

# ORDINANCE NO. 51

An Ordinance repealing provisions of Ordinance No. 50 adopted July 13, 2015 which further repealed Ordinance numbers 47 and further providing for the adoption of the **International Building Code, First Printing, 2015, including Appendix, B, C, D, and J, the International Residential Code, First Printing, 2015 and the International Fire Code, First Printing 2015, including Appendix Chapters D, E, F, and G, and the International Mechanical Code, First Printing, 2015, the International Existing Building Code, First Printing, 2015, the international Property Maintenance Code, First Printing, 2015, and the Appendix 1 Appeals, 2 Schedule of Permit Fees, 3 Basic Fire Control Measures and Regulations**, for the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

**WHEREAS**, it is the purpose of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri to provide for the protection of the property and citizens within the District; and

**WHEREAS**, the Board of Directors find that the penalty provisions of Ordinance No. 50, adopted July 13, 2015, should be repealed and new penalty provisions be instituted; and

**WHEREAS**, the Board of Directors find that such matters may properly be provided by Ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the Lake St Louis Fire Protection District as follows:

**SECTION ONE:** That the **International Building Code, First Printing 2015 Edition including Appendix Chapters B, C, D, and J** as published, as amended is hereby adopted as the Building Code of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

A. The following additions, changes, insertions, and / or deletions are to be added to the International Building Code, First Printing, 2015.

Section 101.1           **Title:** Line 2 Insert "Lake Saint Louis Fire Protection District" of St Charles County Missouri".

Section 103.1           **Creation of enforcement agency:** The Fire Prevention Bureau is hereby created and the official in charge thereof shall be known as the Fire Official. The Fire Official, if not the Fire Chief, shall report to the Fire Chief.

Section 103.1.1       **Building Official:** Building official and/or code official wherever it may appear in this code, it shall read "Fire Official".

Section 109.2           **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 as required, in accordance with the schedule as established in Appendix 2.

Section 109.3.1       **Calculation of fees:** Permit fees for new construction, additions, remodels, and interior finishes are based on the Building Valuation Data, Square Foot Construction Costs table published twice yearly in the Building Safety Journal, by the International Code Council or the actual cost of construction, whichever is greater. (Fees established in Appendix 2)

Section 109.3.2       **Additional Trip Charge:** For every occurrence wherein an official of the Fire District is required to return to the subject property to beyond the second trip covered under the initial calculation of fees there shall be assessed a fifty dollar (\$50.00) per trip fee until the subject unit is issued an occupancy permit pursuant to this ordinance.

Section 110.3.1       Delete in its entirety.

Section 110.3.3       Delete in its entirety.

Section 110.3.7       Delete in its entirety.

Section 111.5           **Certificate Required:** Failure of the owner or tenant of a building to obtain the certificate of occupancy and to pay the fees set forth shall be deemed a violation and shall subject said penalties prescribed in Section 114.4 Through 111.4.4

Section 113.1           **General:** Amend the second sentence to read "The Board of Directors of Lake Saint Louis Fire Protection District shall serve as the board of appeals". (\*See copy of Rules for Appeal attached hereto as Appendix 1)

Section 113.3           Delete in its entirety

Section 114.4           Delete in its entirety and insert in lieu thereof:

**114.4 Violation penalties.** It shall be unlawful for any person to violate any of the provisions of this Ordinance in any manner, or fail to comply with any order issued pursuant to any section thereof. Each day that any violation of the provisions of this Ordinance continues after due notice has been served, shall be deemed a separate offense. The imposition of any fine shall not excuse the violation, nor permit the continuance thereof, nor prevent the Fire District from taking any other such action as may be appropriate and as may be permitted by law in connection therewith.

In addition to any fines stated below, a person who is found to be in violation of any provisions of this Ordinance and requires the District to seek legal recourse for the recovery thereof shall be responsible for the payment of attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

The pursuit or imposition of the penalties prescribed by this code shall not preclude the Fire District, or any other officer or official appointed or designated by the Fire District, from instituting appropriate action to prevent unlawful construction, reconstruction, alteration, relocation, maintenance, occupancy, or any use of any building or structure; or to restrain, correct or abate a violation of this code; or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Fire District prevails to any extent in such action, the person against whom the action is taken shall pay the Fire District the attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

**114.4.1 Infractions.** Any person who shall in any manner violate any provision of this Ordinance that designate the violation as an infraction, shall be deemed guilty of an infraction, and upon conviction thereof shall be punished therefore by a fine of fifty dollars (\$50.00) per day for each such violation.

**114.4.2 Civil action.** The Board of Directors may refer any violation of any of the provisions of this Ordinance to the attorney for the Fire District for the prosecution of any civil or injunctive remedies provided by this Ordinance and/or State law.

Section 115.3

Delete in its entirety and insert in lieu thereof:

**115.3 Unlawful continuance.** Any person who shall continue any work in or about the building, structure or premises after having been served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor subject to the penalties as set forth in Section 114.4 through 111.4.4. Each day that a violation continues shall constitute a separate and distinct offense.

**Section Two:** That the **International Residential Code, First Printing 2015** as published as amended is hereby adopted as the One- and Two-Family Dwelling Code of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

A. The Following additions, changes, insertions, and /or deletions are to be added to the International Residential Code, First printing, 2015

Section R101.1 **Title:** Line 2 insert "Lake Saint Louis Fire Protection District".

Section R103.1 **Creation of enforcement agency:** The Fire Prevention Bureau is hereby created and the official in charge thereof shall be known as the "Fire Official". The Fire Official, if not the Fire Chief, shall report to the Fire Chief.

Section R103.1.1 **Building Official:** Building official and/or code official wherever it may appear in the code, shall read "Fire Official".

Section 105.2 Work exempt from permit. No change.

**Building:**

1. No Change
2. No Change
3. No Change
4. No Change
5. No Change
6. No Change
7. No Change
8. No Change
9. No Change
10. No change
11. Residential Decks; unless attached to a dwelling and serves the required exit by Section R311.4.
12. Residential swimming pools, hot tubs, and gazebos.
13. Pole barns and other out buildings which are agricultural in use and nature.

Section 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 as required, in accordance with the schedule as established in Appendix 2, as periodically reviewed.

**Exception:** No fees will be charged, permits issued, or inspections conducted on structures in Use groups R-3, R-4 and U (other than Residential Care/Assisted Living Facilities) that are within the corporate city boundaries of the City of Lake Saint Louis, Missouri, and have received the appropriate permits from the City of Lake Saint Louis.

Notwithstanding the above, no construction shall commence or continue on R-3, R-4 and U Use group structures until such time as the permanent hard road surfaces are in place as approved by the building official.

Section 108.3.1 **Calculation of fees.** Permit fees for new construction, additions, remodels, and interior finishes are based on the Building Valuation Data, Square Foot Construction Costs table published twice yearly in the Building Safety Journal, by the International Code Council or the actual cost of construction, whichever is greater.

Section 108.3.2 **Additional Trip Charge:** For every occurrence wherein an official of the Fire District is required to return to the subject property to beyond the second trip covered under the initial calculation of fees there shall be assessed a fifty dollar (\$50.00) per trip fee until the subject unit is issued an occupancy permit pursuant to this ordinance.

Section 112.1 **General:** Amend the third sentence to read "The Board of Directors of the Lake Saint Louis Fire Protection District shall serve as the board of appeals." (\*See copy of Rules for Appeal attached hereto as Appendix 1).

Section R112.3 Delete in its entirety.

Section R113.4 Delete in its entirety and insert the following in lieu thereof:

**R113.4 Violation penalties.** It shall be unlawful for any person to violate any of the provisions of this Ordinance in any manner, or fail to comply with any order issued pursuant to any section thereof. Each day that any violation of the provisions of this Ordinance continues after due notice has been served, shall be deemed a separate offense. The imposition of any fine shall not excuse the violation, nor permit the continuance thereof, nor prevent the Fire District from taking any other such action as may be appropriate and as may be permitted by law in connection therewith.

In addition to any fines stated below, a person who is found to be in violation of any provisions of this Ordinance and requires the District to seek legal recourse for the recovery thereof shall be responsible for the payment of attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

The pursuit or imposition of the penalties prescribed by this code shall not preclude the Fire District, or any other officer or official appointed or designated by the Fire District, from instituting appropriate action to prevent unlawful construction, reconstruction, alteration, relocation, maintenance, occupancy, or any use of any building or structure; or to restrain, correct or abate a violation of this code; or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Fire District prevails to any extent in such action, the person against whom the action is taken shall pay the Fire District the attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

**R113.4.2 Infractions.** Any person who shall in any manner violate any provision of this Ordinance that designate the violation as an infraction, shall be deemed guilty of an infraction, and upon conviction thereof shall be punished therefore by a fine of fifty dollars (\$50.00) per day for each such violation.

**R113.4.4 Civil action.** The Board of Directors may refer any violation of any of the provisions of this Ordinance to the attorney for the Fire District for the prosecution of any civil or injunctive remedies provided by this Ordinance and/or State law.

Section R114.3

Delete in its entirety and insert in lieu thereof:

**R114.3 Unlawful continuance.** Any person who shall continue any work in or about the building, structure or premises after having been served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor subject to the penalties as set forth in Section 113.4. Each day that a violation continues shall constitute a separate and distinct offense.

Table R302.1

**Exterior Walls:** no change to the table, insert the following exception:

**Exception:** Roof eaves or overhangs may project into the separation distance 12 inches without being protected on the underside.

Section R302.2

**Townhouses.** Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls. Delete the exception in its entirety and add the following exceptions:

**Exceptions:**

1. A common 2 -hour fire-resistance-rated wall assembly tested in accordance with ASTM E119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapter 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.
2. A common 1 - hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if an automatic fire suppression system is installed throughout in accordance with either NFPA 13, NFPA 13R or NFPA 13D, and if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapter 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

Section R.310.01

**Emergency escape and rescue required.** Basements, habitable attics and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

**Exceptions:**

1. Basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m<sup>2</sup>).
2. Basements built before the enforcement of this code shall be allowed to be finished with rooms other than sleeping rooms. Sleeping rooms shall have emergency escape and rescue opening as required in above section.

Section R311.3.2 **Floor elevations for other exterior doors.** Doors other than the required egress door shall be provided with landings or floors not more than 7 <sup>3</sup>/<sub>4</sub> inches (196 mm) below the top of the threshold.

**Exception:** A landing is not required where a stairway of four or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

Section R313.2 **One- and two-family dwellings automatic fire system:** A builder of single family dwellings or residences or multi-unit dwellings of four or fewer units shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling, residence, or unit. Notwithstanding any other provision of law to the contrary, no purchaser of such a single family dwelling, residence, or multi-unit dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased.

**Exception:** An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

Section R1004.5 **Require fire separation Enclosures:** All prefabricated metal chimneys shall be enclosed in a fire-resistant shaft with one (1) layer of five-eighths-(5/8) inch (fire resistive) gypsum board from the fireplace connector to the underside of the roof sheathing, securely attached with framing materials. When the chimney is located on the exterior of the structure, it need only be separated by lining the wall between the chimney and the exterior wall with one (1) layer of five-eighths-(5/8) inch (fire resistive) gypsum board. All joints are to be tight within one-eighth-(1/8) of an inch or taped with joint compound. The required clearances shall be maintained between the chimney and the gypsum board per the manufacturer's specifications.



Section R1006.2      **Exterior air intake.** The exterior air intake shall be capable of supplying combustion air from the exterior of the dwelling or from spaces within the dwelling ventilated with outside air such as non-mechanically ventilated crawl or attic spaces. The exterior air intake shall not be located within the garage or basement of the dwelling nor shall the air intake be located at an elevation higher than the firebox. The exterior air intake shall be covered with a corrosion-resistant screen of ¼-inch (6mm) mesh.

Section R1102.4.2      Delete in its entirety.

**SECTION THREE:** That the **International Fire Code, First Printing, 2015, including Appendix Chapters D, E, F, and G** as published as amended is hereby adopted as the Fire Code of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

Section 101.1      **Title:** Line 2 Insert "Lake Saint Louis Fire Protection District".

Section 103.1      **General.** The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

Section 103.1      **Creation of enforcement agency:** The Fire Prevention Bureau is hereby created and the official in charge thereof shall be known as the "Fire Official". The Fire Official, if not the Fire Chief, shall report to the Fire Chief.

Section 104.12      **Rule-making authority.** The fire official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety.

Section 105.1.1      **Permits required.** Permits required by this code shall be obtained from the fire official. Permit fees, as required by this code and as outlined in Appendix 2. as periodically reviewed, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire official.

Section 105.3.3      **Occupancy prohibited before approval.** Delete existing text. Insert:

**105.3.3 Occupancy prohibited before approval.** Except as specifically provided for temporary occupancy in the building code listed in Chapter 1, a building, structure or portion thereof, shall not be used or occupied in whole or in part until all fire protection devices and equipment protecting the building, structure or portion to be occupied, have been tested and approved by the fire official charged with enforcing this code. All portions of the means of egress for the building, structure or portion to be occupied shall be unobstructed and available for immediate use.

Section 105.6 **Required approval and/or operational permits.** The fire official is authorized to grant approval and/or issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.47.

Section 105.6.47 **Helicopter hoisting and lowering operations:** An operational permit is required for helicopter hoisting and lowering operations in accordance with the following. The helicopter service or the contractor in charge of a helicopter hoisting or lowering operation shall demonstrate financial responsibility of liability for damages arising from the hoisting or lowering operation by providing the fire official with proof of insurance or other appropriate financial responsibility. Forty-eight hours' notice shall be provided before the hoisting or lowering operation is to begin. Notification shall be made to other jurisdictional agencies as may be required.

Section 105.6.47.1 **Safety precautions:** During all helicopter lifting or lowering operations, the following safety precautions shall be followed:

1. The fire official shall approve landing sites, if landings are necessary.
2. All materials or equipment to be lifted shall be brought as close as possible to the building or structure site by road vehicles.
3. The helicopter shall not carry equipment or materials lifted or lowered from a building or structure over pedestrians, spectators, other buildings or vehicles.
4. When the operation involves setting or removing equipment or materials from or on an occupied building, the top 2 floors of the building shall not be occupied by anyone, other than individuals directly involved with the operation while the hoisting or lifting operation is in progress.

5. All flammable or combustible liquids brought to the site for refueling helicopters shall be stored, used and dispensed in accordance with Chapter 11 and 34 of this code.
6. A fire department safety officer, or fire department safety team, must be present on the site during all helicopter lifting or lowering operations. The safety officer, or safety team, shall terminate the lift if weather conditions or other variables make the operation unsafe. The safety officer, or safety team, shall be provided radio communications with the helicopter pilot in the event safety conditions mandate evasive action.

## Section 106

Insert additional provisions as follows:

Delete existing text and insert

**106.4 Change in Occupancy Inspection.** Whenever there is a change in the ownership or occupancy of a building or structure, or any portion thereof, the owner shall notify the fire official at least two (2) business days in advance of the change in occupancy. The fire official shall then schedule and conduct an inspection of the building or structure for the purposes of ascertaining and causing to be corrected any violations of the provisions of this code.

**106.4.1 Fee.** The change in occupancy inspection shall be made upon receipt of a fee of Seventy Five (\$75.00), an additional Sixty Dollars (\$60.00) will be added to the fee if occupancy is occupied prior to inspection.

**Exception:** Change in occupancy inspections of dwelling units in Use Group R-2 shall be made upon receipt of a fee of Fifty Dollars (\$50.00).

**Additional Trip Charge:** For every occurrence wherein an official of the Fire District is required to return to the subject property to beyond the second trip covered under the initial calculation of fees there shall be assessed a fifty dollar (\$50.00) per trip fee until the subject unit is issued an occupancy permit pursuant to this ordinance.

**106.4.2 Occupancy permit.** If no violations of the provisions of this code, or upon correction of all noted violations, the fire official shall issue an occupancy permit, which is valid until the next change of ownership or occupancy, unless revoked by the fire code official for reasons as set forth in this code or the Building Code of the Fire District.

**106.4.3 Conditional occupancy.** The fire official may, at his discretion, issue a conditional occupancy permit under circumstances where the

owner or purchaser have made an affidavit stating that the violations will be corrected within a time period specified by the fire official.

**106.4.4 Unlawful occupancy.** Any person who occupies, conspires to occupy, or permits to be occupied any building or structure or part thereof without the issuance of an occupancy permit or conditional occupancy permit as required by this section, shall be deemed guilty of a misdemeanor and subject to the penalties as specified in Section 109. The provisions of this section shall also apply to title companies and real estate agencies that fail to ensure a valid occupancy permit exists before permitting the closure of a sale.

**106.5 Commercial inspections.** Each commercial structure or building, and each business occupancy within said structure or building shall be inspected at least once each 6 month period by the fire official for the purposes of ascertaining and causing to correct violations of this code or the Building Code of the Fire District.

**106.5.1 Fee.** The annual commercial inspection shall be made without charge. One follow-up inspection to ensure that violations have been corrected shall also be made without charge. Additional follow-up inspections to ensure that violations have been corrected shall be made upon receipt of a fee of Fifty Dollars (\$50.00).

**Additional Trip Charge:** For every occurrence wherein an official of the Fire District is required to return to the subject property to beyond the second trip covered under the initial calculation of fees there shall be assessed a fifty dollar (\$50.00) per trip fee until the subject unit is issued an occupancy permit pursuant to this ordinance.

**106.5.2 Occupancy permit.** If no violations are noted, or upon correction of all noted violations, the fire official shall issue a Business Occupancy Permit, which shall be valid until the next inspection is made or fourteen (14) months after issuance, whichever is greater. The Business Occupancy Permit must be prominently displayed in a public area within the occupancy.

**106.5.3 Conditional occupancy.** The fire official may issue a conditional Business Occupancy Permit under circumstances where the business owner has made an affidavit stating that the violations noted will be corrected within a time period specified by the fire official.

**106.5.4 Unlawful occupancy.** Any person who occupies, conspires to occupy, or conducts business within, or on, any premises that does not

have a valid Business Occupancy Permit or conditional Business Occupancy Permit as required by this section, shall be deemed guilty of a misdemeanor and subject to the penalties as specified by Section 109.

Section 108.1 **Board of appeals established.** Amend the second sentence to read "The Board of Directors of Lake Saint Louis Fire Protection District shall serve as the board of appeals". (\*See copy of Rules for Appeal attached hereto as Appendix 1).

Section 108.3 Delete in its entirety.

Section 109 Delete in its entirety and insert in lieu thereof:

**109.1 Violation penalties.** It shall be unlawful for any person to violate any of the provisions of this Ordinance in any manner, or fail to comply with any order issued pursuant to any section thereof. Each day that any violation of the provisions of this Ordinance continues after due notice has been served, shall be deemed a separate offense. The imposition of any fine shall not excuse the violation, nor permit the continuance thereof, nor prevent the Fire District from taking any other such action as may be appropriate and as may be permitted by law in connection therewith.

In addition to any fines stated below, a person who is found to be in violation of any provisions of this Ordinance and requires the District to seek legal recourse for the recovery thereof shall be responsible for the payment of attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

The pursuit or imposition of the penalties prescribed by this code shall not preclude the Fire District, or any other officer or official appointed or designated by the Fire District, from instituting appropriate action to prevent unlawful construction, reconstruction, alteration, relocation, maintenance, occupancy, or any use of any building or structure; or to restrain, correct or abate a violation of this code; or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Fire District prevails to any extent in such action, the person against whom the action is taken shall pay the Fire District the attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

**109.2 Infractions.** Any person who shall in any manner violate any provision of this Ordinance that designate the violation as an infraction,

shall be deemed guilty of an infraction, and upon conviction thereof shall be punished therefore by a fine of fifty dollars (\$50.00) per day for each such violation.

**109.3 Civil action.** The Board of Directors may refer any violation of any of the provisions of this Ordinance to the attorney for the Fire District for the prosecution of any civil or injunctive remedies provided by this Ordinance and/or State law.

SECTION 109.6 Delete in its entirety and insert in lieu thereof:

**109.6 Unlawful continuance.** Any person who shall continue any work in or about the building, structure or premises after having been served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor subject to the penalties as set forth in Section 109.1 Each day that a violation continues shall constitute a separate and distinct offense.

Section 111.4 **line 5:** Insert "Fifty Dollars (\$50.00) and Five Hundred Dollars (\$500.00)." Insert the following sentence after the first sentence: "Each day that such unauthorized work continues after a stop work order has been issued shall be deemed a separate offense."

Section 307.2 **Permit required:** A permit shall be obtained from the fire official in accordance with Section 105.6 prior to kindling a fire for recognized silvi-cultural or range or wildlife management practices, prevention or control of disease or pests, bonfire, Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Section 307.2.2 **Materials:** Open burning shall not be utilized for waste disposal purposes, shall be of the minimum size for the intended purpose, and the fuel shall be chosen to minimize the generation and emission of air contaminants.

Section 307.4.1.1 **Bonfire size and duration:** A bonfire shall not be more than 5 feet by 5 feet by 5 feet in dimension and shall not burn longer than 3 hours. The maximum size and duration of a bonfire shall not be increased by the fire official unless it is determined that fire safety requirements of the situation and the desirable duration of the burn warrant the increase.

Section 307.4.3 Delete in entirety.

Section 307.4.3 **Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be

operated within 15 feet (3048 mm) of a structure or combustible material.

Section 307.5

**Attendance:** Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization. Any public nuisance caused by burning or the actions of the attendees shall be grounds for not allowing further permits to be issued.

Section 307.5.1

**Additional requirements for burning brush:** Burning brush shall comply with all the other provisions of this code, and with the following:

1. Only allowed outside of incorporated areas.
2. Only allowed between September 16th and April 14th, and only between 10:00 A.M. and 4:00 P.M.
3. Size of fire cannot exceed 16 square feet.
4. Under no circumstances shall tires, plastics, coated electrical wires, roof shingles, household refuse, leaves and miscellaneous solid wastes be burned.

Section 503.6

Delete in its entirety and insert in lieu thereof:

**Security gates.** Gates as a method of ingress and egress and which meet the following requirements, will be permitted as described in the following:

1. Plans for the gate system, including location, dimensions, locking arrangements, and systems operation must be submitted to the fire official for approval. The construction, installation, and operation of any gates under this requirement must comply with all applicable codes, ordinances and regulations of all other pertinent municipal and/or county jurisdictions.
2. All gates must be maintained in good operating condition at all times.
3. Gate systems, which are out of service due to damage, malfunction, or repairs to the system, must be kept in the full open position until such time as the system has been repaired, and is fully operational.

4. a. Electronically Opened Gates: A gate as described in this subparagraph shall be allowed in all instances, provided all other requirements and procedures of this ordinance are satisfied.
- i. An electronically operated gate must utilize a Fire District approved Master Key
  - ii. Such gate must be a least fifty (50) feet removed from the edge of a cross street, if any, connecting to the street upon which the gate is located;
  - iii. Such gates shall open in both directions a minimum of twenty (20) feet or the full width of the pavement, whichever is less;
  - iv. Such gate must have a "rapid entry" {Knox Box System} Key operated switch that the Fire District can use to open the gate. This switch, when activated, must keep the gate open until the Fire District manually resets the mechanism, so as to allow all other responding apparatus to enter without stopping to open the gate. This switch can only be purchased through the Fire District, and is keyed to a special key that is carried by the Fire District.
  - v. In the event of a power failure, the gate must release in order that it may be opened manually.
  - vi. Such gate must also have a means to manually release the gate from the electronically operated mechanism. This means in addition to item (v) above, and will allow the Fire District to open the gate if the switch, motor, or some other components fails.

b. Manually Operated Gates: Provided that all other requirements and procedures of this ordinance area satisfied, and except as otherwise provided in subparagraph (c) hereof, a gate as described in this subparagraph (b) shall only be allowed under the following circumstances: (1) such gate is constructed on a private roadway: and (2) such gate is located at a non-primary point of ingress to the area sought to be enclosed by the erection of the gate.

For the purpose of this subparagraph, the term "private roadway" shall include any roadway that is not owned by, dedicated to in any manner, or prescribed to a county, city, town, village or other municipality.



For the purpose of this subparagraph, the term "non-primary point of ingress and egress" shall mean a location that is not commonly recognized or relied upon as a means of ingress and egress to the area sought to be enclosed by the erection of the gate. Such area sought to be enclosed may have more than one entrance, which is considered "primary" and therefore not suitable for a Manually Operated Gate.

A manually operated gate must also meet the following requirements:

- i. Such gate must be at least fifty (50) feet removed from the edge of a cross street, if any, connecting to the street upon which the gate is located.
- ii. Such gate shall open in both directions a minimum of twenty (20) feet or the full width of the pavement, whichever is less;
- iii. If it is to be locked, such gate shall have a Knox-Box rapid entry system approved by the Fire District.
- iv. In the event a "primary" entrance to the area sought to be enclosed by the gate is rendered impassable for any reason, such gate must be opened until such time that the primary entrance is restored.

c. The provisions of subparagraph (b) to the contrary notwithstanding, a Manually Operated Gate meeting all of the requirements of subparagraph (b) except that being located at a "non-primary" entrance, shall be allowed under the following circumstances:

- i. Such gate must remain fully open at any time in which human beings are in the area sought to be enclosed by the erection of the gate
- ii. Conversely, such gate may only be closed and locked at such times that no human beings are present in the area sought to be enclosed by the erection of a gate
- iii. All other conditions of subparagraph (b) are met.

Section 506.1

**Key box where required:**

1. When access to or within a commercial structure or any commercial area is unduly difficult because of secured openings or where immediate access is necessary for lifesaving or

firefighting purposes, the Fire Official may require a key box to be installed in a location designated by the Fire Official.

2. In residential occupancies that have common corridors to individual living units that are locked for security reasons.
3. In any building equipped with a fire suppression system
4. In any building equipped with an automatic fire alarm system.

Section 506.1.1 **Type of key box:** The key box shall be a model from the "KNOX COMPANY RAPID ENTRY SYSTEM" and approved by the Fire Official.

Section 507.3 **Fire flow:** Fire flow requirements for building or portions of buildings and facilities shall be determined in accordance with Appendix B.

Section 507.5.2 **Inspection, testing and maintenance.** The utility company and/or Fire Official shall make or cause to be made, not less than annually, an inspection for proper operation of each fire hydrant within the boundaries of Lake Saint Louis Fire Protection District. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired when defective. The Fire Official shall notify in writing each water utility, person, business or corporation responsible for the maintenance of any hydrants, of the location and nature of defect of any inoperative or deficient hydrants. Any defect, inoperative or deficient hydrant that is not repaired within seven (7) days after receiving written notice shall be in violation of this ordinance. Each water utility, person, business or corporation or other entity responsible for the operation and maintenance of a fire hydrant in the Lake Saint Louis Fire Protection District of St. Charles County, shall immediately notify the Fire Official whenever a fire hydrant is placed out of service.

Section 507.5.4. **Obstruction.** Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. Vehicle parking or standing shall comply with Sections 507.5.4.1 and 507.5.4.2.

Section 507.5.4.1 **Parking by hydrants.** Where fire hydrants are located in areas where vehicles would be parked or standing, said vehicle parking or standing shall be restricted for ten (10) feet in each direction from the hydrant.

Section 507.5.4.2 **Parking by fire department connections.** When fire department connections are located in an area where vehicles may be parked or standing, said parking or standing shall be restricted for ten (10) feet in each direction from the fire department connection.

- Section 507.5.5 Delete in its entirety and insert new section.
- Section 507.5.5 **Clear space around hydrants and fire protection equipment.** There shall be no obstruction, i. e. plantings, bushes, trees, signs, light standards, mailboxes, etc. within six (6) feet of any fire hydrant, and/or fire department connection to an automatic sprinkler or standpipe system, in all directions, except as otherwise required or approved.
- Section 507.5.7 **Tampering with fire hydrant.** It shall be unlawful for any person to use or operate a fire hydrant for any purpose other than the suppression of a fire. This provision shall not apply to employees of the municipality or village, firefighters or employees of the public utility supplying water to the fire hydrant while in the performance of their duties as firefighters or employees.
- Section 607.5 **Elevator emergency operations testing:** All elevators that are equipped with emergency elevator operations in accordance with Rule 211.3 of ASME A17.1 listed in Chapter 45 shall be tested at least once each year in all phases of emergency functions. An approved elevator service company shall conduct the tests.
- Section 901.6.2 **Records:** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 3 years or for the required testing frequency if greater than 3 years and shall be made available to the Fire Official upon request. Accurate logs shall be maintained indicating the number, location and type of device tested. Any defect, modification or repair shall be logged.
- Section 907.10 **False Fire Alarms.** insert new section
- Section 907-10.1 **Definitions**
- Section 907.10.1.1 "Alarm System" means any mechanical or electrical device which designed to be actuated manually or automatically upon the detection of fire or smoke in the protected building, structure, facility, or premises through the emission of a sound or transmission of a signal or message.
- Section 907.10.1.2 "False" Alarm means any activation of an alarm system intentionally or by inadvertence, negligence, or unintentionally act to which the Fire District responds, including activation caused by the malfunction of the alarm system, except that the following shall not be considered false alarm.

- (a) When the Fire Official determines that an alarm has been caused by the malfunction of the indicators at St. Charles County Department of Dispatch and Alarm Center.
- (b) When the Fire Official determines that an alarm has been caused by damage, testing, or repairs of telephone equipment or lines by the telephone company, provided that such incidents are promptly reported to the telephone company.
- (c) When an alarm is intentionally caused by an occupant or resident acting under a reasonable belief that a need exists to call the Fire District; and or/
- (d) When an alarm is followed by a call to St. Charles County Department of Dispatch and Alarm Center canceling the alarm by giving proper information prior to the arrival of the Fire District's apparatus at the source of the alarm.

Section 907.10.2 Every person, corporation, firm, or other entity owning or occupying any premises within the boundaries of the Lake Saint Louis Fire Protection District, in or on which premises is installed an automatic fire alarm, fire detection or sprinkler system, shall maintain such system in such operation condition that the alarm system shall not transmit to Saint Charles County Department of Dispatch and Alarm any false alarms.

Section 907.10.2.1 It shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required or so installed; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations, or additions. The Fire Official shall be notified before such tests, repair, alterations, or additions are to be effected and of its completion, and shall be advised of the extent of any such work for additional requirements.

Whenever an alarm system is to be shut off for repairs, it shall be the owner's or occupant's responsibility to determine that the servicemen performing such repairs have notified the Fire Official of the pending shut off prior to such action. When an alarm has central station supervision, the company providing this service shall also be notified of said action. Failure to notify the Fire Official or the central station supervising company of a system shut off, and if the shut-off results in an unnecessary alarm being transmitted to the District, will subject the owner or occupant to a fine of One Hundred Dollars (\$100.00) for each alarm received.

Section 907.10.2.2 Should an alarm system transmit any false fire alarm to the Lake Saint Louis Fire Protection District, either directly or through a central dispatching service, or should inspection of such system by any Official of the Lake Saint Louis Fire Protection District reveal that such a system is in a state of maintenance or disrepair that such system is likely to transmit a false fire alarm, the owner or occupant of the premises shall take such remedial action as necessary, and shall make or cause to be made such adjustments and repairs to the alarm system that the Fire Official shall order, in order to abate the condition causing the transmission or likelihood of transmission of false fire alarms.

Section 907.10.2.3 Any person, firm, corporation or other entity given an order by the Fire Official, Pursuant to Section 907.10.2.2 herein, shall comply within in twenty-four (24) hours after such order has been given. Any person, firm, corporation or other entity who shall fail to comply within 24 hours after such order has been given shall be fined One Hundred Dollars (\$100.00) for each and every day that such violation shall occur or continue to occur.

Section 907.10.2.4 All False Alarms to which the District responds shall result in the following service charges to the alarm system's owner or occupant.

- (1) A warning for the first false alarm in any calendar year.
- (2) A Twenty-five (\$25.00) service charge for the second false alarm in any calendar year.
- (3) A Fifty Dollar (\$50.00) service charge for the third false alarm in any calendar year.
- (4) A One Hundred Dollar (\$100.00) service charge for the fourth and any subsequent false alarm in any calendar year.

Upon determination by the Fire Official that a false alarm has occurred, the District shall send a notice to the alarm user, notifying the alarm user of the determination and directing payment within thirty (30) days of any service charge that may be due.

The Fire Official may cancel any notice or service charge upon satisfactory proof by the alarm user that a particular alarm falls within the exceptions enumerated in Section 907.20.6.1.2.

Willful refusal to pay any such service charge within thirty (30) days of notice shall constitute a violation, but in prosecution of any violation, the Fire Official shall prove, in addition to the willful refusal to pay, that the service charge was properly imposed.

- Section 907.10.3      **Automatic Telephone Alarm System**
- Section 907.10.3.1      **Definition:** An alarm system which automatically sends over regular telephone lines, by direct connections or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
- Section 907.10.3.2      No person, firm, partnership or corporation shall install, operate, or maintain a telephone alarm system which automatically transmits a signal, message, or warning to any Saint. Charles County Department of Dispatch and Alarm Center telephone line.
- Appendix 3      **Basic Fire Control Measures and Regulations:** Appendix 3 is hereby adopted by the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.
- Appendix B      **Fire Flow Requirements for Buildings:** This appendix is hereby adopted by the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.
- Appendix C      **Fire Hydrant Locations and Distributions:** This appendix is hereby adopted by the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.
- Section C105.1      **Fire Hydrant location near Fire Department Connection:** Buildings or structures equipped with an automatic fire sprinkler system or standpipe system shall have a fire hydrant within 150 feet of the fire department connection.
- Section C105.2      **Fire Hydrant Standards:** All fire hydrants installed shall each have not less than
1.      Two (2) 2-1/2 inch outlets
  2.      One (1) 4-1/2 inch outlet
  3.      A 5-1/4 inch valve
  4.      A 6 inch barrel
  5.      Shall be of a break-away design
  6.      Shall be frost free
  7.      Shall have chains on the caps
  8.      Shall have left hand National Standard Threads (NST) on all three outlets.
- Section C106.2      **Control Valves:** Each fire hydrant shall be provided with a control valve in the hydrant connection such that the hydrant can be removed from service without shutting off water supply to other fire hydrants.

Whenever a water main is more than twelve hundred (1200) feet in length, such main shall have a control valve.

Appendix D

**Fire Apparatus Access Roads:** This appendix as amended is hereby adopted by the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

Section D103.3

**Turning radius.** The minimum turning radius shall be 42 feet at outside of curb.

Section D103.5

Delete in its entirety.

Section D104.1

**Building exceeding three stories or 30 feet in height:** Buildings or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.

Section D107.1

One-or Two-Family dwelling residential developments: Developments of One-or Two-family dwellings where the number of dwelling units exceed 100 shall be provided with separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

**Exceptions:**

1. Where there are more than 100 dwellings units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
2. No Change.
3. The fire official shall be permitted to increase the number of dwelling units allowed with a single fire apparatus access road when topography or other reasons do not permit an additional access road to be provide.

**SECTION FOUR:** That the **International Mechanical Code, First Printing, 2015** as published as amended is hereby adopted as the Mechanical Code of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

- A. The following additions, changes, insertions, and/or deletions are to be added to the International Mechanical Code, First Printing, 2015

Section 101.1

line 2 Insert: "LAKE SAINT LOUIS FIRE PROTECTION DISTRICT"

Section 108.4

Delete in its entirety and insert in lieu thereof:

**108.4 Violation penalties.** It shall be unlawful for any person to violate any of the provisions of this Ordinance in any manner, or fail to comply

with any order issued pursuant to any section thereof. Each day that any violation of the provisions of this Ordinance continues after due notice has been served, shall be deemed a separate offense. The imposition of any fine shall not excuse the violation, nor permit the continuance thereof, nor prevent the Fire District from taking any other such action as may be appropriate and as may be permitted by law in connection therewith.

In addition to any fines stated below, a person who is found to be in violation of any provisions of this Ordinance and requires the District to seek legal recourse for the recovery thereof shall be responsible for the payment of attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

The pursuit or imposition of the penalties prescribed by this code shall not preclude the Fire District, or any other officer or official appointed or designated by the Fire District, from instituting appropriate action to prevent unlawful construction, reconstruction, alteration, relocation, maintenance, occupancy, or any use of any building or structure; or to restrain, correct or abate a violation of this code; or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Fire District prevails to any extent in such action, the person against whom the action is taken shall pay the Fire District the attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

**108.4.1 Infractions.** Any person who shall in any manner violate any provision of this Ordinance that designate the violation as an infraction, shall be deemed guilty of an infraction, and upon conviction thereof shall be punished therefore by a fine of fifty dollars (\$50.00) per day for each such violation.

**108.4.2 Civil action.** The Board of Directors may refer any violation of any of the provisions of this Ordinance to the attorney for the Fire District for the prosecution of any civil or injunctive remedies provided by this Ordinance and/or State law.

## SECTION 108.5

Delete in its entirety and insert in lieu thereof:

**108.5 Unlawful continuance.** Any person who shall continue any work in or about the building, structure or premises after having been served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a



misdemeanor subject to the penalties as set forth in Section 108.1 Each day that a violation continues shall constitute a separate and distinct offense.

Section 108.5 Insert the following sentence after the last sentence: "Each day that such unauthorized work continues after a stop work order shall be deemed a separate offense."

Section 109 Delete in its entirety and replace with Appeal procedure Attached hereto as Appendix 1.

Section 903.4 **Required Fire Separation Enclosures:** All prefabricated metal chimneys shall be enclosed in a fire resistant shaft with one layer of five-eighths (5/8) inch (fire resistive) gypsum board from the fireplace connector to the underside of the roof sheathing, securely attached with framing material. When the chimney is located on the exterior of the structure, it need only be separated by lining the wall between the chimney and exterior wall with one layer of five-eighth (5/8) inch (fire resistive) gypsum board. All joints are to be tight within one-eighth (1/8) of an inch or taped with joint compound. Required clearances shall be maintained between the chimney and the gypsum board per the chimney manufacturer's specifications.

**SECTION FIVE:** That the **International Existing Building Code, First Printing, 2015** as published as amended is hereby adopted as the Mechanical Code of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

A. The following additions, changes, insertions, and/or deletions are to be added to the International Existing Building Code, First Printing, 2015

Section 101.1 line 2 Insert: "LAKE SAINT LOUIS FIRE PROTECTION DISTRICT"

Section 108.4 Delete in its entirety and insert in lieu thereof

**108.4 Violation penalties.** It shall be unlawful for any person to violate any of the provisions of this Ordinance in any manner, or fail to comply with any order issued pursuant to any section thereof. Each day that any violation of the provisions of this Ordinance continues after due notice has been served, shall be deemed a separate offense. The imposition of any fine shall not excuse the violation, nor permit the continuance thereof, nor prevent the Fire District from taking any other such action as may be appropriate and as may be permitted by law in connection therewith.

In addition to any fines stated below, a person who is found to be in violation of any provisions of this Ordinance and requires the District to seek legal recourse for the recovery thereof shall be responsible for the payment of attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

The pursuit or imposition of the penalties prescribed by this code shall not preclude the Fire District, or any other officer or official appointed or designated by the Fire District, from instituting appropriate action to prevent unlawful construction, reconstruction, alteration, relocation, maintenance, occupancy, or any use of any building or structure; or to restrain, correct or abate a violation of this code; or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Fire District prevails to any extent in such action, the person against whom the action is taken shall pay the Fire District the attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

**108.4.1 Infractions.** Any person who shall in any manner violate any provision of this Ordinance that designate the violation as an infraction, shall be deemed guilty of an infraction, and upon conviction thereof shall be punished therefore by a fine of fifty dollars (\$50.00) per day for each such violation.

**108.4.2 Civil action.** The Board of Directors may refer any violation of any of the provisions of this Ordinance to the attorney for the Fire District for the prosecution of any civil or injunctive remedies provided by this Ordinance and/or State law.

SECTION 108.5

Delete in its entirety and insert in lieu thereof:

**108.5 Unlawful continuance.** Any person who shall continue any work in or about the building, structure or premises after having been served with a stop work order, except such work as they are directed to perform to remove a violation or unsafe condition, shall be deemed guilty of a misdemeanor subject to the penalties as set forth in Section 108.1 Each day that a violation continues shall constitute a separate and distinct offense.

Section 108.5

Insert the following sentence after the last sentence: "Each day that such unauthorized work continues after a stop work order shall be deemed a separate offense."

**SECTION SIX:** That the **International Property Maintenance Code, First Printing, 2015** as published as amended is hereby adopted as the Mechanical Code of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri.

A. The following additions, changes, insertions, and/or deletions are to be added to the International Property Maintenance Code, First Printing, 2015

Section 101.1 line 2 Insert: "LAKE SAINT LOUIS FIRE PROTECTION DISTRICT"

Section 108.4 Delete in its entirety and insert in lieu thereof:

**108.4 Violation penalties.** It shall be unlawful for any person to violate any of the provisions of this Ordinance in any manner, or fail to comply with any order issued pursuant to any section thereof. Each day that any violation of the provisions of this Ordinance continues after due notice has been served, shall be deemed a separate offense. The imposition of any fine shall not excuse the violation, nor permit the continuance thereof, nor prevent the Fire District from taking any other such action as may be appropriate and as may be permitted by law in connection therewith.

In addition to any fines stated below, a person who is found to be in violation of any provisions of this Ordinance and requires the District to seek legal recourse for the recovery thereof shall be responsible for the payment of attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

The pursuit or imposition of the penalties prescribed by this code shall not preclude the Fire District, or any other officer or official appointed or designated by the Fire District, from instituting appropriate action to prevent unlawful construction, reconstruction, alteration, relocation, maintenance, occupancy, or any use of any building or structure; or to restrain, correct or abate a violation of this code; or to prevent illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Fire District prevails to any extent in such action, the person against whom the action is taken shall pay the Fire District the attorney's fees, expert witness fees, and any other costs incurred by the Fire District.

**108.4.1 Infractions.** Any person who shall in any manner violate any provision of this Ordinance that designate the violation as an infraction, shall be deemed guilty of an infraction, and upon conviction thereof shall

be punished therefore by a fine of fifty dollars (\$50.00) per day for each such violation.

**108.4.2 Civil action.** The Board of Directors may refer any violation of any of the provisions of this Ordinance to the attorney for the Fire District for the prosecution of any civil or injunctive remedies provided by this Ordinance and/or State law.

## APPENDIX 1

### **APPEALS**

Any person aggrieved or injured by any determination, order or decision of the Fire Official may appeal the same to The Board of Directors of the District.

Any appeal must be filed, as hereinafter provided not later than ten (10) days after the order, determination or decision is made, or notice of the order, determination or decision is given by the Fire Official where such notice is required, whichever date is later. The notice of the appeal shall be in writing, addressed to The Board of Directors of the Lake Saint Louis Fire Protection District, and shall describe the order, determination or decision of the official from which appeal is sought. The notice of appeal shall also include a brief statement of the appellant's reasons for disagreement with the order, determination or decision and any facts the appellant deems relevant to determination of the appeal. Notwithstanding the foregoing, no such appeal shall be required to be in any particular form or to observe any formal style of technical pleading. No appeal shall stay the order, decision or determination of the Fire Official unless the Chairman of the District upon written application for stay filed by the appellant with the notice of the appeal, shall so direct the Fire Official, in writing after receipt of the notice of appeal and application for stay. The determination of whether to grant or deny a stay shall be in the sole discretion of the Chairman of the District.

The Board of Directors, on receipt of a notice of appeal, shall fix a time not more than thirty (30) days after receipt of the notice of appeal and a place at which such appeal shall be heard. At such hearing the appellant shall be permitted to adduce evidence in support of the appeal. The hearing on the appeal shall be informal, and observance of formal rules of evidence or pleading shall not be required. At such hearing, the appellant may appear in person, or by agent or attorney. At such hearing the Board of Directors may request such further information, either from the appellant, or from the Fire Official or from other members of the staff of the District, as the Board may consider appropriate or necessary. At the conclusion of the hearing, the Board shall close the evidence. The Board of Directors may immediately decide the question by majority vote of the Directors, or the Board may take the matter under advisement to be decided by majority vote of the directors at such other time, not later than twenty (20) days after the hearing was closed, as the Board may determine. The decision of the Board of Directors shall be entered in the Minutes of the Board, in the form of resolution, and may affirm, modify or reverse the decision of the Fire Official.

If such decision is made at the time of the hearing, then the Board of Directors shall announce the same forthwith to the appellant or his or her agent or attorney. If the decision is made thereafter, then the Board of Directors shall notify the appellant, or his or her agent, or attorney who appeared at the hearing, in writing, of such decision promptly after the making thereof.

## **APPENDIX 2**

### **SCHEDULE OF PERMIT FEES**

**SECTION ONE:** The following fees are related to permits required by the 2015 International Building Code, the 2015 International Residential Code, the 2015 International Existing Building Code, the 2015 International Property Maintenance, and the 2015 International Fire Code.

**FEE SCHEDULE:** A fee for each plan examination, building permit and inspections shall be paid in accordance with the following schedule as periodically reviewed.

- A. **Building Permit Fee** (To include new construction, alteration, enlargement, addition, or movement.) Failure to obtain a permit prior to commencing work; subject to a \$300.00 fine.

**One and Two Family Dwellings:**

\$2.50 per each \$1,000.00 dollar estimated cost of construction minimum fee of 300.00. (Estimated cost of construction is to be determined by the highest value of the following: The ICC's most current Building Valuation Data Report or what is submitted on permit application)

**Commercial Structures:**

\$2.50 per each \$1,000.00 dollar estimated cost of construction minimum fee of \$300.00. (Estimated cost of construction is to be determined by the highest value of the following: The ICC's most current Building Valuation Data Report or what is submitted on permit application)

- B. **Application Review/Processing Fee:**

**One and Two Family Dwellings:**

A fee of \$75.00 for new one and two-family residential buildings or additions/alterations. (This includes the initial and one (1) revised plan.)

Residential Basement Finish: A fee of \$75.00 (Total Permit and Application/Processing Fee)

Single Family Residential Sprinkler Plan Review Fee: No Charge

**Commercial, Structures:**

A plan review fee of \$200.00 for new commercial structures. (This includes the initial and one (1) revised plan.)

A plan review fee of \$100.00 for interior finish, or remodeling plans (This includes the initial and one (1) revised plan.)

For major plans the building owner pays for an outside firm to do the plan review if needed (E.g. ICC, etc.)

**Commercial:**

Sprinkler Plan Review and Permit Fee (F105.7.1): \$150.00

Fire Alarm Plan Review and Permit Fee (F105.7.5): \$150.00

Fire Main Review and Permit Fee (F105.7.1): \$150.00

Kitchen Hood/Fire Suppression Systems Plan Review & Permit Fee (F105.7.1): \$150.00 or \$75.00 for each system

C. **Additional Fees:**

\$20.00 Fire Permit Card replacement

\$20.00 Occupancy Permit Card replacement

\$50.00 Extra Inspection (See explanation note below)

\$75.00 Stop Work Order processing

\$150.00 New Commercial Structures extra plan review

\$75.00 New One and Two Family Dwellings extra plan review

**\*Extra Inspection**

If by judgment of the fire official an inspection requested is not ready or accessible for inspection, or in the judgment of the fire official the applicant has caused the Fire District extra inspections other than typically required, a fee of Fifty Dollars (\$50.00) may be assessed for each additional inspection or re-inspection.

\*\*The inspection fee must be paid at least twenty-four (24) hours in advance of the additional inspection.

D. **Fee for Occupancy Commercial:**

The permit fee for Non-residential occupancy permits (Section F105.3.3) shall be \$75.00.

E. **Fee for Change of Occupancy Commercial / Residential:** Permit required for:

Change of Occupancy (Section F105.3.3) "Permit fee" \$75.00

**SECTION TWO:** The following fees are related to permits required by International Fire Code.

A. **Required Operational Permits:**

1. Permit required for Special Amusement Buildings (Section 105.6.2)  
Permit fee \$100.00.

2. Permit required for Carnivals and Fairs. (Section 105.6.4) Permit fee \$100.00
3. Permit required for Covered Mall Buildings (Section 105.6.9) Permit fee \$100.00
4. Permit required for Exhibits and Trade Shows (Section 105.6.13) Permit fee \$100.00
5. Permit required for Explosives: (Section 105.6.14)
  - a. Sale of fireworks Permit fee \$1500.00
  - b. Permit required for Fireworks or Pyrotechnic Special Effects Display (Section 3308.1). Permit fee \$500.00

**Exceptions:**

1. The display (discharge) of consumer grade (Division 1.40) fireworks.
- c. Construction blasting (\$200.00) per 30 days
- d. Storage of blasting agent (\$50.00) per 30 days
6. Permit required for Temporary Membrane Structures, Tents and Canopies (Section 105.6.43) Permit fee \$200.00
7. Permit required for installation of security gates (Section 503.6) Permit Fee \$100.00
8. Permit required for installation/removal of underground storage tanks- \$100.00 per tank

**SECTION THREE:** The following shall apply to the refunding of permit fees

1. Plan Review fees are not refundable.
2. Permit fees may be refunded by request in the event the project is cancelled and construction has not started.



## Appendix 3

### **BASIC FIRE CONTROL MEASURES AND REGULATIONS**

- Section 3.1    **Adoption of Fire Control Measures and Regulations:** There is hereby adopted by the Fire District the fire control measures and regulations herein set forth for the purposes of controlling conditions which could impede or interfere with fire suppression forces.
- Section 3.2    **Authority at Fires and Other Emergencies:** The Chief of the Fire District, or his duly appointed representative as may be in charge at the scene of a fire or other emergency involving the protection of life and property, hereinafter referred to as "the incident commander," is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The incident commander may prohibit any person, vehicle, or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle, or object which may impede or interfere with the efficient operations of the Fire District. The incident commander may remove or cause to be removed any person, vehicle, or object from hazardous areas. All persons ordered to leave a hazardous area shall immediately do so and shall not re-enter the area until authorized to do so by the incident commander.
- Section 3.3    **Interference with Fire District Operations:** It is unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any Fire District emergency vehicle in any way, or to interfere with attempt to interfere with, conspire to interfere with, obstruct or hamper any Fire District operation.
- Section 3.4    **Compliance with Order:** A person shall not willfully fail or refuse to comply with any lawful order or direction of the incident commander or to interfere with the compliance attempts of another individual.
- Section 3.5    **Vehicles Crossing Fire Hoses:** A vehicle shall not be driven or propelled over any unprotected fire hose without the consent of the incident commander.
- Section 3.6    **Definition of Emergency Vehicle:** Authorized emergency vehicles shall be restricted to those that are defined and authorized as such under the laws of the State of Missouri.

- Section 3.7 **Operation of Vehicles on Approach of Emergency Vehicles:** Upon the approach of any emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the emergency vehicle or vehicles have passed, unless otherwise directed by the incident commander or a police officer.
- Section 3.8 **Vehicles Following Fire Apparatus:** It is unlawful for the operator of any vehicle, other than a vehicle on official business, to follow closer than three hundred (300) feet from any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus have stopped in answer to an emergency call.
- Section 3.9 **Unlawful Boarding or Tampering with Fire District Equipment:** A person shall not, without proper authorization from the incident commander, cling to, attach oneself to, climb upon or into, board, or swing upon any Fire District vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or part of, any Fire District vehicle.
- Section 3.10 **Damage or Injury to Fire District Equipment or Personnel:** It is unlawful for any person to damage or deface, or attempt or conspire to damage or deface any Fire District emergency vehicle at any time, or to injure, attempt or conspire to injure Fire District personnel while performing Fire District duties.
- Section 3.11 **Emergency Vehicle Operation:** The driver of an emergency vehicle responding to a call may:
- 1.) Park or stand irrespective of the provisions of existing traffic regulations.
  - 2.) Proceed past a red or stop signal or other sign.
  - 3.) Exceed the prima facie speed limit.
  - 4.) Disregard regulations governing direction of movement or turning in specified directions.
- Section 3.12 **Blocking Fire Hydrants and Fire Department Connections:** It is unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire protection systems, including fire hydrants and fire department connections that are located on public or private streets, or on private property. If upon the expiration of the time period specified in a Notice of Violation, the obstructions

or encroachments are not removed, the code official shall proceed to remove the same, and report the expense to the Board of Directors. The Board of Directors may authorize legal counsel to institute appropriate action for the recovery of such expenses, as well as reasonable attorney's fees and costs.

Section 3.13 **Hydrant Use Approval:** A person shall not use or operate any fire hydrant intended for use by the Fire District for fire suppression purposes unless such person first secures a permit for such use from the code official and the Water District having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by, and authorized to make such use by, the Water District having jurisdiction.

Section 3.14 **Maintenance of Fire Suppression Equipment:** A person shall not obstruct, remove, fail to maintain, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of this code except for the purpose of extinguishing a fire, training, testing purposes, recharging, making necessary repairs, or when permitted by the code official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the code official.

Section 3.15 **Sale of Defective Fire Extinguishers:** A person shall not sell, trade, loan, or give away any form, type or kind of fire extinguisher which is not approved by the code official, or which is not in proper working order, or the contents of which do not meet the requirements of the code official. The requirements of this section shall not apply to the sale, trade, or exchange of obsolete or damaged equipment for junk if said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

Section 3.16 **Vehicles Parked in Fire Lanes:** Any owner or operator of any vehicle parked or standing in a designated and marked fire lane shall be guilty of an infraction and shall be subject to the penalties stated in Section F-112.3, except that the fine shall be no more than one hundred dollars (\$100.00).

Section 3.17 **Fireworks Displays:** Any display of fireworks are subject to inspection by the code official. If the code official observes any violation of the permit or the safety standards as set forth by NFPA 1123, the code official may immediately halt the display to take immediate corrective action.

**SECTION FIVE: Validity:** The Board of Directors of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri, hereby declares that should any section, paragraph, sentence or word of this Ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of this Ordinance or of the Code hereby adopted be declared for any reason invalid, it is the intent of this Board of Directors that it would have passed all other portions of this Ordinance independent of the elimination here of any portion as may be declared invalid.

**SECTION SIX: Enactment:** This Ordinance Number 51, having been duly considered and voted upon by the Board of Directors of the Lake Saint Louis Fire Protection District of St. Charles County, Missouri was duly enacted as an Ordinance of said District on 10<sup>th</sup> day of October, 2018.

This Ordinance shall take effect from and after its final passage and approved as required by law.

Lake Saint Louis Fire Protection District  
BOARD OF DIRECTORS:

BY: \_\_\_\_\_  
Michael Pendergast  
Chairman of the Board of Directors

BY: \_\_\_\_\_  
Richard Thurwacher  
Secretary of the Board of Directors

BY: \_\_\_\_\_  
Michael Crowell  
Treasurer of the Board of Directors