary to secure compliance with it. Personnel shall be employed as may be required to administer this article, subject to the availability of funds.

(Gen. Ord. No. 852, § 1(7-56), 2-4-91; G.O. 2216, 1-29-07)

Sec. 7-72. City electrical inspector.

(a) *Office created.* There is created within the building development services section, department of customer assistance, the office of electrical inspector.

(b) *Powers and duties.* The electrical inspector or his duly authorized representative shall have the right and power and it shall be his duty under the direction of the code official to inspect all electrical wires and all electrical apparatus in or on any building, street or alley in this city in order to ascertain whether the requirements of this article are being met. If any part of such electrical wires or electrical apparatus shall be found not to be in compliance with this article, the electrical inspector or his duly authorized representative shall institute such proceedings as may be necessary for the immediate abatement of all such noncompliance. No person shall refuse or fail to allow such inspections, provided such inspections by the electrical inspector or his duly authorized representative are being made for the purpose of ascertaining whether the requirements of this article are being met.

(c) *Employment qualifications.* The electrical inspector shall be a classified employee hired in accordance with the personnel manual of the city. The primary electrical inspector shall have been a journeyman electrician for a minimum of two years and/or have a master's license and shall, within two years of being hired, obtain a city journeyman or master electrician's license, and obtain and maintain a residential and commercial electrical inspector certification through a nationally recognized certifying agency.

(Gen. Ord. No. 852, § 1(7-58), 2-4-91; G.O. 2216, 1-29-07)

Cross reference(s)--Officers and employees, § 2-111 et seq.

Sec. 7-73. Appeals.

(1/1/12)

(a) The owner of a building or structure or any other person aggrieved by a decision of the electrical inspector's interpretation of this article may appeal to the electrical standards and appeals board. Any such appeal shall be in writing and state the name and address of the appealing party and the nature of his appeal and shall be made within five days after the electrical inspector's decision.

(b) The electrical standards and appeals board or its delegate shall hold a public hearing within five business days after notice of appeal is filed. Notice of hearing shall contain a time and date for the hearing and be directed to the appealing party at the address given on his appeal by certified mail. The appellant, his attorney and any other person whose interests may be affected by the matter on appeal shall be given an opportunity to be heard, present evidence and examine adverse witnesses.

(c) The electrical standards and appeals board shall render their decision in writing within a reasonable time, however, not later than five business days after the conclusion of the hearing. A tape-recorded transcript of the hearing shall be made, and minutes shall be kept.

(d) Any person aggrieved by a decision of the electrical standards and appeals board may appeal that determination to the circuit court of the county under the provisions of RSMo Ch. 536. The appeal shall be made within 30 days after the mailing or delivery of the decision.

(Code 1969, § 7-59; G.O. 2216, 1-29-07)

Sec. 7-74. Alternate materials, devices and methods of construction.

(a) The provisions of this article are not intended to prevent the use of materials, devices or methods of construction not specifically authorized or prescribed by this article, providing such alternate has been approved by the code official after consultation with the electrical standards and appeals board, when practical. The code official may grant such approval when he determines that such alternate materials, devices or methods of construction are of such design or quality or both as to be suitable and safe for the use intended and is, for the purpose intended, equivalent in quality, effectiveness, durability and safety to that prescribed by this article.

(b) To help him reach this decision, the code official may require evidence and tests to substantiate any claims that such alternate material, device or method of construction meet the standards described in subsection (a) of this section. The cost of any evidence or tests required to be submitted shall be paid by the person requesting such approval of the code official. Any test required shall be made in accordance with generally recognized standards where such exist, and where none exist, the code official shall specify the test procedures. Prior to making any such determination, the code official may submit the proposed material, device or method of construction to the electrical standards and appeals board for its recommendation.

(Code 1969, § 7-77; G.O. 2216, 1-29-07)

Sec. 7-75. Approval of variances.

In specific cases where it clearly appears that undue hardship would result from a literal application of the provisions of this article, and where such undue hardship can be clearly demonstrated, the code official may approve the issuance of a permit for the proposed electrical work if such work will comply with the spirit and intent of this article with respect to hazards in fire and safety to life. Prior to issuing such permit the code official may first submit the application to the electrical standards and appeals board for their recommendation.

(Code 1969, § 7-79; G.O. 2216, 1-29-07)

Sec. 7-76. Liability for damages.

The issuance of permits or certificates of approval as required by this article shall not be construed as relieving any person from liability for damages to persons or property in connection with the operation, control or installation of any electrical equipment, and the city shall not be held as assuming any liability by reason of the issuance of permits or certificates of approval.

(Code 1969, § 7-81; G.O. 2216, 1-29-07)

Secs. 7-77--7-85. Reserved.

Subdivision II. Permits and Inspections

Sec. 7-86. Reserved.

Sec. 7-87. Application, issuance of permit.

(a) Application for a permit required in this subdivision shall be made to the code official and

shall be made on a form furnished for that purpose. The application shall be accompanied by such plans, specifications or schedules as may be required by the code official to show whether the installation as described will be in conformity with the requirements of this article. If the proposed installation conforms to the provisions of this article and if the person seeking the permit is a person qualified to perform the proposed work, a permit for such installation shall be issued.

(b) The permit issued shall set forth the name of the person to whom it is issued and shall set forth the qualifications of such person which entitle him to receive a permit. In determining whether the proposed installation conforms to the provisions of this article or whether the person seeking the permit is a person qualified to perform the proposed work, the code official may seek the recommendation of the electrical standards and appeals board.

(Code 1969, § 7-71; G.O. 2216, 1-29-07)

Sec. 7-88. Permit restrictions.

No deviation shall be made from the work as described in the permit required and issued pursuant to this subdivision and no additional work other than that described in the permit shall be done without making an adjustment in the original permit. The code official shall allow such adjustment to be made when he finds that such adjustment conforms to the provisions of this article. In determining whether such adjustment conforms to the provisions of this article, the code official may seek the recommendation of the electrical standards and appeals board.

(Code 1969, § 7-72; G.O. 2216, 1-29-07)

Sec. 7-89. Effect of issuance of permit; correction of drawings, specifications.

(a) The issuance of an electrical permit and the approval of drawings and specifications shall not be construed to permit violation of this article. No permit presuming to give authority to violate or cancel provisions of this article shall be valid.

(b) The issuance of a permit based upon approval of plans and specifications shall not prevent the code official from requiring the correction of errors in such plans and specifications or from revoking the permit or prohibiting continuation of work, where found to be in violation of this article or of any other ordinance.

(Code 1969, § 7-73; G.O. 2216, 1-29-07)

Sec. 7-90. Fees for permits and inspections.

Fees for electrical permits and inspections shall be in accordance with the fee schedule in Section 7-401.

(Code 1969, § 7-74; G.O. 2216, 1-29-07)

Sec. 7-91. Inspection and certification of work.

(a) *Generally.* Upon completion of an installation or alteration under an electrical permit, the person making the installation shall notify the code official who shall cause the electrical inspector to make an inspection of the installation or alteration within 24 hours of such notice or as soon thereafter as practicable. If the installation or alteration is in conformity with this article, the electrical inspector shall issue to the permit holder a certificate of approval, with a duplicate copy to the owner, and authorizing the use of the installation or alteration and connection to the source of the electricity, with a notice of such authorization to the agency supplying the electrical service.

(b) *Temporary approval.* A certificate of approval may be issued authorizing the connection and use of a temporary installation, but such certificate shall expire at the time stated thereon and shall be revocable for cause.

(c) *Concealing work.* When any electrical equipment is to be concealed from view by the construction of a building, the person making the installation shall notify the code official in writing, and such equipment shall not be concealed until it has been inspected and approved or until 24 hours, exclusive of Sunday and holidays, have elapsed from the time of such notification. In a large installation where the concealment of equipment proceeds continuously, the person installing the electrical equipment shall give due written notice thereof, and inspections shall be made periodically during the progress of the work.

(d) *Notice to correct defects.* If inspection indicates work is not in conformity with this article, the electrical inspector, at the direction of the code official, shall immediately notify the job site superintendent, master electrician who pulled the permit and the appropriate utility company. The utility company will then determine if the power shall be cut off and the use of electrical service discontinued until the provisions of this article are complied with. If, in the opinion of the electrical

inspector, there is an immediate threat to life or property, he/she, at the direction of the code official, will notify the utility company and order the electrical service shut off until the immediate hazard is corrected. In either case, a final inspection will not be completed until all the provisions of this article are complied with.

(Code 1969, § 7-75; G.O. 2216, 1-29-07)

Sec. 7-92. Connection of electrical supply to installation.

It shall be unlawful for any person to make connection to a supply of electricity or to supply electricity to any electrical equipment for which an installation permit is required or which has been condemned without authorization from the code official. Such authorization may be given orally but must be confirmed by written certificate of approval.

(Code 1969, § 7-76; G.O. 2216, 1-29-07)

Sec. 7-93. Meter testing and inspection.

(a) Any purchaser of electricity measured by a meter may have his meter tested upon application to the code official, who shall notify the vendor of electricity. The vendor of electricity shall then test the meter. Upon request of a consumer, the electrical inspector shall be present at such test.

(b) If the test shows that the accuracy of the meter is not within the limits prescribed by the state public service commission, adjustments shall be made in accordance with the rules and regulations of the commission.

(c) A consumer requesting the services of the electrical inspector at the testing of a meter shall pay an inspection fee in accordance with the fee schedule in Section 7-401.

(Code 1969, § 7-80; G.O. 2216, 1-29-07; G.O. 2227, 5-7-07)

Secs. 7-94--7-105. Reserved.**DIVISION 3. LICENSING OF ELECTRICIANS***

*Charter reference(s)--Licenses, art. XIV.

Cross reference(s)--Businesses, ch. 8.

Sec. 7-106. Exceptions.

The provisions of this division shall not apply to maintenance or repair of existing installations or operation of equipment and accessories used for

operations, production or processing by public utilities, governmental agencies, hospitals, manufacturing or processing plants or commercial enterprises that maintain a regular maintenance and operating staff for the purpose of maintaining and operating existing electrical installations.

(Code 1969, § 7-69; G.O. 2216, 1-29-07; G.O. 2324, 5-18-09)

Sec. 7-107. Required.

(a) Any person engaged in or working at the business of a master electrician within the corporate limits of the city shall first obtain a license for such work in accordance with the provisions of this article.

(b) Anyone in the city established in business as a master electrician on July 24, 1989 shall be issued a license to carry on his business as such master electrician without an examination, provided such person makes application in writing for such a license to the code official. Such application shall set forth the information required by Section 7-110. When the code official has received all the information required of the applicant and is satisfied that the information set forth therein is true and when the applicant has obtained proof of the minimum liability insurance required of master electricians by Section 7-111, he/she shall certify such applicant for a master electrician's license. This certification for a license as a master electrician shall then be presented to the director of customer assistance, and, upon payment of the proper fee as set out in Subsection 7-111(b), the director of customer assistance shall issue a master electrician's license to the applicant.

(c) All other persons shall receive a license as a master electrician only after successful completion of the examination provided for in this division.

(d) Any current master residential electrician, in good standing on January 1, 2007 shall be permitted to work on any R use group as defined by the currently adopted International Building Code, provided such person makes application in writing for such work to the code official.

(Code 1969, § 7-60; G.O. 2216, 1-29-07; G.O. 2228, 5-7-07)

Sec. 7-108. Scope of license.

No person other than a licensed master electrician shall be issued a permit required by Section 7-86 of this article.

(Code 1969, § 7-61; G.O. 2216, 1-29-07)

Sec. 7-109. Exceptions.

Any permit required by this article may be issued to any person to do any work regulated by this article in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such building, providing the person is the bona fide owner of such dwelling and that the dwelling will be occupied by the owner and that the owner shall personally purchase all material and perform all labor in connection therewith.

(Code 1969, § 7-62; G.O. 2216, 1-29-07)

Sec. 7-110. Application.

(a) Applications to the city must be filed at least 30 days prior to testing dates. Testing dates will be determined by the availability of an independent testing agency's test sites. Applications will be reviewed every 60 days and the applicant's eligibility shall be determined by the chief building official and the city electrical inspector. They may request the assistance of the electrical standards examining and appeals board during the review process.

(b) A non-refundable application filing fee of \$62.00 (made payable to the city of St. Joseph) shall accompany each application for an independent testing agency's testing certification for all classes, with the exception of Class III.

(c) *Class I-C.* An applicant for the "master electrician - commercial & industrial" classification shall:

- (1) Submit an application to the code official stating the applicant's name, address, telephone number, copy of a current photo identification card or driver's license and the type of license requested;
- (2) Provide certification of experience with a properly executed affidavit from a properly licensed master electrician(s) or corporate officer's signature attested to by the corporate secretary or any other business entity member's notarized signature of an electrical contracting company or owner of an electrical contracting company or business, certifying that the experience is true and accurate. Each certification of

experience shall be accompanied by a copy of the certifying master's valid photo identification card or driver's license, a copy of their current master license or a copy of the electrical contracting company's current business license and clearly document:

- a. A minimum of 10,000 hours active employment as a Class II-C and/or Class II-R electrician or equivalent;
- b. A minimum of 8,000 hours active employment as a Class III electrician or equivalent;
- c. A minimum of 4,000 hours of the required 10,000 hours of active employment as a Class II-C and/or Class II-R must be in the commercial and industrial field as defined by the International Building Code and this code to be any occupancy other than R-3. Up to 2,000 hours of the required 4,000 hours may be substituted with proof of graduation from an approved electrical training school or college of engineering or equivalent;

- (3) List name, address and telephone number of all previous employers under which applicant worked as an apprentice or journeyman electrician;
- (4) Provide proof that applicant is at least 21 years of age and provide proof of a high school diploma or equivalent; and
- (5) Submit a \$62.00 application filing fee.

(d) *Class I-R*. An applicant for the "master electrician - residential" classification shall:

- (1) Submit an application to the code official stating the applicant's name, address, telephone number, copy of a current photo identification card or driver's license and the type of license requested;
- (2) Provide certification of experience with a properly executed affidavit from a properly licensed master electrician(s) or corporate officer's signature attested to by the corporate secretary or any other business entity member's notarized signature of an electrical contracting company or owner of an electrical contracting company or business, certifying that the experience is

true and accurate. Each certification of experience shall be accompanied by a copy of the certifying master's valid photo identification card or driver's license, a copy of their current master license or a copy of the electrical contracting company's current business license and clearly document:

- a. A minimum of 10,000 hours active employment as a Class II-C and/or Class II-R electrician or equivalent;
- b. A minimum of 4,000 hours active employment as a Class III electrician or equivalent;

- (3) List name, address and telephone number of all previous employers under which applicant worked as an apprentice or journeyman electrician;
- (4) Provide proof that applicant is at least 21 years of age and provide proof of a high school diploma or equivalent; and
- (5) Submit a \$62.00 application filing fee.

(e) *Class II-C*. An applicant for the "journeyman electrician - commercial & industrial" classification shall:

- (1) Submit an application to the code official stating the applicant's name, address, telephone number, copy of a current photo identification card or driver's license and the type of license requested;
- (2) Provide a notarized letter(s) of experience from properly licensed master electrician(s) or licensed electrical contracting company(s). Each notarized letter of experience shall be accompanied by a copy of the certifying master's valid photo identification card or driver's license, a copy of their current master license or a copy of the electrical contracting company's current business license and clearly document:
 - a. A minimum of 8,000 hours active employment as a Class III electrician (hours in an approved electrical apprenticeship program or trade school may be considered for credit toward the 8,000 hour requirement) or equivalent;

- (3) List name, address and telephone number of all previous employers under which applicant worked as an apprentice or journeyman electrician;
- (4) Provide proof that applicant is at least 21 years of age and provide proof of a high school diploma or equivalent; and
- (5) Submit a \$62.00 application filing fee.

(f) *Class II-R.* An applicant for the "journeyman electrician - residential" classification shall:

- (1) Submit an application to the code official stating the applicant's name, address, telephone number, copy of a current photo identification card or driver's license and the type of license requested;
- (2) Provide a notarized letter(s) of experience from properly licensed master electrician(s) or licensed electrical contracting company(s). Each notarized letter of experience shall be accompanied by a copy of the certifying master's valid photo identification card or driver's license, a copy of their current master license or a copy of the electrical contracting company's current business license and clearly document:
 - a. A minimum of 4,000 hours active employment as a Class III electrician (hours in an approved electrical apprenticeship program or trade school may be considered for credit toward the 4,000 hour requirement) or equivalent;
- (3) List name, address and telephone number of all previous employers under which applicant worked as an apprentice or journeyman electrician;
- (4) Provide proof that applicant is at least 21 years of age and provide proof of a high school diploma or equivalent; and
- (5) Submit a \$62.00 application filing fee.

(g) *Class III.* An applicant for the "apprentice" classification shall:

- (1) Submit an application to the code official stating the applicant's and employer's names, addresses and telephone numbers,

with the a copy of the master's valid photo identification card or driver's license, a copy of the current master's license or copy of the electrical contracting company's current business license;

- (2) Provide proof that applicant is at least 18 years of age and provide proof of a high school diploma or equivalent; and
- (3) No application filing fee is required.

(h) An applicant for the Class I-C and Class I-R classifications may establish the equivalent of the required hours of active employment as a Class II-C or Class II-R electrician by the presentation of substantial evidence before the electrical standards and appeals board and a finding by the board that the work performed by the applicant was to the appropriate journeyman standard.

(i) Maintenance hours will not be considered toward the required hours of employment for any licensing requirement. Maintenance hours are define as any work not requiring an electrical permit and/or work not for hire and not under the direction of a master electrician.

(j) Any applicant, unable to comply with the application provisions set hereinbefore, shall have the right to request, in writing, to appear before the electrical standards and appeals board to have their case reviewed. Request shall clearly identify any discrepancies with a clear and concise description of each, and copies of the incomplete application with supporting documentation, and all other compliant documentation. Request shall be submitted a minimum of 15 days prior to a regularly scheduled board meeting so the documentation may be reviewed for completeness and added to the meeting's agenda. Requests may be considered during any official board meeting if time is available but within a maximum of 90 days from receipt of the request.

(Code 1969, § 7-64; G.O. 1372, 1-2-96; G.O. 1803, 11-13-00; G.O. 2216, 1-29-07; G.O. 2228, 5-7-07)

Sec. 7-111. Examinations and licensing.

(a) *Examination.*

- (1) Once an applicant's eligibility for licensing has been determined by the code official, city electrical inspector and a representative from the electrical standards and appeals

board, an independent testing agency will provide the following:

- a. Test application forms and applicant information booklets;
- b. Test sites and required proctors;
- c. Test fee collection services;
- d. Notification to each candidate of the schedule, time, date and place by a "letter of admission;"
- e. Examination administration;
- f. Grading and notification of the results to each client;
- g. Diagnostics for each applicant failing the examination;
- h. Review procedures as required; and
- i. Security during all steps of the testing procedure.

- (2) A grade of 75% or more on all examinations will be required to qualify for licensing. The independent testing agency will notify applicants of their scores.

(b) *Licensing.* Once an applicant's package is complete, it will be submitted to the city electrical inspector, building development supervisor and code official for review and approval. A complete application package consists of the applicant's completed licensing application, verified test scores, a copy of his/her driver's license or state identification card and documentation of required experience. The code official shall make the final decision and licensing shall occur as follows:

- (1) *Classes I-R and I-C:* A license in the appropriate classification will be issued by the code official once the successful applicant has supplied proof that he has a minimum liability insurance coverage of \$100,000.00.
- (2) *Classes II-C and II-R:* The code official shall issue such person a journeyman electrician's license in the appropriate classification.
- (3) *Class III:* The code official shall issue such person an electrician's license in the appropriate classification.
- (4) All master electricians licensed with the city as of December 31, 1995, shall be licensed as Class I-C electricians under this article. All journeyman electricians working within

the city limits up through December 31, 1995, shall be given until April 1, 1998, in which to successfully pass an independent testing agency's master or journeyman examination.

- (5) *License fees:* Upon passage of the independent testing agency's examination, if required, and the approval of the application, the applicant shall pay a licensing fee as follows prior to the issuing of his/her license:

a. Class I-C master electrician	\$148.00
b. Class I-R master electrician	\$148.00
c. Class II-C journeyman electrician	\$62.00
d. Class II-R journeyman electrician	\$62.00
e. Class III apprentice	\$31.00

- (6) A temporary electrician shall pay a \$19.00 license fee upon registration with the city.

(c) *Appeals:* Those applicants aggrieved with their test scores and the certification of the independent testing agency's examination shall appeal directly to the independent testing agency. Those aggrieved by any decisions for licensing by the code official or city electrical inspector shall appeal in writing to the electrical standards and appeals board within ten days of a rendered decision.

(d) *Reciprocity of licensure:*

- (1) *Master:* The city of St. Joseph will not honor a license issued from other jurisdictional areas except one issued to a duly licensed and certified electrician of another jurisdiction on the same terms and under the same conditions, including the minimum test score, hours of experience and under the same conditions as such other jurisdiction will grant reciprocal licenses to a duly licensed electrician of the city, provided the applicant has been licensed by the jurisdiction having adopted an equivalent electrical code and electrician examination equivalent to the 1993 or later edition of the electrical code and electrician examination of the city. The applicant shall provide verifiable documentation of compliance with the city's minimum hours of experience as required hereinbefore of all applicants and a satisfactory independent testing agency's examination to include

score which is acceptable to the code official and city electrical inspector. The code official shall make the final decision.

- (2) *Journeyman*: The city of St. Joseph may accept reciprocal certification of an independent testing agency's examination to a duly licensed and certified electrician of another jurisdiction on the same terms and under the same conditions as such other jurisdiction will grant reciprocal licenses to a duly certified electrician of the city, provided the applicant has been licensed by the jurisdiction having adopted an equivalent electrical code and electrician examination equivalent to the 1993 or later edition of the electrical code and electrician examination of the city. The applicant shall provide verifiable documentation of compliance with the city's testing score and experience which is acceptable to the code official and city electrical inspector.

(Code 1969, § 7-65; G.O. 1372, 1-2-96; G.O. 1575, 11-17-97; G.O. 1627, 3-23-98; G.O. 1803, 11-13-00; G.O. 2216, 1-29-07; G.O. 2228, 5-7-07)

Sec. 7-112. Supervision of work; temporary electricians; transferability.

(a) *Supervision of Class III electricians' work by Class I-C, Class I-R, Class II-C or Class II-R electrician required.* All electrical work performed by a Class III electrician under a permit issued to a Class I-C or Class I-R electrician shall be performed under the immediate supervision of a properly licensed Class I-C, Class I-R, Class II-C or Class II-R electrician. The master electrician who pulled the work permit shall be responsible for the registration of all Class III electricians on the job. Before a person not licensed to perform electrical work may be permitted to aid in such work, such person shall register with the city by providing his/her name, age and address, the name of his/her employer, his/her past employment record and the name of the Class I-C or Class I-R master electrician. Upon registration and issuance of a Class III license, such person shall be entitled to engage in and work as an apprentice under the direct supervision of a Class I-C, Class I-R, Class II-C or Class II-R electrician. The ratio shall not exceed three apprentices to one supervising electrician.

(b) *Temporary journeyman electricians.* A temporary journeyman electrician must register with the city prior to performing electrical work in the

city limits. This requirement will be the responsibility of the temporary electrician's employer. He/she will be required, on request, to show an I.B.E.W. A.B.C. card or proof of 8,000 hours of active employment as an electrician. Temporary journeymen electricians may work in the city for a period of no more than six months in any given 12 month period. Extensions beyond the six months may be requested in writing to the code official by the responsible master electrician. All requests will be reviewed by the electrical inspector and the chairman of the electrical standards and appeals board and decided by the code official. Any temporary traveler electrician exceeding the allowable time limit will be required to obtain a Class II-C or Class II-R license and take the approved third party examination for their respective field. Temporary electricians will not be part of the ratio and cannot supervise apprentices. The temporary electrician will not be the first electrician on the job. All electrical work performed by a temporary electrician shall be under the immediate supervision of a current city licensed Class I-C, Class I-R, Class II-C or Class II-R electrician.

(c) *Transferability prohibited.* No person who has obtained a Class I-C or Class I-R license shall allow his name to be used by another person for the purpose of obtaining permits or for doing business or work under his license. Every person licensed as a Class I-C or Class I-R electrician shall notify the code official of his place of business and the name under which such business is carried on and shall give immediate notice to the code official of any change in either.

(Code 1969, § 7-63; G.O. 1372, 1-2-96; G.O. 2216, 1-29-07)

Sec. 7-113. Duration; renewal; suspension or revocation.

(a) All master electrician's licenses shall be good for one year or until December 31st of the issuing year and shall be renewed upon application of the license holder and payment of renewal fee to the director of city of St. Joseph at any time within 30 days before the expiration date thereof in accordance with the fee schedule in Section 7-403.

(b) The code official shall have the power to suspend for not more than 90 days or revoke a master electrician's license when he finds that such licensed master electrician has willfully violated any provision of this article.

(c) No master electrician's license shall be suspended or revoked except after a hearing at which both sides may present evidence and be represented by counsel. Ten days' written notice of such hearing shall be given to the licensed master electrician. Such hearing shall be attended by the code official and by the members of the electrical standards and appeals board. The director of code official shall make the final decision on such suspension or revocation, but prior to reaching such decision he may first seek the recommendation of the electrical standards and appeals board. All decisions shall be rendered within five days of the hearing and shall be in writing.
(Gen. Ord. No. 852, § 1(7-67), 2-4-91; G.O. 2216, 1-29-07; G.O. 2228, 5-7-07)

Charter reference(s)--Licensing period, § 14.1.

Sec. 7-114. Reapplication.

Any person who fails to pass the examination, as prescribed by the board, may apply for reexamination after the expiration of 30 days. If the applicant fails the reexamination, he will be eligible to reapply again at the end of another 30 days. If this examination is failed, a waiting period of 60 days will be implemented. Should the third examination be failed, then reapplication approval will be determined by the electrical standards and appeals board. The \$62.00 filing fee will be required for each time an application is submitted.

Should a certified licensed electrician have his license revoked, he/she shall not be eligible for reapplication for at least six months from the date of the revocation. The \$62.00 application filing fee will be required for the reapplication.
(Code 1969, § 7-68; G.O. 1372, 1-2-96; G.O. 1803, 11-13-00; G.O. 2216, 1-29-07)

Sec. 7-115. Place of business.

Every holder of a master electrician's license must maintain a place of business or be employed by a business known to the code official. Any change of address of the place of business must be reported immediately to the code official. Prior to issuing any permit, the master electrician shall be required to provide proof of employment or proof of self employment. If self employed, they must have a current business license with the city.
(Code 1969, § 7-66; G.O. 2216, 1-29-07)

Secs. 7-116--7-215. Reserved.

ARTICLE IV. MECHANICAL CODE*

DIVISION 1. GENERALLY

Sec. 7-216. Title.

This article shall be known and cited as the mechanical code of the City of St. Joseph, Missouri. All references to "the article" include all standards adopted by reference in this article.
(Gen. Ord. No. 854, § 1(7-126), 2-4-91; G.O. 2229, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-217. Mechanical code adopted.

(a) The International Mechanical Code, 2006 edition (2006 IMC), including Appendix A, as published by the International Code Council, Inc. be, and hereby is, adopted as the mechanical code of the city of St. Joseph, Missouri, of which two copies are on file in the office of the city clerk for the purpose of regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the City of St. Joseph, Missouri including permits, penalties and collection of fees therefore save and except such portions that are hereinafter modified, deleted, added or amended, if any, prescribed in Section 7-218 of this article.

(b) The International Fuel Gas Code, 2006 edition (2006 IFGC), Chapters 5, 6, and 7 and Appendix B, C and D, as published by the International Code Council, Inc. be, and hereby is, adopted as the fuel gas code of the city of St. Joseph, Missouri, by the city of which, two copies of which are on file in the office of the city clerk, for the purpose of regulating and governing the design, construction, quality of materials, erection,

***Cross reference(s)**--Board of operating engineers, § 2-681 et seq.; mechanical standards board of appeals, § 2-726 et seq.
installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas systems in the City of St. Joseph, Missouri and providing for the issuance of permits, penalties and collection of fees therefore.
(Gen. Ord. No. 1195, § 1(7-130), 7-18-94; G.O. 1869, 1-22-02; G.O. 2229, 5-7-07; G.O. 2321, 4-6-09)

State law reference(s)--Adoption by reference, RSMo 67.280.

Sec. 7-218. Amendments to the 2006 IMC.

The 2006 IMC, as adopted in Section 7-217, is changed by the following insertions, additions and deletions:

(1) *General:* All references to “board of appeals” shall be replaced by “Mechanical Standards Examining and Appeals Board”.

(2) *Section 101 General.* The 2006 IMC, Section 101, General, is amended by deleting Subsection 101.1 and substituting the following:

101.1. Title. These regulations shall be known as the mechanical code of the City of St. Joseph, Missouri, hereinafter referred to as “this code.”

(3) *Section 106 Permits.* The 2006 IMC, Section 106, Permits, is hereby amended by deleting Subsection 106.2.

(4) *Section 106 Permits.* The 2006 IMC, Section 106, Permits, is hereby amended by deleting Subsections 106.5.1, 106.5.2 and 106.5.3 and substituting the following:

106.5.1 Work commencing before permit issuance. Any person who commences any work on a mechanical system before first obtaining the necessary permits shall be charged double the normal required permit fee. The payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties presented herein.

106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in the fee schedule in Sections 7-400 and 7-402 of the Code of Ordinances of the City of St. Joseph, Missouri.

106.5.3 Fee refunds. Fees collected under the above sections shall be refunded where such work has not been commenced prior to the abandonment thereof, and the permit has not expired by time limitations; however, if any such work has commenced, and then been abandoned, or where a permit has expired after work has commenced, or where a permit has been revoked, no refund

of any mechanical or building fee shall be made.

(5) *Section 108. Violations.* The 2006 IMC, Section 108, Violations, is amended by deleting Subsections 108.4 and 108.5 and substituting the following:

108.4 Violation penalties. Any person who shall violate a provision of the 2006 IMC or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a mechanical system or equipment in violation of an approved plan or directive of the building official, or a permit or certificate issued under the provisions of the basic code, shall be issued a citation and, if found guilty, fined as defined under Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

108.5 Stop work orders. Upon notice from the code official that mechanical 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 verbal or 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 issued a citation and, if found guilty fined as defined under Section 7-6 of the Code of Ordinances of the city of St. Joseph, Missouri.

(6) *Section 109 Means of appeal.* The 2006 IMC, Section 109, Means of appeal, is amended by deleting Section 109.2 through 109.7 in its entirety, and substituting the following:

Section 109.2 Appeals.

109.2.1 Appeals to the mechanical standards examining and appeals board.

Any person aggrieved by a decision of the building official's or mechanical inspector's interpretation of the mechanical code may appeal such decision to the mechanical standards examining and appeals board. The mechanical standards examining and appeals board shall thereupon make an independent determination on the question which the building official or mechanical inspector had to decide.

109.2.2 Appeals procedure.

(a) The owner of a building or structure or any other person aggrieved by a decision of the building official or mechanical inspector may appeal to the mechanical standards examining and appeals board. Any such appeal shall be in writing and state the name and address of the appealing party and the nature of his/her appeal and shall be made within five days after the building official's or mechanical inspector's decision.

(b) The mechanical standards examining and appeals board shall hold a public hearing within five business days after notice of appeal is filed. Notice of hearing shall contain a time and date for the hearing and be directed to the appealing party at the address given on the appeal by certified mail. The appellant, his/her attorney, and any other persons whose interests may be affected by the matter on appeal shall be given an opportunity to be heard, present evidence, and examine adverse witnesses.

(c) The mechanical standards examining and appeals board shall render its decision in writing within a reasonable time, however in no event later than five days after the conclusion of the hearing. A tape recorded transcript of the hearing shall be made and minutes shall be kept.

(d) Any person aggrieved by a decision of the mechanical standards examining and appeals board may appeal that determination to the Circuit Court of Buchanan County, Missouri, under the provisions of RSMo Ch. 536. The appeal shall be made within 30 days after the mailing or delivery of the decision.

(7) *Section 1001 General.* The 2006 IMC, Section 1001, General, is amended by adding the following exception to Subsection 1001.1 *Scope* as follows:

8. R-3 and R-4 residential boiler-type units with individual systems shall be exempt from periodic inspections, and are the responsibility of the owner to properly maintain.

(8) *Chapter 12 Hydronic piping.* The 2006 IMC, Chapter 12, Hydronic piping, is amended by deleting Chapter 12 in its entirety.

(Gen. Ord. No. 1195, § 1(7-131), 7-18-94; G.O. 1869, 1-22-02; G.O. 2229, 5-7-07; G.O. 2260, 10-22-07; G.O. 2321, 4-6-09)

Charter reference(s)--Licenses, art. XIV.

Cross reference(s)--Businesses, ch. 8.

Sec. 7-219. Boilers and pressure vessels.

All boilers, excluding domestic hot water heaters, as defined under article X shall be ASME certified and stamped and installed, repaired and operated according to the ASME Code. All pressure vessels shall comply with and be governed by applicable state rules and regulations to include periodic inspections.

(G.O. 2321, 4-6-09)

Secs. 7-220--7-230. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 7-231. Administrator; personnel.

This article shall be administered by the director of customer assistance, who shall take such action as may be reasonable and necessary to serve compliance with it. Personnel shall be employed as may be required to administer this article, subject to council approval.

(Gen. Ord. No. 854, § 1(7-126), 2-4-91; G.O. 2229, 5-7-07; G.O. 2321, 4-6-09)

Sec. 7-232. City mechanical inspector.

(a) *Office created.* There is created within the building development section, of the customer

assistance department, the office of the mechanical inspector.

plumbing, , § 17-2; gas utilities, § 29-26 et seq.; water utilities, § 29-51 et seq.; sewers and sewage disposal, § 29-81 et seq.

(b) *Powers and duties.* The primary mechanical inspector or his/her duly authorized representative shall have the right and power and it shall be his/her duty under the direction of the building development supervisor to inspect or cause to be inspected all mechanical systems in or on any building or other location in this city in order to ascertain whether the requirements of this code are being met. If after such inspection, the mechanical inspector(s) or their duly authorized representative finds such mechanical system to meet or exceed the accepted standards as set forth in this code, it will be his/her duty to furnish a certificate of final inspection of the mechanical system. If any part of such mechanical apparatus shall be found not to be in compliance with this code, the mechanical inspector or his/her duly authorized representative shall institute such proceedings as may be necessary for the immediate abatement of all such noncompliance. No person shall refuse or fail to allow such inspections, provided such inspections by the mechanical inspector or his/her duly authorized representative are being made for the purpose of ascertaining whether the requirements of this article are being met.

(c) *Employment qualifications.* The mechanical inspector shall be a classified employee hired in accordance with the merit system regulations of the city. The primary mechanical inspector shall have at least five years' training and experience in one or more of the following fields: mechanical systems and the installation of equipment relating to heating, ventilating, air conditioning and refrigeration. The primary mechanical inspector shall obtain and maintain a residential and commercial mechanical inspector certification through a nationally recognized certifying agency within one year of employment with the city.

(Gen. Ord. No. 854, § 1(7-128), 2-4-91; G.O. 2229, 5-7-07; G.O. 2321, 4-6-09)

Cross reference(s)--Officers and employees, § 2-111 et seq.

Secs. 7-233--7-255. Reserved.

ARTICLE V. PLUMBING CODE*

DIVISION 1. GENERALLY

***Cross reference(s)**--Plumber's examining and appeals board, § 2-601 et seq.; health department regulation of

(The next page is 31)

Sec. 7-256. Title; references.

This article shall be known and cited as the Plumbing Code of the City of St. Joseph, Missouri. All references to "this article" include all standards adopted by reference in this article.

(Gen. Ord. No. 853, § 1(7-102, 7-103(b)), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Sec. 7-257. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Apprentice plumber* means a person who is registered with the city and who is undergoing an apprenticeship or course of training. Such person shall not perform any work governed by this article, except as an assistant to and under the direct supervision of a licensed master plumber or journeyman plumber.
- (2) *Direct supervision* means in the immediate presence thereof. In no instance shall there be more than two apprentice plumbers assigned or working with one per journeyman plumber or master plumber who must be physically present to directly supervise the work.
- (3) *Journeyman plumber* means a plumber who has completed an apprenticeship and has demonstrated to the code official, through testing, his practical and theoretical knowledge of plumbing installations and has been granted a license as a journeyman by the City of St. Joseph to install plumbing under the direction of a master plumber.
- (4) *Master plumber* means a person who has demonstrated his skill through testing and observation in comprehending the plumbing code, planning, superintending and installing plumbing and who has demonstrated this knowledge to the code official and has been granted a license by the City of St. Joseph as a master plumber.
- (5) *Plumbing inspector* means a qualified person who is employed by the city to inspect plumbing systems to ascertain

whether or not those installations meet or exceed the accepted standards as set forth in the adopted model code(s) and ordinances. The plumbing inspector shall be a journeyman plumber or master plumber, obtain a city license for a journeyman plumber or master plumber within six months of the hiring date and within one year of the hiring date obtain and maintain a certification as a residential and commercial plumbing inspector through a nationally recognized certifying agency.

(Code 1969, § 7-103; Gen. Ord. No. 853, § 1(7-103), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

Sec. 7-258. Plumbing code adopted.

The Uniform Plumbing Code, 2006 edition (2006 UPC) including Appendices A, B, D, E, F, I and L, published by the International Association of Plumbing & Mechanical Officials, Inc. and Chapter 12 Hydronic Piping, of the International Mechanical Code (IMC), 2006 edition (2006 IMC), published by the International Code Council, Inc., be, and hereby is, adopted as the plumbing code for the city of St. Joseph, Missouri, of which two copies are on file in the office of the city clerk for the purpose of regulating and governing the design, construction, quality of materials, erection, installation alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the city of St. Joseph, Missouri, including permits, penalties and collection of fees therefore, save and except such portions that are hereinafter modified, deleted, added or amended if any, prescribed in Section 7-259 in this article.

(Gen. Ord. No. 763, § 1(7-124), 3-5-90; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

State law reference(s)--Adoption by reference, RSMo 67.280.

Sec. 7-259. Amendments to the 2006 UPC.

The plumbing code, adopted in Section 7-258 is changed by the following insertions, additions and deletions:

- (1) *Section 102.0 Organization and Enforcement.* The 2006 UPC, Section 102.0, Organization and Enforcement, is

amended by adding the following subsections:

102.2.3.1 Unlawful Continuance. Any person who shall continue any plumbing work in or about the structure after having been served with a stop work order, except such work that he is directed to perform to remove a violation or unsafe conditions, shall be subject to a fine in accordance with Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

102.3.2.1 Penalty fees. Where work for which a permit is required by this code is started prior to obtaining said permit, the fee specified in the schedule of fees shall be doubled but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in execution of the work nor from any other penalties presented herein.

Exception: When it is necessary for the public's health and safety to perform work of an emergency nature outside of empirically accepted working hours. All permits for said work shall be obtained on the next business day, without penalty.

- (2) *Section 103.0 Permits and Inspections.* The 2006 UPC, Section 103.0, Permits and Inspections, is amended by deleting Subsection 103.4.1 and substituting the following language:

103.4.1 Permit Fees. Permit fees for all plumbing work shall be calculated and assessed in accordance with the fee schedule in Section 7-403 of the Code of Ordinances of the City of St. Joseph, Missouri.

- (3) *Section 103.0 Permits and Inspections.* The 2006 UPC, Section 103.0, Permits and Inspections, is amended by deleting Subsections 103.4.2 through 103.4.5 and Table 1-1 in their entirety.
- (4) *Section 305.0 Sewers Required.* The 2006 UPC, Section 305.0, Sewers Required, is amended by adding the following subsection:

305.4 Public Sewer Available. A public sewer shall be deemed available if any sewer connections can be made within 200 feet of any existing or proposed structure from either an adjacent street, alley, or easement and a connection to a main sanitary sewer, combined sewer, a district sanitary sewer, or a joint district sanitary sewer can be made conforming with the standards set forth in this code and in accordance with city sewer standards on file.

- (5) *Section 313.0 Protection of Piping, Materials, and Structures.* The 2006 UPC, Section 313.0, Protection of Piping, Materials, and Structures, is amended by adding the following subsections:

313.4.1 Sewers to be Installed below Frost Depth. Sewers shall be installed below the recorded frost penetration but not less than four (4) feet below grade. The sewer depth at the property line shall not be less than six (6) feet.

Exception: Where the main sewer depth is such that a connection cannot be made by complying with the house service sewer depth requirement, a connection may be made in a manner that will adequately protect the sewer pipe and provide adequate service.

313.6.1 Water Service: Water service piping shall be installed below the recorded frost penetration depth but not less than four (4) feet below grade.

- (6) *Section 313.0 Protection of Piping, Materials, and Structures.* The 2006 UPC, Section 313.0, Protection of Piping, Materials, and Structures, is amended by deleting Subsection 313.10.1 and substituting the following language:

313.10.1 Sleeves shall be provided to protect all piping through concrete and masonry walls.

Exception: Sleeves shall not be required where openings are drilled or bored.

- (7) *Table 4-1 Minimum Plumbing Facilities.* The 2006 UPC, Table 4-1, Minimum Plumbing Facilities, is amended by deleting Notes Line 10.a and Line 12 and substituting the following:

Note Line 10.a. Surrounding materials, wall and floor space to a point two (2) feet (610 mm) in front of the urinal lip or water closet and four (4) feet (1219 mm) above the floor, and at least two (2) feet (610 mm) to each side of the urinal lip or water closet shall have a smooth, hard, nonabsorbent surface made of materials which cannot be easily cut, scraped, penetrated or damaged to expose underlying material(s).

Exceptions:

1. Dwelling unit and guestrooms.
2. Toilet rooms that are not accessible to the public and which have not more than one water closet.

Note Line 12. Where food is consumed indoors, water stations may be substituted for drinking fountains. Offices, or public buildings for use by more than six (6) persons shall have at least one drinking fountain.

- (8) *Table 4-1, Minimum Plumbing Facilities.* The 2006 UPC, Table 4-1, Minimum Plumbing Facilities, is amended by deleting the table and substituting Table 403.1 “Minimum Number of Required Plumbing Fixtures” less its associated footnotes a through d from the International Plumbing Code, 2006 edition (IPC 2006), as published by the International Code Council, Inc. (see Table 403.1 at the end of Chapter 7).
- (9) *Chapter 5, Water Heaters.* The 2006 UPC, Chapter 5, Water Heaters, is amended by deleting Sections 510.0 through 5.12.0 in Part I and all of Part II.
- (10) *Section 601.0 Running Water Required.* The 2006 UPC, Section 601.0 Running Water Required, is amended by deleting the “Exception” under Subsection 601.1.
- (11) *Subsection 603.4.16 Protection from Fire Systems.* The 2006 UPC, Subsection

603.4.16 Protection from Fire Systems, is amended by adding the following subsection.

603.4.16.6 Fire Main Installation. All underground fire mains, including the back flow preventer up to and through the building floor slab shall be installed in accordance with the provisions for a private water main to include the installation by a licensed plumber.

- (12) *Section 604.0 Materials.* The 2006 UPC, Section 604.0 Materials, is amended by deleting the “Exception” under Subsection 604.2 and substituting the following:

Exception: Type M copper tubing may be used for water piping when piping is above ground for one (1) and two (2) family residential structure only.

- (13) *Section 701.0 Materials.* The 2006 UPC, Section 701.0 Materials, is amended by adding the following subsection:

701.1.3. Extra strength vitrified clay pipe shall not be allowed within or underneath a building or permanent structure.

- (14) *Table 7-3 Drainage Fixture Unit Values (DFU).* The 2006 UPC, Table 7-3, Drainage Fixture Unit Values (DFU), is amended as follows:

Under Item “Sinks, Laundry (with or without discharge from a clothes washer)” change the “Min. Size Trap and Trap Arm” from “1-1/2” to “2”.

- (15) *Section 712.0 Testing.* The 2006 UPC, Section 712.0 Testing, is deleted in its entirety.

- (16) *Section 717.0 Size of Building Sewers.* The 2006 UPC, Section 717.0 Size of Building Sewers, is amended by deleting the first paragraph in its entirety and substituting the following:

The minimum size of any building sewer shall be determined on the basis of the total number of fixture units drained by such

sewer, in accordance with Table 7-8. No building sewer shall be smaller than four (4) inch (100 mm) minimum diameter drain.

- (17) *Section 807.0 Appliances.* The 2006 UPC, Section 807.0, Appliances, is amended by adding the following subsections:

807.4.1 Domestic Sink and Dishwasher. A sink and dishwasher are permitted to discharge through a single 1.5-inch (38 mm) trap. The discharge pipe from the dishwasher shall be increased to a minimum of 0.75 inch (19.1 mm) in diameter and shall be connected with a wye fitting to the sink tail piece. The dishwasher waste line shall rise and be securely fastened to the underside of the counter before connecting to the sink tail piece.

807.4.2 Domestic Sink, Dishwasher and Food Grinder. The combined discharge from a sink, dishwasher, and waste grinder is permitted to discharge through a single 1.5 inch (38 mm) trap. The discharge pipe from the dishwasher shall be increased to a minimum of 0.75 inch (19.1 mm) in diameter and shall connect with a wye fitting between the discharge of the food-waste grinder and the trap inlet or to the head of the food grinder. The dishwasher waste line shall rise and be securely fastened to the underside of the counter before connecting to sink tail piece or food grinder.

- (18) *Section 908.0 Vertical Wet Venting.* The 2006 UPC, Section 908.0, Vertical Wet Venting, is amended by deleting Subsection 908.4.1 and Subsection 908.4.3 and substituting the following:

908.4.1 Where Permitted. Any combination of fixtures within one (1) bathroom located on the same floor level in dwellings and guest rooms shall be permitted to be vented by a wet vent. The wet vent shall be considered the vent for the fixtures and shall extend from the connection of the dry vent along the direction of the flow in drain pipe to the most downstream fixture drain connection to the horizontal branch drain. Only the fixtures within the bathroom(s) shall connect to the wet-vented horizontal branch drain. Any additional fixtures shall

discharge downstream of the wet vent system and be conventionally vented.

908.4.3. Size. The wet vent shall be sized based on the fixture unit discharge into the wet vent. The wet vent shall be a minimum size of 1-1/2 inches for 1 dfu, 2 inches for 2 through 4 DFUs, and 3 inches for more than 4 DFUs.

- (19) *Section 1014.0 Grease Interceptors.* The 2006 UPC, Section 1014.0, Grease Interceptors, is amended by adding the following subsections:

1014.1.2.1 Servicing Logs. The owner and/or operator of a grease interceptor shall maintain a servicing log. This log shall show the date the interceptor was last serviced, the location of the interceptor, who serviced it to include the individual and company name and servicing individual's signature. This log shall be either posted next to each grease interceptor or in a readily accessible location for ease of inspection by a city inspector. A log shall be maintained on a continuous basis. Failure to do so may result in fines as defined under Section 7-6, hereinbefore.

1014.1.4 Commercial Kitchen. Any kitchen or food establishment that stores, prepares packages, serves, vends, or provides food for human consumption and is required to fall under the provisions of the state health department's requirements as a "food establishment" shall be considered a commercial kitchen and will be required to comply with all the governing health code requirements. Any existing kitchen will be reviewed on a case by case basis to determine if existing mechanical, building, plumbing and electrical system will require upgrading. Any new kitchen which shall meet the definition of a "food establishment" shall meet all the mechanical, building, plumbing and electrical requirements for a commercial kitchen.

1014.1.4.1 Commercial Kitchens with Existing Grease Interceptors. Commercial kitchens in operation as of October 24, 2005 shall be allowed to operate existing grease interceptors provided they are maintained in

compliance with the operating requirements established in this plumbing code and the manufacturer's printed instructions.

1014.1.4.2 *Existing Commercial Kitchens without Grease Interceptors.* The Director of Public Works and Transportation may require an existing commercial kitchen to install a new grease interceptor that fully complies with this code or to modify or repair any noncompliant plumbing or existing grease interceptor upon notice to the commercial kitchen facility that one (1) or more of the following conditions exist:

- a. The facility is found to be contributing fats, oils or grease in quantities sufficient to cause sewer line stoppages or to necessitate increased maintenance on the wastewater collection system; or
- b. Changes are made to the menu or kitchen equipment that, in the opinion of the director, threatens to contribute fats, oils, or grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the wastewater collection system.

(20) *Section 1014.0 Grease Interceptors.* The 2006 UPC, Section 1014.0, Grease Interceptors, is amended by deleting Subsection 1014.1.3 and substituting the following:

1014.1.3 Commercial Dishwashers. Unless specifically required and approved by the authority having jurisdiction, all commercial dishwashers shall be connected to or discharge into a grease interceptor. Dishwashers shall not be allowed to discharge into a hydromechanical grease interceptor without written authorization from the authority having jurisdiction.

(21) *Section 1014.0 Grease Interceptors.* The 2006 UPC, Section 1014.0, Grease Interceptors, is amended by deleting Subsection 1014.3.5.1 and substituting the following:

1014.3.5.1. Purpose. Gravity grease interceptors shall be designed to remove

grease from effluent and shall be sized in accordance with this section. Gravity grease interceptors shall also be designed to retain grease until accumulations can be removed by pumping the interceptor. Sample boxes shall be provided at the outlet end of all gravity grease interceptors so that the authority having jurisdiction can periodically sample effluent quality. Sample boxes shall be sized and installed in accordance with the manufacturer's printed instructions and be designed for this specific use. They shall be located in an easily accessible location, outside the building and within ten (10) feet of the grease interceptor. Where multiple interceptors are installed, each one shall be provided with their own effluent sample box. Sample boxes shall not be in excess of seven (7) feet deep and shall not have lockable lids. Lids shall be clearly and permanently labeled as a sample box or sampling point. Lids shall be designed to properly seal the opening to minimize possible sewer vapor release.

(22) *Section 1209.0 Gas Piping System Design, Materials, and Components.* The 2006 UPC, Section 1209.0, Gas Piping Design, Materials, and Components, is amended by adding the following subsection:

1209.5.1.4 All piping used for the installation, extension, alteration, or repair of any gas piping shall be standard weight wrought iron or steel (galvanized or black) or ACR. Approved PE pipe may be used in exterior buried piping systems.

1209.5.1.4.1. Copper or copper alloy pipe or tubing shall not be installed or utilized for the transmission of natural gas.

(23) *Section 1209.0 Gas Piping System Design, Materials, and Components.* The 2006 UPC, Section 1209.0, Gas Piping Design, Materials, and Components, is amended by deleting Subsection 1209.5.3.2 and substituting the following:

1209.5.3.2 Copper and brass tubing shall not be used for the transmission of natural gas.

(24) *Section 1211.0 Gas Piping Installation.* The 2006 UPC, Section 1211.0, Gas Piping

Installation, is amended by deleting paragraph (A) of Subsection 1211.1.2 and substituting the following:

1211.1.2 (A) Cover Requirements. Underground piping systems shall be installed with a minimum of 18 inches (460mm) of cover. Where a minimum of 18 inches (460mm) of cover cannot be provided, the pipe shall be installed in conduit or bridged (shielded).

- (25) *Section 1214.0 Pressure Testing and Inspection.* The 2006 UPC, Section 1214.0, Pressure Testing and Inspection, is amended by deleting Subsections 1214.3.2 and 1214.3.3 and substituting the following:

1214.3.2. For low pressure gas piping, the test pressure shall not be less than ten (10) pounds per square inch (68.9 kPa) gauge pressure. For welded or threaded piping carrying gas at pressures in excess of fourteen (14) inches (356 mm) water column or .5 pounds per square inch (3.45 kPa) pressure, the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa).

1214.3.3. The test pressure shall be held for a length of time satisfactory to the Administrative Authority, but in no case for less than fifteen (15) minutes, with not perceptible drop in pressure.

- (26) Chapter 16, Gray Water Systems. The 2006 UPC, Chapter 16 Gray Water Systems is deleted in its entirety.
- (27) *Appendix I, Installation Standards.* The 2006 UPC, Appendix I, Installation Standards, Section IS 1-2003, Non-Metallic Building Sewers, is amended by prohibiting the use of asbestos containing materials. All references to asbestos containing materials shall be deleted and not allowed for any reason in Section IS 1-2003 Non-Metallic Building Sewers
- (28) *Appendix I, Installation Standards.* The 2006 UPC, Appendix I, Installation Standards, Section IS 15-2003, Asbestos Cement Pressure Pipe for Water Service and Yard Piping, is amended by deleting it in its entirety.

- (29) *Appendix I, Installation Standards.* The 2006 UPC, Appendix I, Installation Standards, Section IS 18-2003, Extra Strength Vitriified Clay Pipe, is amended by deleting it in its entirety.

- (30) *Appendix L, Alternate Plumbing Systems.* The 2006 UPC, Appendix L, Alternate Plumbing Systems, is amended by deleting Subsections L.8.0 Single Stack Vent System and Table L-3 Single Stack Size in their entirety.

(Gen. Ord. No. 763, § 1(7-125), 3-5-90; Gen. Ord. No. 818, § 1(7-125), 8-20-90; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2200, 10-23-06; G.O. 2230, 5-7-07; G.O. 2327, 6-1-09; G.O. 2384, 6-14-10)

Secs. 7-260--7-270. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 7-271. Administrator; personnel.

This article shall be administered by the code official, who shall take such action as may be reasonable and necessary to secure compliance with it. Personnel shall be employed as may be required to administer this article, subject to availability of funds.

(Gen. Ord. No. 853, § 1(7-102), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230- 5-7-07)

Sec. 7-272. Plumbing inspector.

(a) *Office created.* There is created within the building development services division of the customer assistance department, the position of plumbing inspector.

(b) *Duties.* It shall be the duty of the plumbing inspector to inspect all new plumbing installed. If after such inspection the plumbing inspector finds such plumbing to be in compliance with this article, it will be his duty to furnish a certificate of final inspection of the plumbing.

(c) *Qualifications.* The plumbing inspector shall be a journeyman plumber or master plumber, obtain a city plumbing license within six months of his hiring date and within one year of the hiring date obtain an maintain, as a condition of employment, a certification as a residential and commercial

plumbing inspector through a nationally recognized certifying agency. The plumbing inspector shall not have a financial interest, either directly or indirectly, with any firm or corporation engaged in the plumbing business.

(Gen. Ord. No. 853, § 1(7-104), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Cross reference(s)--Officers and employees, § 2-111.

agree to indemnify and save harmless the city as a condition of the issuance of the permit.

Sec. 7-273. Appeals to board.

(a) The owner of a building or structure or any other person aggrieved by a decision of the plumbing inspector or building official's interpretation of the plumbing code may appeal to the plumber's examining and appeals board. Any such appeal shall be in writing and state the name and address of the appealing party and the nature of the appeal and shall be made within five business days after the plumbing inspector's or building official's decision.

(b) The plumber's examining and appeals board shall hold a public hearing within a reasonable time after the notice of appeal by an aggrieved person is filed. Notice of hearing shall contain the time and date for the hearing and be directed to the appealing party at the address given on the appeal by certified mail. The appellant or the representing attorney and any other person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard, present evidence and examine adverse witnesses.

(Code 1969, § 7-105(d), (e); G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Sec. 7-274. Appeals to circuit court.

Any person aggrieved by a decision of the plumber's examining and appeals board may appeal that determination to the circuit court of the county of Buchanan County, Missouri, under the provisions of RSMo Chapter 536. The appeal shall be made within 30 days after the mailing or delivery of the decision of the board or non-action by the board.

(Code 1969, § 7-105(f); G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Sec. 7-275. Permits issued to master plumbers.

(a) Except as provided in Section 7-276, no person other than a licensed master plumber shall be issued a permit for plumbing work. The master plumber shall be totally responsible for the work done on any permit which he procures and shall

(b) Every application for a plumbing permit and every plumbing permit which may be issued pursuant thereto shall bear the name of the plumbing business entity with which the master plumber is affiliated, in addition to the name of the master plumber. No plumbing permit shall be issued to a master plumber who is not the sole owner of such plumbing business designated on the application, unless prior thereto such plumbing business entity shall first register such affiliation with the code official by causing an instrument, acknowledged in the same manner as deeds to real estate, to be filed with the director of public works and transportation. Such instrument shall evidence the agency status of the master plumber named therein.

(c) The issuance of a plumbing permit to a master plumber shall operate to automatically revoke any plumbing permit previously issued to the same master plumber which indicated affiliation with any other plumbing business entity, except that permits which have undergone final inspection and approval by the city's plumbing inspector or assistants shall not be revoked. Thereby provided further that the city shall charge a fee in accordance with the fee schedule in Section 7-403 for the reissuance of any permit so revoked.

(d) No master plumber shall apply and no permit shall be issued to a master plumber for work to be done by a journeyman or apprentice who is not the master plumber's employee or the employee of the master's employer.

(e) Existing registered apprentices who are not employees of the master plumber or the master plumber's employer will be "grandfathered in" and permitted to continue working under the original registration without being an employee of the master plumber or master plumber's employer. (Gen. Ord. No. 853, § 1(7-109), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07; G.O. 2327, 6-1-09)

Sec. 7-276. Permit issuance to homeowners and utilities.

(a) *Homeowner.* Any plumbing permit required by this article may be issued to a person to do any work regulated by this article in a single-family dwelling used exclusively for his living purposes, including the usual accessory building and quarters in connection with such building, provided the person is the bona fide resident-owner and that the owner shall purchase all materials and personally

perform all the labor in connection therewith. Such person need not obtain a license as required in Section 7-291 to do such plumbing work; however, nothing in this subsection shall exempt such person from obtaining a permit for such plumbing work as described in this subsection and certifying to the conditions required for exception to the licensing requirement. The plumbing work shall be subject to final inspection by the plumbing inspector, and the person shall, as a condition of the issuance of the permit, agree to indemnify and save harmless the city and its employees from all loss or damage.

(b) *Utility.* Any plumbing permit required by this article pursuant to the Uniform Plumbing Code, as adopted in Section 101.0, Title, Scope and General, may be issued to a utility company to do outlet side meter connections in conjunction with renewal and/or reconnection of utility service that is regulated by this article for a general service customer, which shall be any customer utilizing 1-1/4 inch pipe or less. Any such work shall be performed by the utility and its employees only and shall not be assigned or transferred to any independent contractor and/or third party. Utility employees need not obtain a license as required in Section 7-291 to do such plumbing work; however, nothing in this subsection shall exempt such utility employees from obtaining a permit for such plumbing work as described in this subsection and certifying to the conditions required for exception to the licensing requirement. The plumbing work shall be subject to final inspection by the plumbing inspector, and the utility shall, as a condition of the issuance of the permit, agree to indemnify and save harmless the city and its employees from any and all loss or damage associated therewith.

(Gen. Ord. No. 769, § 1(7-110), 3-5-90; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Sec. 7-277. Inspections; unsatisfactory work or installations.

(a) Any temporary and/or permanent water services for any building, structure or facility shall be inspected and certified by the city plumbing inspector before a final inspection or certificate of occupancy is issued.

(b) On all plumbing work other than that installed in new buildings or structures, if upon inspection by the city plumbing inspector the work and installations do not comply with the requirements of this article and the ordinances of the city, the plumbing inspector shall notify in writing the person furnishing water supply for domestic or other uses in the city to shut off the water supply until the work, installation and facilities found to be unsatisfactory or inadequate have been corrected to comply with this article and the city ordinances. Upon receipt of such notice, a copy of which shall have also been served upon the occupant of the premises affected by such order, the person so furnishing the water supply for domestic or other uses in the city shall shut off the water supply which is connected with the unsatisfactory or inadequate installations or facilities and shall not turn on such supply until further notice in writing from the plumbing inspector directing such action.

(Code 1969, § 7-112; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Secs. 7-278--7-290. Reserved.

**DIVISION 3. LICENSING AND
REGISTRATION OF PLUMBERS***

Sec. 7-291. Required.

Except as provided in Section 7-276, any person engaging in or working at the business of plumbing within the corporate limits of the city shall first obtain either a master plumber's or journeyman plumber's license or registration as an apprentice, all in accordance with the provisions of this article.

(Code 1969, § 7-106; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Sec. 7-292. Examinations for licenses.

(a) Any person desiring to engage in or work at the business of plumbing, either as a master plumber or journeyman plumber, shall make application to the code official at least two weeks prior to the scheduled dates of examination, unless written waiver of the two-week requirement is obtained from the plumber's examining and appeals board upon good cause shown. Applicants for a master plumber's license shall have had four years of experience in the plumbing trade based on notarized, written references as proof of their

experience. Applicants for a journeyman plumber's license shall have had three years of experience in the plumbing trade based on notarized, written references as proof of their experience. All applicants, at such time and place as the plumber's examining and appeals board may designate, shall be required to pass an examination as to their qualifications for the respective license they are seeking. The examination shall be of two parts, one part being in written form and one part being of a practical nature. The journeyman applicant must make a grade of 70% overall to be granted a license. The master applicant must make a grade of 76% to be granted a license. The examination shall be sufficiently strict to test the qualifications of the applicant. Should an applicant fail the examination, there will be a six month waiting period before the test can be administered again. The examination shall be administered and judged by the plumbing inspector and at least one other member of the plumber's examining and appeals board, as designated by the chairman of the board. Once the code official approves a journeyman's or master plumber's license recommendation, the city will issue the license within five calendar days.

(b) There shall be an examination fee for a master plumber's license and for a journeyman plumber's license. The examination fee shall accompany the application. The fee shall be in accordance with the fee schedule in Section 7-403.

(c) Apprentices shall register annually with the plumbing inspection office and pay an annual fee in accordance with the fee schedule in Section 7-403.

(d) All fees shall be deposited with the department of finance.

(e) Examinations shall be scheduled for the second week of January, April, July and October and at such other times as deemed necessary by the plumber's examining and appeals board and/or the code official.

(Gen. Ord. No. 853, § 1(7-107), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Sec. 7-293. Issuance, renewal, duration of license.

(a) After grading the examination of each applicant for a plumber's license, the plumbing inspector shall make a recommendation to the code official as to whether or not the license should be granted in each particular case. If the plumber's examining and appeals board and the plumbing

*Charter reference(s)--Licenses, art. XIV.

Cross reference(s)--Businesses, ch. 8.

inspector approve the issuance of a plumbing license to the applicant, then the license shall be issued within five working days.

(b) The fee for a license certificate for a master plumber or a journeyman plumber shall be in accordance with the fee schedule in Section 7-403.

(c) Licenses shall be renewed annually on or before December 31.

(d) All fees shall be deposited with the department of finance.

(e) Renewal applications are due by December 31 of each year. License fees for applications received after December 31 shall be doubled. No renewal application will be accepted after January 31. No work requiring a license shall be done until the license has been renewed.

(Gen. Ord. No. 853, § 1(7-108), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Charter reference(s)--Licensing period, § 14.1.

Sec. 7-294. Misuse of license; suspension or revocation.

(a) No person shall send an unlicensed person or unregistered apprentice to perform plumbing work.

(b) The code official, with the concurrence of the plumber's examining and appeals board, shall have the power to suspend for not more than 90 days or revoke a master plumber's license when they find that such licensed master plumber has willfully violated any provision of this article.

(c) No master plumber's license shall be suspended or revoked except after a hearing at which both sides may present evidence and be represented by counsel. Ten days' written notice of such hearing shall be given to the licensed master plumber.

(d) Such hearing shall be attended by the code official and by a majority of the members of the plumber's examining and appeals board. The code official and the majority of the plumber's examining and appeals board shall make the final decision of such suspension or revocation. All decisions shall be rendered within five days of the hearing and shall be in writing.

(e) *Revocation of master plumber's license.* Should a licensed master plumber have his license

revoked, he shall not be eligible for reapplication for a master plumber's license for at least six months from the date of his last application or from the date of the revocation.

(Gen. Ord. No. 853, § 1(7-111), 2-4-91; G.O. 1242, 12-5-94; G.O. 2131, 10-24-05; G.O. 2230, 5-7-07)

Secs. 7-295--7-315. Reserved.

ARTICLE VI. PROPERTY MAINTENANCE

Sec. 7-316. ICC International Property Maintenance Code Adopted.

That a certain document, three copies of which are on file in the office of the city clerk, being marked and designated as "The ICC International Property Maintenance Code, 2000 Edition," as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the City of St. Joseph, Missouri, for the administrative management of buildings and structures as herein provided; each and all of the regulations, provisions, penalties, conditions and terms of said ICC International Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in Section 7-317 of this article.

(G.O. 1577, 11-17-97; G.O. 1882, 6-10-02)

Sec. 7-317. Amendments and Changes--ICC International Property Maintenance Code (IPMC), 2000 Edition.

That the ICC International Property Maintenance Code (IPMC), 2000 Edition, as adopted in Section 7-316 is amended and revised by the following insertions, additions and deletions:

- (1) **General:** All references to the "code official" shall be replaced with "chief building official".
- (2) *Section 101.0 General.* The IPMC, 2000, Section 101.0, General, is amended by deleting Subsection 101.1 and substituting the following:

101.1. Title. These regulations shall be known as the property maintenance code of the City of St. Joseph, Missouri, hereinafter referred to as "this code."

- (3) *Section 106.0 Violations.* The IPMC, 2000, Section 106.0, Violations, is amended by deleting Subsection 106.2 and substituting the following:

106.2. Notice of violation. The chief building official shall serve a notice of violation or order in accordance with Section 15-32 of the Code of Ordinances.

- (4) *Section 106.0 Violations.* The IPMC, 2000, Section 106.0, Violations, is amended by deleting Subsection 106.4 and substituting the following:

106.4. Violation penalties.

(a) No owner, occupant or person in possession, charge or control within the city limits, shall cause, maintain or permit a nuisance, as defined by the laws of the state or this code, on public property or on any premises owned or controlled by such person.

(b) It shall be a misdemeanor for any person to violate any section of this article.

(c) Any person who has been found guilty of violating this section shall be required to pay a minimum fine of \$25.00 for the first offense. Any person who has been found guilty of violating this section a second time, during the same 12 month period, shall pay a minimum fine of \$50.00. Any person who is found guilty of violating this section a third time, during the same 12 month period, shall be fined a minimum of \$150.00. Any person who is found guilty of violating this section four or more times during the same 12 month period shall be fined a minimum of \$300.00 for the fourth offense and each subsequent offense. If a person is charged and found guilty of more than one offense on the same day, then all such offenses on that day, for purposes of this section, shall be counted as one violation.

- (5) *Section 107.0 Notices and orders.* The IPMC, 2000, Section 107.0, Notices and orders, is amended by deleting the last sentence in Subsection 107.1 “Notice to owner or to person or persons responsible”, which reads “Notices for

condemnation procedures shall also comply with Section 108.3”.

- (6) *Section 107.0 Notices and orders.* The IPMC, 2000, Section 107.0, Notices and orders, is amended by adding the words “having a 12-calendar day response time” to the end of Item #1 in Subsection 107.2 “Form.”

- (7) *Section 111.0 Means of appeal.* The IPMC, 2000, Section 111.0, Means of appeal, is amended by deleting Subsection 111.1 and substituting the following:

111.1. Application for appeal. Any person directly affected by a decision of the chief building official or a notice or order issued under this code shall have the right to appeal to the city manager, or his or her designate, provided that a written application for appeal is filed with the chief building official within 10 days after the day the decision, notice or order was served. 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 the requirements of this code are adequately satisfied by other means, or that the strict application of any requirement of this code would cause an undue hardship.

- (8) *Section 111.0 Means of appeal.* The IPMC, 2000, Section 111.0, Means of appeal, is amended by deleting Subsections 111.2 through 112.2.5 in their entirety.

- (9) *Section 111.0 Means of appeal.* The IPMC, 2000, Section 111.0, Means of appeal, is amended by deleting Subsection 111.3 and substituting the following:

111.3. Notice of meeting. The city manager, or his or her designate, shall set a hearing of any appeal within 10 working days of the filing of an appeal with the chief building official.

- (10) *Section 111.0 Means of appeal.* The IPMC, 2000, Section 111.0, Means of appeal, is amended by deleting Subsection 111.4 and substituting the following:

111.4. Open hearing. All hearings shall be open to the public. The appellant, the appellant’s representative, the chief building official and any person whose interests are affected shall be given an opportunity to be heard.

(11) *Section 111.0 Means of appeal.* The IPMC, 2000, Section 111.0, Means of appeal, is amended by deleting Subsections 111.4.1 through 111.7 in their entirety.

(12) *Section 302.0 Exterior property areas.* The IPMC, 2000, Section 302.0, Exterior property areas, is amended by deleting Subsection 302.4 and substituting the following:

302.4. Weeds. Refer to Section 15-29 of the Code of Ordinances.

(13) *Section 302.0 Exterior property areas.* The IPMC, 2000, Section 302.0, Exterior property areas, is amended by deleting Subsection 302.8 and substituting the following:

302.8. Motor vehicles. Refer to Section 15-28 of the Code of Ordinances.

(14) *Section 305.0 Rubbish and garbage.* The IPMC, 2000, Section 305.0, Rubbish and garbage, is amended by deleting the section and substituting the following:

Refer to Section 15-27 of the Code of Ordinances.

(G.O. 1577, 11-17-97; G.O. 1882, 6-10-02; G.O. 1936, 5-27-03)

Secs. 7-318--7-350. Reserved.

ARTICLE VII. DANGEROUS BUILDINGS*

*Cross reference(s)--Nuisances, § 15-26 et seq.

State law reference(s)--Demolition or repair of structures constituting a public nuisance, RSMo 67.400 et seq.

Sec. 7-351. Dangerous buildings designated.

All buildings or structures which have any or all the following defects shall be deemed dangerous buildings, declared to be a public nuisance and shall be repaired, vacated and repaired or vacated and demolished as provided in this article:

- (1) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumbline passing through the center of gravity falls outside of the middle third of its base.
- (2) Those which, exclusive of the foundation, show 33% or more of damage or deterioration of the supporting member or members, or 50% of damage or deterioration of the nonsupporting enclosing or outside walls or covering.
- (3) Those which have improperly distributed loads upon the floors or roofs or in which the floors or roofs are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- (4) Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants or the people of the city.
- (5) Those which are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease so as to work injury to the health, safety or general welfare of those occupying the building.
- (6) Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.
- (7) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.
- (8) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.
- (9) Those which because of inadequate construction, deterioration or damages or for

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any reason are unsafe, unsanitary or dangerous for the purpose for which it is being used.

- (10) Those buildings existing in violation of any provisions of the building code, the fire prevention code or other ordinances of this city.
(Code 1969, § 7-8; G.O. 1580, 12-1-97)

Sec. 7-352. Standards for repair, vacation or demolition.

The following standards shall be followed in substance by the building inspector in ordering repairs, vacation or demolition of dangerous buildings:

- (1) If the dangerous building can reasonably be repaired so that it will no longer exist in violation of the terms of this article, it shall be ordered repaired.
- (2) If the dangerous building is in such condition as to make it dangerous to the health, safety or general welfare of its occupants, it shall be ordered to be vacated.
- (3) In any case where a dangerous building is 50% damaged, decayed or deteriorated, it shall be repaired or demolished. In all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this article, it shall be demolished. In all cases where a dangerous building is a fire hazard existing or erected in violation of the terms of this article or any ordinance of this city or statute of the state, it shall be repaired or demolished.
(Code 1969, § 7-10; G.O. 1580, 12-1-97)

Sec. 7-353. Duties of inspector(s).

In the enforcement of this article, inspector(s) shall:

- (1) Inspect or cause to be inspected annually all public buildings, schools, halls, churches, theaters, hotels, tenements and commercial, manufacturing or loft buildings for the purpose of determining whether any conditions exist which render such places a dangerous building within the terms of this article. Whenever the chief building official shall deem it necessary, he/she may request such inspections as are needed to be made

by the community services, fire, health, police and/or public works and transportation departments or by any architect or engineer furnished by the department of public works and transportation or employed for such purpose.

- (2) Inspect any building, wall or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this article.
- (3) Inspect any building, wall or structure reported, as provided in this article, by the fire, police or health and community services departments as probably existing in violation of the terms of this article.
- (4) Inspect buildings in the city to determine whether they are dangerous buildings within the terms of this article.
- (5) Serve notice of the declaration of nuisance whenever he/she determines that a building or structure is dangerous, which notice shall specify that the property is to be vacated, if such be the case, reconditioned or removed and listing a reasonable time, not exceeding 30 days, to commence the work of reconditioning or demolishing. The notice of declaration of nuisance shall contain a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a dangerous building and an order requiring the building or structure to be put in such condition as to comply with the terms of this article within the time provided for in the notice.
- (6) Report to the chief building official any noncompliance with the notices presented pursuant to this article.
- (7) Appear at all hearings conducted by the chief building official and testify as to the condition of any dangerous buildings.

If an inspector completes an inspection of a building and finds it to be dangerous and in his/her opinion constituting a nuisance, upon approval of such finding ex parte by the chief building official, he/she shall place a notice on such building forthwith, reading as follows:

(1/1/12)

NOTICE

"This building or structure has been found to be a nuisance and a DANGEROUS BUILDING pursuant to the St. Joseph, Missouri, Code of Ordinances Sec. 7-351. This NOTICE is to remain on this building or structure until it is repaired, vacated and repaired or vacated and demolished in accordance with the notice which has been provided the owner, occupant, lessee, mortgagee or agent of this building, and all other persons having an interest in said building or structure, as shown by the records of the Recorder of Deeds of this county.

IT IS UNLAWFUL to remove this NOTICE until such notice is complied with or otherwise ordered removed by the City of St. Joseph, Missouri.

IT IS UNLAWFUL to enter this building or structure without the express written consent of the City of St. Joseph, Missouri, and any person entering shall have in his or her possession a valid right-of-entry form."

However, the approval of the chief building official and the posting of the notice shall not be construed to deprive all persons entitled thereto, by this article, to the notice and hearing prescribed in this subsection.

(Gen. Ord. No. 851, § 1(7-12), 2-4-91, G.O. 1580, 12-1-97)

State law reference(s)--Mandatory provisions, RSMo 67.410(2).

Sec. 7-354. Duties of chief building official.

In the enforcement of this article, the chief building official shall:

- (1) Supervise all inspections required by this article and cause the inspector(s) to make inspections and perform all the duties required of them by this article. Upon receiving a complaint or a report from any source that a dangerous building or structure exists in this city, he/she shall cause an inspection to be made forthwith. If he/she deems it necessary to the performance of his/her duties and responsibilities imposed in this article, he/she may request that an inspection and report be made to him/her by any other city department or he/she may

retain the services of an expert whenever he/she deems such services necessary.

- (2) Upon receipt of a report of an inspector that a notice of declaration of nuisance has not been complied with, give written notice to the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in the building, as shown by the land records of the recorder of deeds of the county where the land is located, to appear before him in not less than ten days in a full and adequate hearing on the matter, in particular to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated and repaired or vacated and demolished, in accordance with the statement of particulars set forth in the inspector's notice of declaration of nuisance.
- (3) Hold a hearing and hear such testimony as the inspector(s) or the owner, occupant, mortgagee, lessee or any other person having an interest in the building, as shown by the land records of the recorder of deeds of the county where the land is located, shall offer relative to the dangerous building or structure. Any party may be represented by counsel, and all parties shall have an opportunity to be heard.
- (4) After the hearing, if the evidence supports a finding that the building or structure is a nuisance and detrimental to the health, safety or welfare of the residents of the city, issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the building or structure to be a nuisance and detrimental to the health, safety or welfare of the residents of the city and ordering the building or structure to be demolished and removed or repaired. If the evidence does not support a finding that the building or structure is a nuisance or detrimental to the health, safety or welfare of the residents of the city, no order shall be issued.
- (5) If the owner, occupant, mortgagee or lessee or any other person having an interest in the building, as shown by the land records of the recorder of deeds, fails to comply with the order, cause such building or structure to be

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repaired, vacated and repaired or vacated and demolished as the facts may warrant.

- (6) Report to the city attorney the names of all persons not complying with the declaration of nuisance or order of the chief building official.

(Code 1969, § 7-13; G.O. 1580, 12-1-97; G.O. 1842, 9-4-01)

State law reference(s)--Mandatory provisions, RSMo 67.410(1), (3).

Sec. 7-355. Violation, penalties for disregarding notices or orders.

(a) The owner of any dangerous building who shall fail to comply with any notice or order to repair, vacate or demolish the building given by any person authorized by this article to give such notice or order shall be guilty of a misdemeanor and upon

conviction thereof shall be fined not less than \$100.00 and not to exceed \$500.00 for each offense and a further sum of not less than \$100.00 and not to exceed \$500.00 for each day such failure to comply continues beyond the date fixed for compliance.

(b) The occupant or lessee in possession who fails to comply with any notice to vacate and anyone having an interest in the building, as shown by the land records of the recorder of deeds of the county where the land lies and under a legal duty to repair, who fails to repair the building in accordance with any notice given as provided for in this article shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$100.00 and not to exceed \$500.00 for each offense and a further sum of not less than \$100.00 and not to exceed \$500.00 for each and every day such failure to comply continues beyond the date fixed for compliance.

(c) Any person removing any notice provided for in Section 7-354 shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$100.00 and not to exceed \$500.00.

(Gen. Ord. No. 728, § 1(7-14), 10-30-89; G.O. 1580, 12-1-97)

State law reference(s)--Authority to provide penalties for noncompliance or delay, RSMo 67.420.

Sec. 7-356. Entry into dangerous buildings.

(1/1/12)

(a) No person may enter a building or structure which has been ordered to be vacated without the consent of the chief building official. Such consent shall be shown by a form prepared and executed by the chief building official.

(b) A person may only enter a dangerous building which has been ordered vacated at such times and to take such actions as may be specified by the chief building official in the right of entry form. A person may not perform activities which are not authorized by the chief building official.

(c) A person entering a dangerous building pursuant to a right of entry form executed by the chief building official shall keep that form on his/her person while in the building or structure. Upon request, the person shall present that form to any city official for inspection.

(d) The chief building official shall include a right of entry form with notices of declaration of nuisance sent by the inspector(s) pursuant to Section 7-353. A copy of a right of entry form shall carry the same force and effect as the original. The holder of a right of entry form may assign his or her interest by so designating on the form. A valid building permit issued by the city shall also act as a right of entry form for the particular dangerous building or structure for which it was issued.

(Code 1969, § 7-15; G.O. 1580, 12-1-97)

Sec. 7-357. Notice.

The notice of declaration of nuisance or order of the chief building official shall be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, service may be had by publication. The notice shall inform the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in the building or structure, as shown by the land records of the recorder of deeds of the county wherein the land is located, that they are and shall be made parties to the notice.

(Code 1969, § 7-16; G.O. 1580, 12-1-97)

Sec. 7-358. Administrative liability.

No officer, agent or employee of the city shall render himself/herself personally liable for any damage that may accrue to any person or property as a result of any act required or permitted in the

discharge of his/her duties under this article. Any suit brought against any officer, agent or employee of the city as a result of any act required in a discharge of his/her duties under this article shall be defended by the city attorney until the final determination of the proceedings therein.
(Code 1969, § 7-17; G.O. 1580, 12-1-97)

Sec. 7-359. Duty to report dangerous building.

It shall be the duty of all city employees to make a report in writing to the chief building official or to any inspector of all buildings or structures which they believe are, may be or are expected to be dangerous buildings within the terms of this article. Such reports are to be made in a reasonable time after the discovery of such buildings or structures.
(Code 1969, § 7-18; G.O. 1580, 12-1-97)

Sec. 7-360. Emergency repair, vacation or demolition.

If it reasonably appears that there is immediate danger to the health, life or safety of any person unless a dangerous building is immediately repaired, vacated and repaired or vacated and demolished, an inspector shall report such facts to the chief building official, who shall cause the immediate repair, vacation or demolition of such dangerous building.
(Code 1969, § 7-19; G.O. 1580, 12-1-97)

State law reference(s)--Authority to so provide, RSMo 67.440.

Sec. 7-361. Authority to close sidewalks, streets, other places.

(a) When necessary for the public safety, the director of public works and transportation may temporarily close sidewalks, streets and places adjacent to such unsafe and dangerous buildings or structures and prohibit the sidewalks, streets and places from being used upon request of the chief building official.

(b) When necessary for the public safety or for occupants, the chief building official may temporarily close buildings and structures adjacent to dangerous buildings.
(Code 1969, § 7-20; G.O. 1580, 12-1-97)

Sec. 7-362. Appeals.

Interested parties may appeal the determination of the chief building official under the provisions of this article to the appropriate circuit court as established in RSMo Chapter 536.

(Code 1969, § 7-21; G.O. 1580, 12-1-97)

State law reference(s)--Authority to authorize appeals, RSMo 67.430.

Sec. 7-363. Cost of performance.

Where the chief building official has issued an order whereby the dangerous building or structure is demolished or repaired, the cost of performance shall be certified to the director of finance, who shall cause a special tax bill therefor against the property to be prepared and collected as in the manner of collecting taxes. At the request of the taxpayer, the tax bill may be paid in installments over a period of not more than ten years. The tax bill from the date of its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid.

(Gen. Ord. No. 830, § 1(7-22), 10-15-90; G.O. 1580, 12-1-97)

State law reference(s)--Mandatory provisions, RSMo 67.410(5), (7).

Sec. 7-364. Insurance proceeds used for demolition.

If there are proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure caused by or arising out of any fire, explosion or other casualty loss and if the covered claim payment is in excess of 50% of the face value of the policy covering a building or other structure, the following procedure shall apply:

- (1) The insurer shall withhold from the covered claim payment 25% of the covered claim payment and shall pay that amount to the city to deposit into an interest-bearing account. Any named mortgagee on the insurance policy shall maintain priority over any obligation under this section. If a special tax bill or assessment is issued by the city for the expenses of demolition of such building as a dangerous building, the monies held by the city shall be applied toward payment of the special tax bill or assessment. If there is any excess, it shall be paid by the city to the insured or as the

terms of the policy, including any endorsements thereto, provide.

- (2) The city shall release the proceeds and any interest which has accrued on such proceeds received under Subsection (1) of this section to the insured or as the terms of the policy and endorsements thereto provide within 30 days after receipt of such insurance monies, unless the city has instituted legal proceedings under the provisions of Sections 7-354 and 7-355. If the city has proceeded under the provisions of Sections 7-354 and 7-355, all monies in excess of that necessary to comply with the provisions of Sections 7-354 and 7-355 for the removal of the building or structure, less salvage value, shall be paid to the insured.
- (3) The city may certify that, in lieu of payment of all or part of the covered claim payment under this section, it has obtained satisfactory proof that the insured has or will remove debris and repair, rebuild or otherwise make the premises safe and secure. In this event, the city shall issue a certificate within 30 days after receipt of proof to permit covered claim payment to the insured without deduction. It shall be the obligation of the insured or other person making claim to provide the insurance company with the written certificate provided for in this subsection.
- (4) No provision in this section shall be construed to make the city a party to any insurance contract.

(Code 1969, § 7-23; G.O. 1414, 6-3-96; G.O. 1580, 12-1-97)

State law reference(s)--Similar provisions, RSMo 67.410.2.

Sec. 7-365. Salvage of historic significant contents and other contents.

(a) Whenever the chief building official has issued an order whereby a dangerous building is to be demolished pursuant to this article, he/she shall request a consent to demolition from the owner of the building. On the consent to demolish, he/she shall include language whereby the owner relinquishes all rights to the contents of the structure, allowing the city to salvage historic significant contents and other contents having salvage value.

(b) After the signing of the consent to demolish, the chief building official shall use whatever sources which are available to him/her to determine the historically significant contents and other contents having salvage value of those buildings to be demolished. The chief building official shall then use whatever means available to him/her to oversee the removal of such historically significant contents and other contents having salvage value and store them at a facility designated by the chief building official. The chief building official shall then prepare a detailed list of such property and send it to the city purchasing agent.

(c) The city purchasing agent shall determine when it is necessary to sell property, as required pursuant to this section. The purchasing agent shall prepare a complete and detailed list of all property to be included in a notice of sale. The notice of sale shall be published at least one time five days prior to the sale in a newspaper published in the city. The sale of all such property shall be by public auction at the time and place set out in the notice of sale. The purchasing agent, as agent of the director of finance, shall reserve the right to reject any and all bids submitted at the auction.

(d) The proceeds from such sale shall be deposited in the general fund; account number 001-9797-98988-5075, "salvage/historic," to be appropriated solely for long range planning historic preservation.

(Code 1969, § 7-24; G.O. 1580, 12-1-97)

Sec. 7-366. Legal vacant dangerous buildings - permits.

(a) The owner of a dangerous building which has been ordered repaired or demolished due to an existing violation of the city's building code or any other applicable provision of this code may apply to the chief building official for a permit to allow the building to remain vacant without pending action to repair or demolish it. If the chief building official, after inspection, determines that allowing the dangerous building to remain vacant, subject to the conditions of this section, and such permit, will not jeopardize the public health, safety and welfare, he/she may issue said permit to the applicant for a period not to exceed six months, subject to renewal.

(b) A permit for a legal vacant dangerous building may be issued only when the building is fully secured and, as such, represents no threat to the public health, safety and welfare.

(c) Should the condition of any permitted legal vacant building change such that, in the sole opinion of the chief building official, the building jeopardizes the public health, safety and welfare, the chief building official shall revoke the permit and order the dangerous building repaired or demolished. If the permit holder violates any condition of the permit, the chief building official may revoke the permit and order the dangerous building repaired or demolished.

(d) Permits for legal vacant dangerous buildings issued by the chief building official shall have a \$200.00 semi-annual permit fee. The semi-annual permit fee shall be prorated for applications of less than six months, with the minimum fee being \$100.00.

(G.O. 1580, 12-1-97; G.O. 1787, 9-5-00)

Secs. 7-367--7-399. Reserved.

ARTICLE VIII. SCHEDULE OF FEES AND PERMITS

Sec. 7-400. Building fee schedule.

The following is a schedule of the building permit fees (permits are required for each address and unit or apartment):

(1) *New buildings in excess of 120 square feet:*

a. Commercial:

\$63.00 application fee, plus permit fee calculated using BOCA formula:

Gross area square footage x gross area modifier (80.85 for average cost per square foot as defined by BOCA) x Type of Construction (a factor provided in the most recent BOCA table) x Permit Fee Modifier (the amount calculated to take into account total annual city construction value divided into total expenditures for property development) (sq ft x 80.85 x[cf] x .002) (see Table 1A [on file in the office of the city clerk]).

b. Residential:

\$31.50 application fee, plus permit fee calculated using BOCA formula (sq ft x

80.85 x[cf] x .0021) (see Table 1A [on file in the office of the city clerk]).

(2) *Repairs or alterations to buildings.*

- a. Commercial: \$63.00 permit application fee plus square feet x 80.85 x Type of Construction Factor x \$0.002 (see Table 1A [on file in the office of the city clerk]).
- b. Residential: \$31.50 permit application fee plus square feet x 80.85 x Type of Construction Factor x \$0.0021 (see Table 1A [on file in the office of the city clerk]).
- c. Residential roofing: \$63.00 permit fee.
- d. Commercial roofing: \$63.00 permit fee. Permit fee plus square feet x 80.85 x 0.40 x 0.0008 when over 400 sf.

(3) *Moving building.*

- a. On or across a public thoroughfare, except as provided in subsections (4)b. and c. of this section, \$115.00.
- b. Not exceeding 12 feet in width, 24 feet in length and 10 feet in height, \$34.13.
- c. From one lot to another, without moving over a public thoroughfare or from one location on a lot to another location on the same lot, \$27.30.

(4) *Wrecking and demolitions (commercial and residential).*

- a. One-story structures, \$63.00.
 - 1. Each additional story, \$26.25.
 - 2. Accessory garages, \$26.25.
 - 3. Other accessory structures, \$26.25.
- b. Miscellaneous/partial demolition work, or structures other than buildings, \$26.25.
- c. A separate permit shall be required for each building or structure located on the same property.

(5) *Certificate of occupancy.*

- a. Where required by this code, or requested by owner, a certificate of occupancy shall be issued prior to the occupancy of a structure as follows. This fee includes a walk-through

inspection by the fire and building inspectors if required. Additional fees may be required when health inspections are necessary.

(Additional plan review fees to cover health permits may apply. See Chapter 17 of this code.)

1. Residential, \$26.25.
2. Commercial, \$52.50.

(7) *Miscellaneous construction permit fees.*

- b. When required by this code or requested by owner a certificate of completion will be issued as follows:

1. Residential, \$26.25.
2. Commercial, \$52.50.

a. Retaining walls:

1. Walls four feet high measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquid, but less than 60 inches high, first 100 lineal feet or fraction thereof, \$26.25.

Each additional lineal foot in excess of 100 lineal feet, per foot, \$0.525.

2. Walls over 60 inches high above grade on low side, first 100 lineal feet or fraction thereof, \$52.50.

Each additional lineal foot in excess of 100 lineal feet, per foot, \$0.7875.

Note: All walls are treated as line segments. The segment division is conducted at the height differential plus or minus 60 inches above grade. You will be charged a base fee for each segment, if applicable.

(6) *Plan review.*

- a. Where a plan review is required for any reason, fees shall be collected for such plan review as follows:

1. Where plans must be examined or structural analysis made to determine the suitability of the construction for the proposed occupancy.

- i. Residential - \$31.50 base fee only.
- ii. Commercial - \$63.00 base fee, plus commercial buildings in excess of 1,200 square feet and the following if applicable:

- a) Structural review: Square feet x 80.85 x Construction Factor x .001 (see Table 1A [on file in the office of the city clerk]).
- b) Electrical review: .2625 of structural review amount.
- c) Plumbing review: .2625 of structural review amount.
- d) Mechanical review: .2625 of structural review amount.
- e) Accessibility review: .1575 of structural review amount.
- f) Fire suppression review: .1575 of structural review amount.

- b. Commercial towers and structures, antennas:

1. \$63.00 permit application fee.

Plus for each foot of height, per foot, \$1.05.

- c. Other miscellaneous structures, parking lots, not classified elsewhere:

1. Permit application fee: \$63.00.
2. Plus, square foot x .007875.

(8) *Other fees.*

- a. Elevators:

1. Inspection of new shaft, \$63.00 base fee, plus:

- i. Contract or cost amounts \$0 through \$40,000, \$69.82.
 - ii. Contract or cost amounts \$40,001 through \$80,000, \$2.31 per \$1,000 valuation.
 - iii. Contract or cost amounts \$80,001.00 and above, or part thereof, \$1.155 per \$1,000 valuation.
- b. The fees to be charged for work not listed in this section and for plumbing, electrical work, boilers and other mechanical work are set forth in the provisions of this Code applying to such work.
- (9) *Signs.* The fees for signs and similar structures shall be as follows:
- a. Ground signs, pole or pylon sign, \$78.75.*
 - b. Roof signs, \$78.75.
 - c. Fascia signs, \$78.75.
 - d. Commercial signs, projecting over public property, \$78.75.

For the construction/erection of structures involved with signage, permit issuance fee of \$63.00.

- e. Commercial billboards:
 - 1. Equal to or less than 200 square feet, \$78.75.
 - 2. Over 200 square feet, \$315.00.

For the construction/erection of structures involved with signage, permit issuance fee of \$63.00.

*Exemption for payment of fees for neighborhood watch groups: Neighborhood watch groups, defined as a self-help crime prevention program operated by volunteering citizens in a specific neighborhood, shall be exempt from payment of a fee for the issuance of a permit to erect a pole and/or sign indicating that the posted area is participating in the neighborhood watch group program. Said permit shall be issued only after the chief of police has verified, in writing to the chief building official, that the applicant for said

- permit represents a neighborhood watch group.
- (10) *Fences.* The fee for fences shall be as follows:
- a. Residential - \$31.50.
 - b. Commercial - \$63.00.
- (11) *Swimming pools and spas.* The fees for swimming pools and spas shall be as follows:
- a. One- and two-family dwellings (residential) \$47.25 each.
 - b. Multiple-family dwellings, motels and hotels (commercial):
 - 1. Pools - \$63.00.
 - 2. Spas - \$63.00.

(Additional permit fees to cover health permits may apply. See Chapter 17 of this code.)

(G.O. 1940, 6-9-03; G.O. 1970, 9-29-03; G.O. 2144, 12-5-05; G.O. 2262, 11-19-07)

Sec. 7-401. Electrical fee schedule.

The following is a schedule of the electrical fees (permits are required for each address and unit or apartment):

- (1) *Examination and license fees for master electrician.*
- a. With application for examination, \$62.00.
 - b. License, \$148.00.
 - c. Renewal, \$148.00 (all licenses are good for one year and will expire on December 31st of each year).
 - d. License photo identification card. All electricians shall have a city issued license on their person while working under said license. Licensee shall present this identification card upon request by any city officer, inspector or official. Failure to present said license shall constitute a violation, be subject to the penalties outlined under Section 7-6 of this chapter and constitute grounds for suspension or revocation of said license by the building official. The fee for said

license photo identification card shall be:

- 1. New issue: \$12.00
- 2. Replacement card: \$10.00

(2) *Fees for permits and inspections.* The following schedule of fees for permits and inspections of electrical work shall be in effect:

a. New and existing construction /additions/upgrades/alterations:

- 1. Commercial/industrial: \$63.00 base fee plus \$0.52/ampere - new construction and \$0.315/ampere - existing construction.
- 2. Residential (R3 residential, each apartment or house): \$31.50 base fee plus \$0.42/ampere - new construction and \$0.315/ampere - existing construction.

b. Signs and outline lighting, each, \$31.50 base fee plus, \$0.525/ampere. All signs must be inspected before installation.

c. Temporary service. For construction purposes, fairs, carnivals, exhibitions and similar purposes, \$63.00.

d. For relocation of existing electrical equipment, a flat fee of \$31.50 will be applied. Where multiple relocations are required at the same address, an additional \$5.25/panel, meter, section, etc. will be applied.

(G.O. 1940, 6-9-03; G.O. 1970, 9-29-03; G.O. 2144, 12-5-05; G.O. 2262, 11-19-07; G.O. 2315, 12-15-08)

Sec. 7-402. Mechanical fee schedule.

The following is a schedule of the mechanical fees (permits are required for each address and/structure or apartment):

(1) *Mechanical permits* (both subsections a and b below apply).

a. A permit base fee shall apply as follows:

- 1. All commercial/industrial - \$63.00 issuance fee per permit, plus Subsection c below.

2. All residential - \$31.50 issuance fee per permit, plus Subsection b below.

b. For the installation or replacement of residential AC units, furnaces (gas or electric), heat pumps (count as one unit) and fireplaces, the fee will be \$26.25 per unit.

c. For the installation of commercial and mechanical systems/equipment as follows:

Heating and cooling combination units will be charged both 1 and 2 below.

- 1. Heating - \$0.000315 per BTU
- 2. HVAC (air conditioning) - \$5.25 per ton.
- 3. Boiler - \$0.525 per HP (horsepower).
- 4. Fireplace construction - \$31.50 flat fee.
- 5. Electric furnace/boiler - \$1.05/KW.

d. Periodic inspections:

- 1. Low pressure vessels - \$78.75/inspection (biannually).
- 2. High pressure vessels - \$105.00/inspection (annually)

e. Air handlers, ducts, fans:

- 1. Commercial - \$63.00 base fee only, plus Subsection (c) above, if applicable.
- 2. Residential - \$31.50 base fee only.

(G.O. 1940, 6-9-03; G.O. 1970, 9-29-03; G.O. 2144, 12-5-05; G.O. 2262, 11-19-07; G.O. 2315, 12-15-08; G.O. 2321, 4-6-09)

Sec. 7-403. Plumbing fee schedule.

The following is a schedule of the plumbing fees (permits are required for each address and unit or apartment):

(1) *Examinations for licenses.*

- a. Examination fee, master plumber's license, \$100.00.
- b. Examination fee, journeyman plumber's license, \$62.00.

(2) *Plumber's license.*

- a. License certificate, master plumber, \$148.00.
- b. License certificate, journeyman plumber, \$37.00.
- c. Registration fee for apprentices, \$25.00 (all licenses are good for one year and will expire on December 31st of each year).
- d. License photo identification card. All plumbers shall have a city issued license on their person while working under said license. Licensee shall present this identification card upon request by any city officer, inspector or official. Failure to present said license shall constitute a violation, be subject to the penalties outlined under Section 7-6 of this chapter and constitute grounds for suspension or revocation of said license by the building official. The fee for said license photo identification card shall be:

- 1. New issue: \$12.00
- 2. Replacement card: \$10.00

(3) *Other fees; permits and inspections* (both subsections a and b below apply).

- a. Permit issuance base fee:
 - 1. Commercial - \$63.00.
 - 2. Residential - \$31.50.
 - 3. Residential hot water heater replacement - \$15.00.

This reduced flat fee is for the replacement of an identical hot water heater in any residential unit, either a single family dwelling or residential apartment unit, when no other work is involved. This does not apply to tankless hot water heater replacements.

- b. Plus applicable items below:
 - 1. Each plumbing fixture, appliance and waste discharging device:
 - i) Commercial - \$7.87/each.
 - ii) Residential - \$6.82/each

- 2. Sewer (new or repair):
 - i) Commercial - \$26.25.
 - ii) Residential - \$21.00.
- 3. Water service (new or repair):
 - i) Commercial - \$26.25.
 - ii) Residential - \$21.00.
 - iii) Temporary - \$52.50.
- 4. Back flow prevention devices:
 - i) Commercial - base fee \$63.00 plus \$5.25 per diameter inch.
 - ii) Residential - base fee \$31.50.
- (4) *Gas piping issuance fees* (applies to each service and/or each permit issued):
 - a. Commercial: \$63.00.
 - b. Residential: \$31.50.
 - c. Residential hot water heater replacement: \$15.00.

This reduced flat fee is for the replacement of an identical hot water heater in any residential unit, either a single family dwelling or residential apartment unit, when no other work is involved. This does not apply to tankless hot water heater replacements.

Plus for each of the following appliances: furnace (floor, wall, force air, or circulator), boiler, unit heater, range, fireplace, refrigeration unit, water heater, clothes dryer, gas air conditioner, barbecue grill, gas lights:

- a. Commercial: \$4.20.
- b. Residential: \$3.15.

(G.O. 1940, 6-9-03; G.O. 1970, 9-29-03; G.O. 2144, 12-5-05; G.O. 2262, 11-19-07; G.O. 2315, 12-15-08)

Sec. 7-404. Other fees for plumbing, electrical, mechanical and building work.

(a) A re-inspection fee of \$26.25 for each trip for residential and \$52.50 for each trip for commercial/industrial is required when extra inspections are necessary due to any of the following reasons:

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- (1) When wrong address is given.
- (2) When work is not ready for inspection when called.
- (3) When work is not installed in compliance with this article.

(b) Fees for inspections required by this article other than outlined in this section, \$52.50.

(c) Complete walk-through inspections (building, plumbing, mechanical and electrical), \$105.00.

(d) *Special inspections.* Inspections made anytime other than normal working hours, 8:00 a.m. - 5:00 p.m., Monday through Friday, will result in an additional fee of \$26.25 per quarter hour of inspection time with a minimum charge of one hour of labor in addition to the permit cost. The minimum fee must be prepaid at the time the inspection is scheduled. If the inspection exceeds one hour, permittee will be billed by mail for the difference. If the inspection is not canceled within 24 hours of the scheduled time, there will be no refunds.

(e) *Fire suppression systems permits and inspections.* For the installation, alteration or replacement of any fire suppression systems - \$63.00 flat fee, plus

- (1) 11-500 heads x .42 each.
- (2) 501 + heads x .21 each.

(f) *Lawn and irrigation systems.* Mechanical permit base fee plus a plumbing permit (see Sec. 7-403(3)b.5). (G.O. 1940, 6-9-03; G.O. 1970, 9-29-03; G.O. 2144, 12-5-05; G.O. 2262, 11-19-07; G.O. 2262, 11-19-07; G.O. 2321, 4-6-09)

Sec. 7-405. Penalties.

(a) Any person who commences any permit required work on a building, structure, electrical, gas, mechanical or plumbing system before first obtaining the necessary permits shall be charged double the normal required permit fee. The payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties presented herein. Citations in accordance with Section 7-6 may also be issued.

(b) If a permit application is found to be willfully fraudulent, the permit fees will be doubled. Citations in accordance with Section 7-6 may also be issued.
(G.O. 2262, 11-19-07)

Sec. 7-406. Permit exempt work

Work exempt from permit. Exemptions from permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter, its sections, the adopted codes or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

- (1) Residential and commercial buildings:
 - a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
 - b. Oil derricks.
 - c. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall over its entire length, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
 - d. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
 - e. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below, are not part of an accessible route and not within the public or city right of way.
 - f. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
 - g. Replacement of existing windows and doors with identically sized units as long as they are not fire rated or adversely affect the building's egress systems.
 - h. Temporary motion picture, television and theater stage sets and scenery.
 - i. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18

- 925 L) and are installed entirely above ground.
- j. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 - k. Swings and other playground equipment accessory to detached one- and two-family dwellings.
 - l. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall, do not extend over the public right-of-way and do not require additional support of Group R-3 and U occupancies.
 - m. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
 - n. Residential roof repairs or alterations when affecting less than 25% of the roof.
- (2) *Electrical systems:*
- a. Listed cord and plug connected temporary decorative lighting.
 - b. Reinstallation of attachment plug receptacles, but not the outlets therefore.
 - c. Repair or replacement of branch circuit over-current devices of the required capacity in the same location.
 - d. Temporary wiring for experimental purposes in suitable experimental laboratories.
 - e. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
 - f. Minor repair work, including the replacement of lamps, light fixtures, switches, receptacles for R-3 occupancies or one or two family dwellings, or the connection of approved portable electrical equipment to approved permanently installed receptacles as long as replacements are identical in general design and capacity and existing electrical system is not modified or rendered unsafe. For anything other than R-3 occupancies or one and two family dwellings, the replacement of light fixtures, switches and receptacles are only exempt when performed by the building and/or business owner's full-time, competent maintenance staff and light fixture replacements shall not exceed 10% of each floor's total light fixtures per year.
- g. Installation of Ground Fault Current Interceptors (GFCIs) within existing electrical outlet boxes as long as they do not render the system unsafe nor modify the design capacity of the electrical circuit.
 - h. 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.
 - i. Signals and Control Systems: A permit shall not be required for the installation, alteration or repair of electrical equipment for the operation of signals or the transmission of intelligence by wire.
 - j. Temporary testing systems: No permit is required for any work involved in the manufacturing, testing, servicing, altering or repairing of electrical equipment or apparatus; but this exception shall not include any permanent wiring which is not required for the testing purposes.
- (3) *Gas systems:*
- a. Portable heating appliance.
 - b. Replacement of any minor part or component that does not alter approval of equipment or make such equipment unsafe.
- (4) *Mechanical systems:*
- a. Portable heating appliance.
 - b. Portable ventilation appliances and equipment.
 - c. Portable cooling unit.
 - d. Steam, hot or chilled water piping within any heating or cooling equipment or appliances regulated by this code.
 - e. Replacement of any minor part that does not alter its approval or make it

unsafe to include motors of 1 horsepower and less, humidifiers and dehumidifiers with units of like size and type.

- f. Portable evaporative cooler.
- g. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
- h. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
- i. Replacement of ductwork with the same size and type ductwork for units 5 tons and less.
- j. Flue pipe repairs to include single section replacements of like size and type.
- k. Replacement of condensate units, with like size and capacity as long as there are no modifications to any plumbing systems.
- l. Replacement of pressure and temperature valves and controls with like type units for R3 – one and two family dwellings.

(5) *Plumbing systems:*

- a. 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.
- b. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of non-pressurized tank-type toilets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- c. Replacement of faucets, showerheads, sinks and non-pressurized tank-type toilets with like units in the exact same location without having to modify any of the existing plumbing system.
- d. Subsoil drains around the perimeter of 1 & 2 family homes.

(G.O. 2262, 11-19-07; G.O. 2401, 8-23-10; G.O. 2435, 7-25-11)

Sec. 7-407. Contractor licensing fees.

(a) *Annual contractor licensing fees:*

- (1) Class MT - mechanical contractor license:
 - a. New \$50.00
 - b. Renewal..... \$50.00

(b) *Multiple license applications.* The highest contractor fee plus a \$25.00 fee for each additional new license shall be paid. For renewals, the highest contractor fee plus a \$25.00 fee for each additional license shall be paid.

- (c) Late renewal penalty \$75.00

(d) Grandfathering application fee will be the same as the renewal fee for each license requested. Multiple license provisions will apply to grandfathering as well.

(G.O. 2321, 4-6-09)

Sec. 7-408. Individual trade licensing fees.

(a) *Individual licenses:*

(1) Class IM - mechanical trade licenses:

- a. Master's license:
 - i. New..... \$50.00
 - ii. Renewal \$50.00
- b. Journeyman's license:
 - i. New..... \$40.00
 - ii. Renewal \$40.00

c. *Apprentice/intern registration:*

- i. New..... \$30.00
- ii. Renewal \$30.00

(2) Class IO - plant operating engineer's licenses:

- a. Power engineer (chief, 1st, 2nd, 3rd & 4th class) license:
 - i. New..... \$50.00
 - ii. Renewal \$50.00

- b. Boiler and HVAC plant operator (high pressure, 1st & 2nd class) license:
 - i. New\$40.00
 - ii. Renewal.....\$40.00

- c. Ammonia refrigeration plant operator (1st, 2nd & 3rd class) license:
 - i. New\$40.00
 - ii. Renewal.....\$40.00

- d. Power engineer (5th class) and boiler plant operator (low pressure) license:
 - i. New\$30.00
 - ii. Renewal.....\$30.00

(b) *Multiple license applications.* The highest trade fee plus a \$25.00 fee for each new additional license shall be paid. For renewals, the highest trade fee plus a \$25.00 fee for each additional license shall be paid.

For example: An individual desires to keep their master mechanical license and get a Class IO, high pressure steam license. They would be charged \$50.00 for the highest base fee which is for the Class IM license and \$25.00 for the Class IO license or a total fee of \$75.00.

(c) Late renewal penalty\$75.00

(d) The grandfathering application fee will be the same as the renewal fee for each license requested. Multiple license provisions will apply to grandfathering as well.
(G.O. 2321, 4-6-09)

Sec. 7-409. No permits for contractors with violations.

No new permits shall be issued to a contractor where the contractor has any outstanding written violation notices which have not been corrected or appealed to the appropriate board as defined in this chapter. A contractor shall have ten days to appeal a violation notice. In the event of an appeal, action by the customer assistance department shall be stayed pending the outcome of the board's decision. If a commercial or multifamily building is occupied while there are outstanding violations against the premises, the customer assistance

department may cause the discontinuance of utility services thereto.
(G.O. 2321, 4-6-09)

ARTICLE IX. EXISTING BUILDING CODE

Sec. 7-410. Existing building code adopted.

The International Existing Building Code, 2006 edition (2006 IEBC), including Appendix B as published by the International Code Council, Inc., be, and hereby is, adopted as the Existing Building Code for the City of St. Joseph, Missouri, of which two copies are on file in the office of the city clerk, for the purpose of regulating and governing the design, repair, alteration, equipment, demolition, removal, conversion, change of occupancy or use, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and the collection of fees therefore; and each and all regulations, provisions, penalties, conditions and terms of said Existing Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in Section 7-411 of this article.
(G.O. 1986, 11-10-03; G.O. 2231, 5-7-07)

Sec. 7-411. Amendments and changes to the 2006 IEBC.

The 2006 IEBC, as adopted in Section 7-410, is changed by the following insertions, additions and deletions:

- (1) *Section 101 General.* The 2006 IEBC, Section 101, General, is amended by deleting Subsection 101.1 and substituting the following:

101.1. Title. These regulations shall be known as the existing building code of the City of St. Joseph, Missouri, hereinafter referred to as “this code.”

- (2) *Section 105. Permits.* The 2006 IEBC, Section 105, Permits, is amended by deleting Subsection 105.2.

- (3) *Section 106 Construction Documents.* The 2006 IEBC, Section 106, Construction Documents, is amended by adding the following:

106.7 Design professional. The construction documents for new construction, alteration, repairs, expansion, addition or modification for buildings or structures shall be prepared by a Missouri registered design professional as required by the Missouri Board for Architects, Professional Engineers and Land Surveyors.

- (4) *Section 108 Fees.* The 2006 IEBC, Section 108, Fees, is amended by deleting Subsections 108.2, 108.4 and 108.6 and substituting the following:

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid in accordance with Article VIII, schedule of fees, Sections 7-400 through 7-404 of the Code of Ordinances of the City of St. Joseph, Missouri.

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before

first obtaining the necessary permits shall be charged double the normal required permit fee. The payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties presented herein.

108.6 Refunds. Fees collected under the above sections shall be refunded where such work has not been commenced prior to the abandonment thereof, and the permit has not expired by time limitations; however, if any such work has been commenced, and then abandoned, or where a permit has expired after work has commenced or where a permit has been revoked, no refund of any building fee shall be made.

- (5) *Section 112 Board of appeals.* The 2006 IEBC, Section 112, Board of appeals, is amended by deleting Section 112.0 in its entirety and substituting the following:

112.1 Appeals to the building and fire prevention code board of appeals. Any person aggrieved by a decision of the building official's or inspector's interpretation of 2006 IEBC may appeal such decision to the building and fire prevention code board of appeals. The building and fire prevention code board of appeals shall thereupon make an independent determination on the question which the building official or inspector had to decide.

112.2 Appeals Procedure.

(a) The owner of a building or structure or any other person aggrieved by a decision of the building official or inspector may appeal to the building and fire prevention code board of appeals. Any such appeal shall be in writing and state the name and address of the appealing party and the nature of his appeal and shall be made within five days after the building official's or inspector's decision.

(b) The building and fire prevention code board of appeals shall hold a public hearing within five business days after notice of appeal is filed. Notice of hearing shall contain a time and date for the hearing

and be directed to the appealing party at the address given on his appeal by certified mail. The appellant, his attorney, and any other persons whose interests may be affected by the matter on appeal shall be given an opportunity to be heard, present evidence and examine adverse witnesses.

(c) The building and fire prevention code board of appeals shall render its decision in writing within a reasonable time, however in no event later than five days after the conclusion of the hearing. A tape recorded transcript of the hearing shall be made and minutes shall be kept.

(d) Any person aggrieved by a decision of the building and fire prevention code board of appeals may appeal that determination to the Circuit Court of Buchanan County, Missouri, under the provisions of RSMo Ch. 536. The appeal shall be made within 30 days after the mailing or delivery of the decision.

- (6) *Section 113 Violations.* The 2006 IEBC, Section 113, Violations, is amended by deleting Subsection 113.4 and substituting the following:

113.4 Violation penalties. Any person who shall violate a provision of the 2006 IEBC 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 building official, or a permit or certificate issued under the provisions of the basic code, shall be issued a citation and, if found guilty, fined as defined under Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

- (7) *Section 114.0 Stop work order.* The 2006 IEBC, Section 114.0, Stop work order, is amended by deleting Subsection 114.3 and substituting the following:

114.3 Unlawful continuance. Any person who shall continue any work in or about the building after having been served with a stop-work order, verbally or in writing, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be issued a citation and, if

found guilty, fined in accordance with Section 7-6 of the Code of Ordinances of the City of St. Joseph, Missouri.

- (8) *Section 115 Unsafe buildings and equipment.* The 2006 IEBC, Section 115, Unsafe buildings and equipment, is amended by deleting Subsection 115.1 and substituting the following:

115.1 Conditions. All structures or existing equipment which are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. All unsafe structures shall be classified as habitable or uninhabitable, taken down and removed or made safe, as the code official deems necessary and as provided in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

115.1.1 Vacant Structures. A vacant structure or vacant portion of a structure shall be secured against entry by trespassers or animals (including birds) and put in a safe, stable condition. The owner shall cause all exterior doors and windows to be locked and secured at all times. If any exterior windows or doors of such building have broken glass or broken panels, then the owner shall cause such openings to be closed by repairing or replacing the damaged unit in a good and workmanlike manner or by boarding the opening. If the owner chooses to board up such openings, they shall use weather resistant plywood of at least three-eighths-inch thickness, cut to fit the opening size and shall attach such plywood to the exterior of all such openings using wood screws of at least 1 1/2 inches long placed 12 inches on center. Such plywood shall be of a color or coated with a color which blends with the exterior of the building. Vacant structures shall comply with the following requirements:

- a. If any other opening exists in the building envelope (walls,

foundations, fascia, soffit, roof or other) the owner shall cause such openings to be closed in a good and workmanlike manner using material approved for such purpose.

- b. The building must have a sound foundation and be free from excessive leaning, sagging or buckling members; and shall be secured to afford the building and its contents protection from the elements.
- c. Exterior porches, stairs, landings, retaining walls and other structures shall be put in good repair or removed.
- d. A building permit is not required of the owner for the performance of any or all of the above work for the securing of the vacant structure.

- (9) *Section 1301 General.* The 2006 IEBC, Section 1301, General, is amended by amending Subsection 1301.2 to insert the date "April 6, 2002" where it states [DATE TO BE INSERTED BY THE JURISDICTION].

- (10) *Appendix B, Section 101 Qualified Historical Buildings and Facilities.* The 2006 IEBC, Appendix B, Section 101, Qualified Historical Buildings and Facilities, is amended by deleting Section B101.4 and Subsections B101.4.1 and B101.4.2 and substituting the following:

B101.4 Qualified historic buildings and facilities not subject to Section 106 of the National Historic Preservation Act. All projects shall be reviewed and approved by the city of St. Joseph historic preservation planner and the code official.

(G.O. 1986, 11-10-03; G.O. 2231, 5-7-07; G.O. 2260, 10-22-07)

ARTICLE X. CONTRACTOR AND TRADE LICENSING

DIVISION 1. GENERALLY

Sec. 7-450. Purpose.

The purpose of this article is to establish minimum requirements for the licensing of contractors and trades within the city of St. Joseph.

These requirements are intended to ensure that all persons desiring to perform construction work to include mechanical work within the city of St. Joseph be duly licensed and to ensure capable and skilled craftsmanship is utilized in construction projects, both public and private, through uniform compliance with the laws of this city, and protection of the public from unsafe construction practices. These requirements are also intended to ensure that the personnel and contractors who service, maintain and operate our heating and cooling plants and our fire alarm and suppression systems are duly licensed, capable and skilled in their respective trades and to safely install, operate and maintain said systems through the uniform compliance with adopted standards designed to protect the public from unsafe conditions and operations. It is further intended that owner occupants of single family residential structures be permitted, without first obtaining a contractor or business license, to perform minor work on their own single family residence. Homeowner must still obtain a permit for any permit required work. It is not the intent of this article to require any person, firm, corporation or other organization performing demolition services for a project or job but providing no other building, construction, alteration, remodeling or repair services on the project or job to obtain a contractor's license pursuant to this article.

(G.O. 2321, 4-6-09)

Sec. 7-451. Exclusions and exceptions.

It is the intent of this article that the contractor that obtains a building permit shall be responsible, within the scope of such permit, for the completion of the construction, alteration, repair, or demolition in accordance with all applicable building codes. However, the following persons are not "contractors" within the meaning of this article:

- (1) An employee or agent working for and under the supervision of a contractor licensed under this article for the type of construction, alteration, repair or demolition being undertaken; and

- (2) A homeowner who personally occupies or will occupy and undertakes the construction, alteration, repair, or maintenance of such homeowner's single family residence or an accessory structure thereto. Notwithstanding the foregoing, for purposes of this section, any homeowner who undertakes the construction of a new residence or the alteration and/or addition to an existing residence for such homeowner's personal occupancy more than one time in any five year period shall be deemed to be a "contractor" under this article.

- (3) Any property or business owner working on or contracting to have work done to install, alter, repair, add to or maintain any process equipment or systems not otherwise covered by the adopted codes, shall not be required to comply with these standards except when working on the electrical systems, pressure vessels and/or boilers, unless specifically addressed otherwise herein.

(G.O. 2321, 4-6-09)

Sec. 7-452. Safe harbor provisions.

A contractor shall not be found in violation of this article, if the contractor performs the work in accordance with and reliance upon stamped plans and specifications prepared or approved by an architect or engineer licensed in Missouri without knowledge by the contractor that such plans and specifications, or pertinent parts thereof, are in violation of applicable codes.

(G.O. 2321, 4-6-09)

Sec. 7-453. Appeal procedures.

Any person or applicant aggrieved by the decision of the director of customer assistance department or is unable to comply with the application provisions set hereinbefore, shall have the right to request, in writing, to appear before the respective advisory board to have their case reviewed. Requests shall clearly define the decision being aggrieved; why it is being aggrieved, identify any discrepancies with a clear and concise description of each, provide copies of the all supporting documentation to include incomplete application and all other compliant documentation. All decisions shall be aggrieved within 30 days of the decision. Appeals shall be heard within 30 days

from the date a proper appeal is filed which includes all supporting documentation. Additional documentation shall not allowed to be presented at the hearing unless specifically requested by any of the appeal board members. Appeals may be heard during regularly scheduled board meetings if time is available and the appeal was filed at least 15 days prior to the regular board meeting so the documentation may be reviewed for completeness and added to the meeting's agenda.

(G.O. 2321, 4-6-09)

Secs. 7-454--7-469. Reserved.

DIVISION 2. CONTRACTOR LICENSING

Sec. 7-470. Authorized contractor licenses.

Anyone wishing to construct, alter, move, enlarge, replace, repair, equip, remove, and/or demolish any building or structure or any appurtenance connected or attached to such buildings or structures shall have first obtained a business license. Anyone wishing to install, repair, alter or replace a mechanical system shall have first obtained a mechanical contractor's license as provided in this article.

Exception: Corporations, companies or businesses wishing to do their own mechanical work in their own facilities with their own fulltime, properly licensed mechanical staff, shall be permitted to obtain a permit for said work without requiring that they have a valid mechanical contractor's license. All other provisions shall apply for permit required work.

(G.O. 2321, 4-6-09)

Sec. 7-471. Class T, trade specialty contractor.

A class T license shall entitle the holder thereof to perform work and services within their specific trade specialty as described below:

- (1) Class MT - Mechanical contractor. A class MT, mechanical license shall entitle the holder thereof to perform HVAC services such as the installing, altering, modifying or servicing mechanical systems. A class MT, mechanical contractor shall either be a properly licensed master mechanical or have a fulltime, properly registered and licensed master mechanical employed. The scope of their work shall be defined by the

limits on their registered master's licensing.

(G.O. 2321, 4-6-09)

Sec. 7-472. Contractor licensing administration.

(a) *Application for licensure.* A person or business who seeks licensing in one or more of the categories established in this article shall submit written application on forms provided by the customer assistance department. Applications shall state all the information required as outlined in this article and state the fees which the applicant will need to provide with their application. All applications shall be accompanied by a non-refundable application fee as defined under Section 7-407.

(b) *Processing.* The customer assistance department may reject an applicant's application form if the information is illegible, incomplete or falsified. The normal processing time shall be no more than 30 days from the date that a complete application has been submitted. The customer assistance department shall provide notice to the applicant that his license has been accepted or rejected after receipt of the completed application form. Applicants who receive rejection notices may again make written application upon satisfactorily meeting the criteria set forth in this article for reapplications.

(c) *License issuance.* Once the customer assistance department receives confirmation that the licensing package is complete and all requirements met, the director of customer assistance department shall approve the requested license, and the city shall issue the license within 15 business days. A complete application package consists of a fully completed application along with all the required supporting documentation, verified test scores, and payment of applicable fees in accordance with Section 7-407 for the license. License fees shall be paid without proration. No license under this section may be transferred or assigned.

(d) *Delinquency.* Any applicant who is delinquent in payment of their annual license fee, or who has a license that has been suspended or revoked by the director of customer assistance shall not be issued a license. It is further unlawful for any person to enter into a contract with another so as to bring himself under the classification of a contractor as defined in this article, or to perform any work as a contractor, or any work under a

contract, without having first obtained a contractor's license. It is unlawful for any person issued a license as required by this article to contract for any work other than specified by such license. A contractor must first obtain and maintain a business license as defined under Chapter 8 of this code or he shall be denied a contractor's license under this article. A contractor, who fails to maintain their business license, shall have his contractor's license under this article immediately revoked. Once said situation has been remedied, the contractor may reapply and pay the appropriate fee as defined under Section 7-407 to be reinstated as a contractor.

(G.O. 2321, 4-6-09)

Sec. 7-473. Examination.

(a) *Independent testing agency.* All applicants shall make their own arrangements with one of the approved independent testing agencies to take the requisite examination. Applicants shall submit a complete application, less the testing, to the customer assistance department for approval if the testing agency requires that the applicant be sponsored before they will allow the individual to test. The approved independent testing agencies shall provide the following:

- (1) Test application forms and applicant information booklets;
- (2) Test sites and required proctors;
- (3) Test fee collection services;
- (4) Notification to each candidate of the schedule, time, date and place by a "letter of admission;"
- (5) Examination administration;
- (6) Grading and notification of the results to each client;
- (7) Diagnostics for each applicant failing the examination;
- (8) Review procedures as required; and
- (9) Security during all steps of the testing procedure.

(b) *Examination.* Applicant must pass the appropriate exam with a minimum score of 75%

from an approved nationally-recognized testing institution as approved by the director of the customer assistance department. An appropriate exam or certification shall be one that determines the qualifications of a person seeking licensure within the scope and specialty desired as defined herein unless specifically exempt. These approved exams and certifications shall be coordinated with the respective advisory board prior to their implementation on an as needed basis but not less than annually. The customer assistance department shall publish a list of approved certifications, tests and testing institutions annually or as often as may be necessary. The approved classifications are as follows:

- (1) Class MT – mechanical contractor

(c) *Educational credit.* If the qualifying party holds a bachelor's degree in business administration, engineering, architecture, or construction science from an accredited college or university and the testing requirement for a new license may be waived.

(G.O. 2321, 4-6-09)

Sec. 7-474. Grandfathering.

- (a) Class T Contractors.

(1) Class MT – Mechanical Contractors. Grandfathering provisions only cover testing and experience requirements as indicated herein. Upon the proper application of and approval by the customer assistance director before March 1, 2010, a mechanical trade contractor's license, as defined herein above, shall be issued to any contractor who has a mechanical master's license under the same company name within the city of St. Joseph and has completed at least one mechanical job per year for each of the last five years. All other requirements shall apply.

(G.O. 2321, 4-6-09)

Sec. 7-475. Contractor experience.

All applicants shall provide verifiable evidence that the applicant or a firm's qualifying party has the required number of years of full-time

experience in the building construction industry for any of the following licenses:

- (1) Class T License. A class T license shall require the following experience:
 - a. Mechanical. Qualifying party must have four or more years of practical experience for commercial contractors and three or more years of practical experience for small commercial and residential contractors.

(G.O. 2321, 4-6-09)

Sec. 7-476. Liability insurance.

Every contractor except a contractor who has an “inactive license” shall keep in force a policy of commercial general liability insurance including completed operations/products coverage. Such insurance policy shall be written with a properly licensed insurance company. The contractor shall maintain general liability coverage, written on an “Occurrence Form”, in an amount not less than \$1,000,000 per occurrence single limit for bodily injury and property damage and \$2,000,000 aggregate for bodily injury and property damage. At the time of licensing, the contractor shall provide the city of St. Joseph, Missouri, customer assistance department with a certificate of insurance verifying the insurance coverage required under this section. The city of St. Joseph, Missouri, shall be added as a “Certificate Holder” to the insurance policy by the insurance company issuing the certificate of insurance, requiring the insurance company to notify the city of St. Joseph, Missouri, customer assistance department in writing of any change in coverage or cancellation of such policy at least ten calendar days prior to such changes. In addition, every contractor shall procure and maintain workers’ compensation insurance, as required by law and provide the city a new certificate of insurance if the coverage changed or if cancelled, within ten calendar days of the change.

(G.O. 2321, 4-6-09)

Sec. 7-477. Qualifying party.

Under this article, a firm may obtain, in the firm’s name, a contractor’s license provided that such firm has at least one fulltime employee who is

designated by the firm as its qualifying party. Designation of this qualifying party shall be provided a statement of understanding signed by the qualifying party and the contractor on the form provided by the customer assistance department. Whenever a building permit is issued in the name of a firm, the firm shall be subject to these regulations. The qualifying party shall be the legal representative for the contractor relative to the provisions of this article. The designated qualifying party shall satisfy the requirements this article. A designated qualifying party shall not be a qualifying party for more than one company, unless the companies have a common owner. When the qualifying party terminates employment with the licensee, the customer assistance department shall be notified in writing within ten calendar days of the disassociation and another qualifying party must qualify within 60 days from the date of this disassociation. The qualifying party or parties are:

- (1) Any individual contractor or copartner.
- (2) Any fulltime employee of the contractor applicant.
- (3) Any stockholder of a corporation who was an original incorporator or original stockholder as shown in the articles of incorporation.

A contractor, including firms, may appoint, on forms provided by the customer assistance department, one or more individuals who shall be authorized to obtain building permits, other than the qualifying party, on behalf of the contractor. Such individuals are not required to be a licensed contractor.

(G.O. 2321, 4-6-09)

Sec. 7-478. Registered master.

Under this article, a firm may obtain, in the firm’s name, a trade contractor’s license provided that such firm has at least one fulltime master tradesperson who is registered with their firm as its master. Whenever a mechanical permit is issued in the name of a firm, the firm and master shall be subject to these regulations. The registered master shall be properly licensed within the appropriate trade as required in this article. A master shall not be a registered master for more than one company or firm, unless they have a common owner. A company or firm may be issued multiple trade

licenses as long as they have a properly registered master for each trade. When the master terminates employment with the licensee, the customer assistance department shall be notified in writing within ten calendar days of the disassociation and another properly licensed master shall register with said firm or company within ten days or all trade permits will be revoked.
(G.O. 2321, 4-6-09)

Sec. 7-479. Disclosure.

The contractor applicant shall disclose, at the time of application, any current or previous contractor license held in Missouri or any other state and any disciplinary actions taken against such contractor-applicant. If the contractor-applicant is employed by or a principal of a firm, the application shall disclose whether the firm or the firm's principals have had any contractor-related disciplinary action taken against them in Missouri or any other state. No license shall be issued to any contractor-applicant who has had a license suspended or revoked for disciplinary reasons, or who has surrendered a license during any disciplinary proceeding or investigation, within the immediately preceding five years. Any contractor-applicant denied a license under the provisions of this section may appeal such denial to the respective advisory board.
(G.O. 2321, 4-6-09)

Sec. 7-480. Transfer.

No contractor who has obtained a license under this article shall allow their name and/or license to be used by another person or contractor for the purpose of obtaining permits or for doing business or work under their license. Every contractor licensed under this article shall have a permanent business address and legally registered name under which such business is carried on. The contractor shall be provided this information to the customer assistance department and if at all changed, shall give immediate notice to the customer assistance department of such change.
(G.O. 2321, 4-6-09)

Sec. 7-481. Multiple licenses.

A contractor wishing to have more than one license may indicate that desire on their application. All the requirements for each of the

licenses must be met to include the firms qualifying party and registered master(s). There will be an additional fee for the processing of a multiple trade application as noted under Section 7-407 above.
(G.O. 2321, 4-6-09)

Sec. 7-482. Reciprocity.

To the extent that other jurisdictions or states provide for the similar licensing of general contractors, the director of the customer assistance department may grant licenses of the same or equivalent classification to general contractors licensed by other municipalities or states, without written examination, upon satisfactory proof furnished to the director that the qualifications of such applicants are equal to the qualifications of holders of similar licenses in the city of St. Joseph, Missouri, including the successful completion of a similar test with a minimum score of 75%, proper documentation of experience and upon payment of the required fee. Any Class T license will also need prove compliance with the trade licensing requirements before this license can be approved.
(G.O. 2321, 4-6-09)

Sec. 7-483. Duration and renewal of license.

(a) Every contractor license shall be issued on a calendar year basis to expire on December 31st of each year. A contractor shall be entitled to renew such contractor's license upon satisfaction of the requirements of this article. A license renewal application may be submitted to the city of St. Joseph, Missouri, customer assistance department beginning on December first through and including the last day of December without a late fee. Thereafter, a late penalty in addition to the normal fee, as defined under Section 7-407 shall be collected to offset administrative costs incurred as a result of such later renewal. License renewal applications shall be mailed by the City of St. Joseph, Missouri, customer assistance department no later than December first of each year to every licensed contractor at the address provided by the contractor. The failure to receive an application shall not excuse untimely license renewal.

(b) During the annual renewal period, a licensed contractor that has completed the annual requirement for continuing education may, upon the payment of the normal licensing fee, have the contractor's license declared inactive. An inactive license shall not be required to provide or maintain

liability insurance. No mechanical permit shall be issued to a contractor with an inactive license. The holder of an inactive license may annually renew the inactive license upon the completion of all continuing education requirements, and the payment of the annual renewal fee. The holder of an inactive license may obtain an active contractor's license at any time once the requisite liability insurance is provided.

(c) All licenses, except licenses which have been revoked, suspended, or null and void, may be renewed from year to year upon request and payment of the required renewal fee shown in Section 7-407, if received on or before December 31st of each year. All licenses not renewed before the last working day of December shall become null and void. Reapplication by the contractor shall be mandatory to regain an active status. If the license has remained in a null and void status for more than 1 year, the qualifying party must retest unless the provisions of reciprocity can be met to include providing proof of continued work in the trade for the lapsed timeframe. The regular application fee as defined under Section 7-407 shall be required for each time an application is submitted.

(d) Under special circumstances, licensing renewal requirements, deadlines and penalties may be waived by the director of customer assistance department. Special circumstances include extended military deployments, family emergencies, etc. Requests for special consideration shall be in writing and be accompanied by proper documentation justifying the request. Requests may be submitted after the fact but before any licensing may be renewed. (G.O. 2321, 4-6-09)

Sec. 7-484. Continuing education.

Any contractor, desiring to renew their license, shall provide proof of the successful completion by their registered qualifying party of at least eight hours of continuing education each calendar year. The customer assistance department shall establish rules and regulations for the submission, processing, and approval of continuing education for those contractors licensed under this article. The director of customer assistance department, with the assistance of the advisory boards, shall identify minimum course and education program requirements provided by governmental entities, trade associations, contractor education providers,

and others on the codes adopted by the city of St. Joseph, Missouri which satisfy the continuing education requirements of this section. The customer assistance department shall publish a list of approved continuing education programs by January 1st of each calendar year.

Exception: Contractors seeking to obtain a new license within the calendar year as their application shall not be required to provide continuing education for that year. (G.O. 2321, 4-6-09)

Sec. 7-485. Reapplication.

(a) *Test failure.* Applicants may retest as often as desired and as allowed by the testing organization. A separate application filing fee will be required for each reapplication as set forth under Section 7-407.

(b) *Revoked license.* Should a licensed contractor have their license revoked, they shall not be eligible for reapplication for at least six months from the date of the revocation. A separate application filing fee will be required for each reapplication as set forth under Section 7-407. (G.O. 2321, 4-6-09)

Sec. 7-486. Mechanical permit issuance.

No permit shall be issued to any contractor who has not first obtained a license or who is delinquent in payment of his annual license fee, or whose license has been suspended or revoked by action of the director of the customer assistance department. It is further unlawful for any person to enter into a contract with another, oral or written, so as to bring himself under the classification of a contractor as defined in this article, or to perform any work as a contractor, or any work under a contract, without having first obtained a contractor's license. It is unlawful for any person issued a license as required by this article to contract for any work other than specified by such license. A contractor, failing to first obtain and maintain a business license as defined under Chapter 8 of this code shall be denied a contractor's license and/or shall immediately void and/or revoke their contractor's license. (G.O. 2321, 4-6-09)

Sec. 7-487. Contractor's vehicles.

Any licensed contractor under this article shall have displayed on both sides of their company

service or delivery vehicle(s) the name of their company as registered under their contractor license and either their office phone number, contractor license number or city where they are from. Labeling is not required to be permanent. The name shall be legible from 50 feet away and have a minimum of two inch lettering. The company's logo may also accompany the name as long as it does not cover or obscure it. Any personal vehicle used at a job site shall not be required to be labeled. Any vehicle found on a construction site with a contractor's name on the side will be considered as working on said project and required to comply with the contractor licensing requirements as established in this article. (G.O. 2321, 4-6-09)

Sec. 7-488. Supervision.

(a) Any contractor who obtains a building permit shall provide adequate supervision for the duration of such project. The contractor obtaining the permit shall provide an emergency number where they can be contacted 24 hours a day, seven days a week. The person at this number shall have the authority to represent the contractor in case of an emergency during the execution of the permitted work.

(b) The trade contractor, who obtains a trade permit, shall be responsible for the licensing of all masters and journeymen and the registration and proper supervision of all apprentices and interns working on the job in accordance with Section 7-518. Before a person not licensed to perform mechanical work may be permitted to aid in such work, such person shall register with the city by providing their name, age and address, the name of their employer, their past employment record and the name of the master they are working under. Upon registration and issuance of an apprentice or intern license, such person shall be entitled to engage in and work as an apprentice under the direct supervision of a licensed journeyman or master.

(c) *Official jobsite language.* The official jobsite language is English. The general or trade contractor who obtains a permit shall provide at least one individual on the work site who can speak English fluently and who is familiar enough with the work to communicate effectively with emergency personnel, city officials and inspectors. A stop work order shall be placed on any job found to be without an English speaking person capable of representing the

contractor and communicating effectively with worksite personnel. (G.O. 2321, 4-6-09)

Sec. 7-489. Unlawful acts.

Any unlawful act may be grounds for suspending or revoking a contractor's license. It shall be unlawful for any contractor:

- (1) To perform or cause to be performed any work in the city of St. Joseph which requires a permit without having first secured the appropriate permit from the city.
- (2) To perform or cause to be performed any work in the city of St. Joseph which requires a permit without securing the services of a duly authorized and licensed contractor to perform and/or supervise the work.
- (3) For any person to conduct, carry on, or engage in the business of class T contractor without having first obtained a valid, current class T contractor's license from the city of St. Joseph.
- (4) For any person holding a current, valid class T, trade contractor's license to employ any person to perform any work in the city of St. Joseph which requires a license if that person does not hold a current, valid trade license from the city of St. Joseph for such work as required by this article.
- (5) For any person to employ any individual as an apprentice or intern, as defined in this article, to perform any work in the city of St. Joseph without providing direct supervision as defined in this article.
- (6) For a person to create an unsafe condition and/or allow an unsafe condition to exist that may result in property damage or personal injury.

(G.O. 2321, 4-6-09)

Secs. 7-490--7-499. Reserved.

DIVISION 3. MECHANICAL TRADE/PLANT OPERATOR LICENSING

Sec. 7-500. Authorized trade licenses.

The purpose of this article is to ensure that all persons desiring to perform mechanical work within the city of St. Joseph be duly licensed to ensure capable and skilled craftsmanship utilized in construction projects, both public and private, through uniform compliance with the laws of this city, and protection of the public from unsafe construction practices. This article also establishes minimum skills and knowledge requirements for those wishing to operate and maintain heating, air conditioning and refrigeration plants, both public and private, through the uniform application of standards in compliance with the laws of this city, and protection of the public from unsafe operating practices.

(G.O. 2321, 4-6-09)

Sec. 7-501. Class IM, individual mechanical trade licenses.

A class IM license shall entitle the bearer to engage in or work at the business of mechanical within the corporate limits of the city depending on the specific limits of their trade license. Before beginning any such work, they shall first obtain either a master's or journeyman's license within the applicable trade or registration as an apprentice or intern for that trade, all in accordance with the provisions of this article. There are six separate trade licenses authorized for the construction, alteration, addition, modification and demolition of mechanical systems as provided in this article. Anyone who performs permit required work on any mechanical system within the city shall first obtain a master, journeyman, apprentice or intern license. Applicants for a trade contractor's license shall comply with the provisions of this article. The following applies to general trade licenses described herein:

- (1) *Master commercial mechanical.* A person who is licensed as a master commercial mechanical is a person who works for a mechanical contractor and lays out, sizes and/or installs mechanical systems, has the requisite experience, and has passed an approved examination as a master mechanical pursuant to this article. A master commercial mechanical is licensed to perform commercial and industrial work in any use group to include all residential as defined by the latest adopted edition of the International Building Code, and the

latest adopted edition of the International Residential Code. A master mechanical may become a mechanical contractor by meeting all of the requirements for licensure as a mechanical contractor under this article.

- (2) *Master small commercial mechanical.* A master small commercial/residential mechanical is a person who works for a mechanical contractor and lays out, sizes and/or installs mechanical systems, has the requisite experience, and has passed an approved examination as a master small commercial mechanical pursuant to this article. A master small commercial mechanical is licensed to perform any residential or commercial work on air conditioning systems less than or equal to 25 tons and/or heating systems less than or equal to 400,000 Btuh of heating. A master mechanical may become a mechanical contractor by meeting all of the requirements for licensure as a mechanical contractor under this article.
- (3) *Journeyman commercial mechanical.* A journeyman mechanical is a person who labors at the mechanical trade as an employee of a mechanical contractor, has the requisite experience and has passed an examination as a journeyman commercial mechanical pursuant to this article. A journeyman commercial mechanical is licensed to perform commercial and industrial work in any use group to include all residential as defined by the latest adopted edition of the International Building Code, and the latest adopted edition of the International Residential Code under the direction of a master commercial mechanical.
- (4) *Journeyman small commercial mechanical.* A journeyman small commercial/residential mechanical is a person who labors at the mechanical trade as an employee of a licensed mechanical contractor, has the requisite experience and has passed an approved small commercial mechanical examination pursuant to this article. A journeyman small commercial mechanical is licensed to perform any residential or commercial work on air conditioning systems less than or equal to

25 tons and/or heating systems less than or equal to 400,000 Btuh of heating under the direction of a master small commercial mechanical. A journeyman small commercial mechanical may work within the scope of and be considered licensed as an apprentice when not working on systems in small commercial and/or one and two family dwellings.

- (5) *Apprentice.* An mechanical apprentice shall be registered with the city within one of the specified trades. An apprentice must be supervised at all times by an appropriate master or journeyman as defined herein. No examination is required.
- (6) *Intern.* Any student who is interested in one of the trades and has entered an on-the-job training or orientation program shall be registered with the city within one of the specified trades. An intern shall be considered and offered all the same benefits as an apprentice and shall be supervised at all times by an appropriate master or journeyman as defined herein. An intern license can not be held for more than four years. No examination is required. All requirements for an apprentice license must be met before application for a journeyman may be submitted.

(G.O. 2321, 4-6-09)

Sec. 7-502. Class IO, individual plant operatingengineer licenses.

A Class IO, license shall entitle the holder to operate a boiler and/or heating plant as defined below. A Class T license shall not entitle the license holder to operate any heating and air conditioning plants or equipment as defined below. All licenses are based on an approved nationally recognized certification and/or testing program and guidelines as published by the director of the customer assistance department and coordinated with the appropriate advisory board. A person holding the following licenses can operate the specified systems and equipment as listed in the Plant Operating Engineers Licenses Table, dated February 2011, located at the end of this chapter.

(G.O. 2321, 4-6-09; G.O. 2342, 8-10-09; G.O. 2423, 4-4-11)

Sec. 7-503. License requirements.

(a) *License required.*

- (1) Any person engaged in the business of contracting to install, repair, replace, alter, or remodel any mechanical system or portion thereof must possess a valid city of St. Joseph contractor’s license pursuant to division 2 of this article.
- (2) Any person who installs, replaces, alters, or remodels any mechanical system or portion thereof must possess a valid city of St. Joseph license for such activity issued pursuant to this article. It shall be deemed unlawful for an individual who is not licensed to perform the work under the direct supervision of a licensee.
- (3) Any person who operates, repairs, or maintains a heating, cooling or refrigeration plant as defined under the operating engineers licensing must possess a valid city of St. Joseph plant operator’s license for such activity, pursuant to this article and as follows:
 - a. It shall be unlawful for any person to operate a steam boiler of more than ten horsepower or a boiler designed to carry a steam pressure of more than 15 pounds per square inch, gauge (psig) without an applicable Class IO license from the customer assistance department. Boilers of less than 15 psig and less than ten boiler horsepower shall be exempted.
 - b. It shall be unlawful for any person to operate an air conditioning or refrigeration system with a cooling output capacity over 100 tons without an applicable Class IO license from the customer assistance department unless it is a packaged unit used strictly for air conditioning purposes in other than industrial applications (occupancy classifications other than A, B, E, I, M, R or U) and does not utilize ammonia as its refrigerant or in any part of its process.
 - c. Any air conditioning or refrigeration system as defined under item b above, between 100 and 500 tons of output cooling capacity may either provide

proof of an annual service agreement with a licensed mechanical contractor with a 24 hour response requirement or provide an applicable Class IO license from the customer assistance department.

- d. The owner of any low pressure boiler with an operating pressure less than 15 psi and between ten and 35 boiler horsepower as defined under item Subsection (1)(3)a above, may either provide proof of an annual service agreement with a licensed mechanical contractor with a 24 hour response requirement or provide an applicable Class IO license from the customer assistance department.
- (b) *License not required.*
- (1) A license is not required for work that is performed by the owner occupant of a property whose use is restricted to a single family residence used exclusively for living purposes, including the usual accessory structures in connection with such building. The owner occupant shall agree to:
 - a. Procure all of the required permits,
 - b. Conform to all applicable codes and ordinances,
 - c. Request all required inspections at the proper intervals,
 - d. Provide all the corrections as deemed necessary,
 - e. Personally purchase all material, and
 - f. Perform all labor in connection therewith.
 - (2) A license is not required for maintenance work to the mechanical system(s) and/or equipment that is performed by the owner, the owner's full time maintenance staff on behalf of the owner, or the occupant of a business, multi-family dwelling complex, industrial, manufacturing, institutional, or governmental facility.
 - (3) For existing mechanical systems, a license is not required for the maintenance and repair of existing installations or operation of equipment and accessories used for operations, production or processing by public utilities, governmental agencies,

hospitals, manufacturing, processing plants or commercial enterprises that maintain a regular maintenance and operating staff for the purpose of maintaining and operating existing mechanical installations. The installation of new or replacement of an entire mechanical unit does not constitute repair. Any new or altered work must be installed by a properly licensed mechanical tradesperson with the appropriate permit. A mechanical license is also not required for minor alterations of the existing mechanical systems by the above fulltime maintenance staff as long as there is no change in the load or capacity of the system. This provision does not exempt the requirement for a permit.

- (4) *Equipment exempt.* Boilers, chillers and HVACR plants or other apparatus are exempt from the fees, but not the license, as defined under the fee schedule of Section 7-402 of this code, when used in buildings owned and operated by the federal government, state government, county government and the city government. Not included in code, permit or fee schedule, are railroad locomotives; scientific laboratory equipment; industrial testing equipment except air tanks; or equipment covered under any other section of this code, state statute or federal law.
- (5) *Licensed operator exempt.* The following boilers shall be exempt from the requirements of Section 7-503:
 - a. Steam boilers used for heating purposes carrying a pressure of not more than 15 psig, and which are located in R2 or R3 family dwelling units of less than six single families and steam boilers used for heating purposes carrying a pressure of not more than ten psig and having a rating of not to exceed 1,200 square feet of radiation.;
 - b. Hot water heating boilers carrying pressure of not more than 30 psig, and which are located in R2 or R3 family dwelling units of less than six single families, and hot water heating boilers carrying pressure of not more than 20 psig, and having a rating of not to exceed 2,000 square feet of radiation;

- c. Steam boilers of a miniature model locomotive or boat or tractor or stationary engine constructed and maintained as a hobby and not for commercial use, having an inside diameter not to exceed 12 inches and a grate area not to exceed one and one-half feet and that is equipped with a safety valve of adequate capacity, a water level indicator and a pressure gauge;
- d. Hot water supply boilers operated at pressures not exceeding 160 psig, or temperatures not exceeding 250 degrees Fahrenheit which are located in R2 or R3 family dwelling units of less than six single families; and
- e. Service water heaters or domestic type water heaters having a nominal water containing capacity not in excess of 120 gallons, a heat input not in excess of 200,000 British thermal units per hour and used exclusively for heating service water to a temperature not in excess of 210 degrees Fahrenheit.

(G.O. 2321, 4-6-09; G.O. 2423, 4-4-11)

Sec. 7-504. License administration.

(a) *Application for licensure.* A person who seeks licensing in the categories established in this article shall submit written application on forms provided by the customer assistance department. Applications shall identify all the information required as outlined in this article and identify the expected fees which the applicant will need to provide with their application. All applications shall be accompanied by the required application fee as defined under Section 7-408 which are non-refundable. Applications will not be processed without the required application fee. As a minimum, said application shall contain:

- (1) A copy of a valid driver's license or state issued identification card;
- (2) An original certificate of competency from an approved reciprocating community. The customer assistance department may verify the contents with the issuing jurisdiction and may require the applicant to provide additional information;
- (3) Name and address of applicant;

- (4) Name and address of employer or business;
- (5) List name, address and telephone number of all previous employers under which applicant worked as an intern, apprentice, journeyman or master;
- (6) Provide proof of applicant's age;
- (7) For apprentice applicants, provide proof of a high school diploma or equivalent and at least 18 years of age or over 30 years of age.
- (8) For intern applicants, provide proof that they are enrolled in a formal or informal trade training program under the supervision of a licensed mechanical contractor.

(b) *Processing.* The customer assistance department may reject an applicant's application form if the information is illegible, incomplete or falsified. The normal processing time shall be no more than 30 days from the date that a complete application has been submitted. The customer assistance department shall provide notice to the applicant that his or her license has been accepted or rejected after receipt of a completed application form. Applicants who receive rejection notices may again make written application upon satisfactorily meeting the criteria set forth in this article for reapplications.

(c) *License issuance.* Once the customer assistance department receives confirmation that the licensing package is complete and all requirements met, the director of customer assistance department shall approve the journeyman's or master's license, and the city shall issue the license within 15 calendar days. A complete application package consists of the applicant's completed licensing application along with all the required supporting documentation, verified test scores, and payment of applicable fees in accordance with Section 7-408 for said license. License fees shall be paid without proration. No license under this section may be transferred or assigned.

(d) *Apprentice and Intern licensing.* Apprentices and interns shall register annually with the customer assistance department by completing the required initial/renewal application form and pay an annual fee in accordance with the fee schedule in Section 7-408.

(e) *Delinquency.* Any applicant who is delinquent in payment of their annual license fee, or whose license has been suspended or revoked by action of the director of the customer assistance department shall not be issued a license. An individual, who fails to maintain their trade license, shall have their trade license under this article immediately revoked. Once said situation has been remedied, the person may reapply and pay the appropriate fee as defined under Section 7-408.

(G.O. 2321, 4-6-09)

Sec. 7-505. Examination.

(a) *Independent testing agency.* All applicants shall make their own arrangements with one of the approved independent testing agencies to take the requisite examination. Applicants shall submit a complete application, less the testing, to the customer assistance department for approval if the testing agency requires that the applicant be sponsored before they will allow the individual to test. The approved independent testing agencies shall provide the following:

- (1) Test application forms and applicant information booklets;
- (2) Test sites and required proctors;
- (3) Test fee collection services;
- (4) Notification to each candidate of the schedule, time, date and place by a "letter of admission;"
- (5) Examination administration;
- (6) Grading and notification of the results to each client;
- (7) Diagnostics for each applicant failing the examination;
- (8) Review procedures as required; and
- (9) Security during all steps of the testing procedure.

(b) *Examination.* Applicants must pass an appropriate exam from a nationally recognized testing institution as approved by the director of customer assistance department with a minimum

score of 75% for any mechanical contractor or trade examination and 70% for any examination based operating engineer license or more to meet the examination requirement of this licensing. These approved exams shall be coordinated with the appropriate trade advisory board prior to their implementation on an as needed basis but not less than annually. The customer assistance department shall publish a list of approved certifications, tests and testing institutions annually or as often as may be necessary. The independent testing and/or certifying agency will notify applicants of their scores and provide the city with the necessary documentation to prove their testing results. Each of the following license classifications shall be approved tests as defined:

- (1) *Class IM examination.* An appropriate exam shall be one that determines the qualifications of a person seeking licensure as a master or journeyman and within the classification of the desired licensing classification in one of the following trades and classifications:

- a. Master commercial mechanical.
- b. Journeyman commercial mechanical.
- c. Master small commercial mechanical.
- d. Journeyman small commercial mechanical.

- (2) *Class IO examination.* An appropriate certification and/or exam shall be one that determines the qualifications of a person seeking licensure as a plant operator and within the classification of the desired licensing as listed in the Plant Operating Engineers Licenses Table, dated February 2011, located at the end of this chapter. Each applicant shall have successfully passed the requirements of the approved national certification program or approved examination. Applicants shall comply with the published recurring examination and testing requirements of said national certification, as may be necessary.

(G.O. 2321, 4-6-09; G.O. 2423, 4-4-11)

Sec. 7-506. Individual experience and/or education.

Practical experience shall be verified through the submission of copies of trade or plant operator licenses and statements from present and past employers verifying their practical experience for

the license specifically applied for. Employer statements shall be written on company letterhead and attested to by a public notary. The evidence of practical experience shall accompany the application form for each of the following licensing classifications:

- (1) *Mechanical applicants.*
 - a. Master mechanical applicants shall have at least three years of experience as a journeyman in the mechanical trade.
 - b. Journeyman mechanical applicants shall have at least four years of experience in the mechanical trade.

- (2) *Plant operating engineer applicants.*
 - a. *National certification based licenses.* All plant operator applicants must meet the published education and/or experience requirements of the approved national testing and certifying program for the requested license.
 - b. *Examination based licenses.* All plant operator applicants shall meet the minimum age and experience requirements as outlined in the Plant Operating Engineers Licenses Table, dated February 2011, located at the end of this chapter.

(G.O. 2321, 4-6-09; G.O. 2423, 4-4-11)

Sec. 7-507. Disclosure.

The applicant shall disclose, at the time of application, any current or previous license(s) held in Missouri or any other state and any disciplinary actions ever taken against them. No trade or operators license shall be issued to any applicant who has had a license suspended or revoked for disciplinary reasons, or who has surrendered a license during any disciplinary proceeding or investigation, within the preceding five years. Any applicant denied a license under the provisions of this section may appeal such denial to the respective advisory board for that trade or discipline.

(G.O. 2321, 4-6-09)

Sec. 7-508. Transfer.

It is unlawful for any person to enter into a contract with another so as to bring himself under the classification of a licensed tradesman or operator as defined in this article, or to perform

any work as a licensed tradesperson, or any work under a contract, without having first obtained the required trade license. It is unlawful for any person issued a license as required by this article to contract for any work other than specified by such license. All licenses under this chapter are non-transferable. Every person licensed under this article shall notify the customer assistance department of their place of business and the name under which such business is carried on and shall give immediate notice to the customer assistance department of any change in either.

(G.O. 2321, 4-6-09)

Sec. 7-509. Multiple licenses.

An individual wishing to have more than one license may indicate that desire on their application. All the requirements for each license shall be met to include examination, experience and employment. There will be an additional fee for the processing of a multiple trade application as noted under Section 7-408.

(G.O. 2321, 4-6-09)

Sec. 7-510. Grandfathering.

(a) *Class IM Mechanical Trade license.* Upon the proper application of and approval by the director of the customer assistance department before March 1, 2010, any individual desiring a mechanical master or journeyman license shall be required to provide proof of at least 5 years or 4 years, respectively, of experience in the trade, notarized on company letterhead by a mechanical contractor, officer, owner or part owner, within the desired licensing classification. Master applicants shall also provide proof that they are full or part owner or corporate officer of their current mechanical business. Upon approval, applicants shall be exempt from the testing and experience requirements of this article for subject license. All other requirements of this article shall be complied with to include, but not be limited to obtaining and displaying the new individual license. When the customer assistance department has received all of the information required of the applicant and is satisfied that the information set forth therein is true, then the director of customer assistance department shall certify such applicant for the appropriate license and upon payment of the proper fee as set out in Section 7-408, shall issue the appropriate license to the applicant.

(b) Class IO Plant Operating Engineer's license.

Upon the proper application of and approval by the Customer Assistance Director before March 1, 2010, any individual holding a current operating engineer's license shall not be required to meet the new testing or experience requirements. All other requirements of this article shall be complied with to include, but not be limited to obtaining and displaying the new individual license. Any person who is now operating or has at one time operated a specific class of equipment within the past five years which for the first time is subject to this code and for which a license is herein required may, upon payment of the required fee receive a license to allow such person to continue operating said equipment within said classification or any equipment with a lower classification based on the new licensing classifications as defined by this article. When the customer assistance department has received all of the information required of the applicant and is satisfied that the information set forth therein is true, then the director of customer assistance department shall certify such applicant for the appropriate license and upon payment of the proper fee as set out in Section 408, shall issue the appropriate license to the applicant.

(G.O. 2321, 4-6-09)

Sec. 7-511. Reciprocity of licensure.

The city of St. Joseph will not honor a master's and journeyman's license issued from other jurisdictional areas except one issued to a duly licensed and certified mechanical of another jurisdiction on the same terms, same classification and under the same conditions, including the minimum test score of 75%, hours/years of experience and under the same conditions as such other jurisdiction will grant reciprocal licenses to a duly licensed mechanical of the city, provided the applicant has been licensed by the jurisdiction having adopted an equivalent mechanical code equivalent to or more recent than our adopted mechanical codes. The examination shall be accepted as long as the applicant has provided proof that they have been working in the related trade and classification from the time they took the exam to the present. The applicant shall provide verifiable and acceptable documentation of compliance with the city's minimum requirements as defined hereinbefore and approved by the director of customer assistance department. The director of customer assistance department shall make the final decision.

(G.O. 2321, 4-6-09)

Sec. 7-512. Duration and renewal of license.

(a) All licenses under this article shall be good for one year or until December 31st of the issuing year.

(b) All licenses shall be renewed upon application of the license holder to the director of customer assistance department at any time within 30 days before the expiration date thereof. Applications shall be submitted on the form provided by the customer assistance department and shall be accompanied by the following documentation:

- (1) Continuing education certificates – minimum of eight hrs or appropriate certification showing that said certification remains in good standing.
- (2) The renewal fee in accordance with the fee schedule in Section 7-408.

(c) The fee for any renewal received after December 31st, shall be required to pay a late fee as defined in Section 7-408.

(d) No work requiring a license shall be performed until a current license has been secured. If not received by December 31st, a late penalty in addition to the regular fee shall be assessed as defined under Section 7-407.

(e) During the annual renewal period, a licensee that has completed the annual requirement for continuing education may, upon written request and the payment of the normal licensing fee, have their license declared inactive. The holder of an inactive license may annually renew the inactive license upon the completion of all continuing education requirements, and the payment of the annual renewal fee.

(f) Under special circumstances, licensing renewal requirements, deadlines and penalties may be waived by the director of the customer assistance department. Special circumstances include extended military deployments, family emergencies, etc. Requests for special consideration shall be in writing and be accompanied by proper documentation justifying the request. Requests may be submitted after the fact but before any licensing may be renewed.

(G.O. 2321, 4-6-09)

(G.O. 2321, 4-6-09; G.O. 2423, 4-4-11)

Sec. 7-513. Continuing education.

(a) *Mechanical Trade Licensing.* Persons seeking to renew their licenses shall provide proof of the successful completion of eight hours of continuing education within the previous calendar year. The customer assistance department shall establish rules and regulations for the submission, processing, and approval of continuing education for those individuals licensed under this article. The director of the customer assistance department, with the assistance of the advisory boards, shall identify minimum course and education program requirements provided by governmental entities, trade associations, contractor education providers, and others on the codes adopted by the city which satisfy the continuing education requirements of this article. The customer assistance department shall publish a list of approved programs by January 1st of each calendar year.

(b) *Plant Operating Engineer Licensing.* Persons seeking to renew their plant operator's licenses, whether grandfathered or not, shall provide the documentation necessary to prove that their required certification from the approved national agency remains current and in good standing or provide proof of the successful completion of eight hours of continuing education within the previous calendar year for those licenses not based on a certification. Each applicant is responsible for obtaining the continuing education and/or testing necessary to ensure their national certification or license does not expire or become delinquent. The customer assistance department shall establish rules and regulations for the submission, processing, and approval of continuing education for those individuals licensed under this article. The director of the customer assistance department, with the assistance of the appropriate advisory board, shall identify minimum course and education program requirements provided by governmental entities, trade associations, contractor education providers, and others on the codes adopted by the city which satisfy this continuing education requirement. The customer assistance department shall publish a list of approved programs by January 1st of each calendar year.

(c) *Exception.* Persons seeking to obtain a new license within the calendar year as their application shall not be required to provide continuing education for that year.

Sec. 7-514. Reapplication.

(a) *Test Failure.* Applicants may retest as often as desired and as allowed by the testing organization. A separate application filing fee will be required for each reapplication as set forth under Section 7-408.

(b) *Revoked license.* Should a licensed tradesperson or plant operating engineer have their license revoked, they shall not be eligible for reapplication for at least six months from the date of the revocation. A separate application filing fee will be required for each reapplication as set forth under Section 7-408.

(G.O. 2321, 4-6-09)

Sec. 7-515. Permit issuance.

No permit shall be issued to a licensed mechanical tradesperson, but shall only be issued to a licensed mechanical contractor.

(G.O. 2321, 4-6-09)

Sec. 7-516. Display of license.

A person who is licensed under provisions of these regulations shall carry on their person the license card issued by the customer assistance department when performing work within the scope of these regulations. The person shall display the license card upon the request of the enforcing authority, government authority, general contractor, owner or owner's agent when the person is performing work within the scope of these regulations.

(G.O. 2321, 4-6-09)

Sec. 7-517. Supervision.

(a) *Mechanical trade.* Where a mechanical license is required to do work, an apprentice or intern as defined by this article may perform said work with the direct supervision of a licensed journeyman or master mechanical. Not more than three apprentices or interns shall work under the direct supervision of one licensed journeyman or master.

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(b) *Plant operating engineer.* Where a plant operating engineer's license is required, adequate supervision shall be provided whenever said plant is in operation and the building or facility housing or serviced by this equipment is being occupied for either its normal intended purpose or by a fulltime maintenance staff.

(G.O. 2321, 4-6-09; G.O. 2423, 4-4-11)

Sec. 7-518. Unlawful acts.

It shall be unlawful for any person:

- (1) To perform or cause to be performed any work in the city of St. Joseph which requires a permit without having first secured the appropriate permit from the city.
- (2) To perform or cause to be performed any work in the city of St. Joseph which requires a licensed tradesman without securing the services of a duly licensed class T contractor to perform and/or supervise the work.
- (3) For any person holding a current, valid class T contractor's license to employ any person to perform any work in the city of St. Joseph which requires a trade license if that person does not hold a current, valid trade license from the city of St. Joseph for such work as required by this article.
- (4) For any person to employ any individual as an apprentice or intern, as defined in this article, to perform any work in the city of St. Joseph without providing direct supervision as defined in this article.
- (5) For a person to create an unsafe condition and/or allow an unsafe condition to exist.
- (6) For a person to create an unsafe mechanical condition and/or allow an unsafe mechanical condition to exist that may result in property damage or personal injury.
- (7) Operating or allowing a boiler, air conditioning or refrigeration plant to be operated without the proper licensing.

(G.O. 2321, 4-6-09)

(Note: Please contact the City Clerk's Office to obtain copies of the tables referred to in this chapter.)

