

BILL NO. 26-129

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI, RELATING TO BUILDING REGULATIONS, BY ADOPTING CERTAIN 2024 INTERNATIONAL CODES AND THE 2023 NATIONAL ELECTRICAL CODE, AND BY REVISING CERTAIN PROVISIONS OF THE CITY'S BUILDING AND ELECTRICAL CODES.

WHEREAS, the 2024 International Building Code, 2024 International Residential Code, 2023 National Electrical Code, 2024 International Plumbing Code, 2024 International Mechanical Code, 2024 International Fuel Gas Code and other revised building regulations have been extensively reviewed by the Development Services Department, the Fire Department, the Board of Appeals, members of professional trade associations, members of the construction community, and the Community & Economic Development Committee; and,

WHEREAS, after much technical study and ample public input, the Development Services Department, the Board of Appeals, and the Community & Economic Development Committee believe that it is in the best interests of the City of Lee's Summit to amend Chapter 7, Building and Building Regulations of the Code of Ordinances of the City of Lee's Summit, Missouri to remain current with the most recently published International Codes, including the 2024 International Building Code, the 2024 International Residential Code, the 2024 National Electrical Code, the 2024 International Plumbing Code, the 2024 International Mechanical Code, the 2024 International Fuel Gas Code, and State law; and,

WHEREAS, the City Council finds that amendments to Chapter 7 of the Code of Ordinances of the City of Lee's Summit, Missouri, are necessary to protect the public health, safety, and welfare through the adoption and incorporation of certain 2024 International Codes and the 2023 National Electrical Code, together with related revisions, additions, repeals, modifications, and retained provisions; and,

WHEREAS, The City of Lee's Summit pursuant to the Lee's Summit City Charter, the Missouri State Constitution, and the City's police powers has the authority to regulate for the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. Chapter 7, Building and Building Regulations, of the Code of Ordinances of the City of Lee's Summit, Missouri, is hereby amended by (i) adopting into Chapter 7 those parts of the 2024 International Building Code as published by the International Code Council Inc., as set forth below in this Section, (ii) modifying certain sections and portions of the 2024 IBC as set forth below in this Section and (iii) retaining those portions of the current Chapter 7 as set forth below:

ARTICLE I. -LOCAL ADMINISTRATION

Section 7-100 is hereby added to read as follows: Right-of-entry. Where it is necessary to make an inspection to enforce the provisions of this Code, or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this Code which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this Code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the Building Official shall first

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make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry, including the procurement of an administrative search warrant as provided in this section.

- A. If no consent has been given to enter or inspect any building or structure, no entry or inspection shall be made without the procurement of a warrant from the judge presiding in the Municipal Court of Lee's Summit, Missouri. Any request for such a warrant shall be in writing and made by the Building or Code Official, any police officer, City Attorney or prosecuting attorney of the City, stating that he/she has probable cause to believe there exists in a building or structure, more particularly described therein, a violation or violations of provisions of this chapter and is within the territorial jurisdiction of the City, and verified by oath or affirmation stating evidential facts.
- B. The Court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall issue:
 1. Eyewitness account of violation(s);
 2. Citizen complaint(s);
 3. Tenant complaint(s);
 4. Plain view violation(s);
 5. Violations apparent from City records;
 6. Nature of alleged violation, the threat to life or safety, and imminent risk of significant property damage; or
 7. Previous unabated violations in the building or structure or on the premises.
- C. Cause supporting issuance of a warrant shall be deemed to exist considering reasonable legislative and administrative standards which show that there is reason to believe a condition of non-conformity exists with respect to a building in violation of the provisions of the Lee's Summit Building Codes.
- D. If such judge determines the existence of probable cause, then such judge shall issue a search warrant directed to the authorized person to search the structure or premises therein described for the purposes requested. Such search warrant may be executed and returned only within ten (10) days after the date of its issuance.
- E. The person authorized to search shall make a report promptly after concluding the search, and such report shall contain an itemization of all violations of this chapter discovered pursuant to such search. Refusal to allow entry upon presentation of a search warrant shall be an ordinance violation.
- F. Execution of a search warrant issued under this section shall not be by forcible entry.

Section 7-101 is hereby added to read as follows: Insurance proceeds from damage or loss to buildings or structures. If there are proceeds of any insurance policy based on a covered claim payment for damage or loss to a building or other structure arising out of or caused by fire, explosion or other casualty loss, and the covered claim payment exceeds fifty (50) percent of the face value of the policy covering such building or other structure, then the insurer shall pay to the Department of Finance a sum equal to twenty-five (25) percent of the covered claim, within thirty (30) days of the determination of coverage, to be held by the City in an interest-bearing account. The proceeds shall be used to reimburse the City for its costs in the removal of such building or other structure, if necessary. The City shall release the proceeds paid to it pursuant to subsection (A) of this section to the insured or in accordance with the provisions of the insurance policy and

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endorsements thereto as directed by the insurer unless within 30 days after receipt of the insurance proceeds the designated official of the City has commenced an action under the Unsafe Structures and Equipment provisions of this code for the building or other structure to be repaired, secured or demolished.

- A. The City shall apply the insurance proceeds first to the cost of the removal of any building or other structure found to be a nuisance under this article, less any salvage value, prior to the expenditure of any City funds. Should any balance of insurance proceeds remain in the interest-bearing account after the expense of removal of such building or structure has been paid, the balance shall be paid over to the insured.
- B. Nothing in this section shall be construed to affect the priority of a named mortgagee on the insurance policy to the proceeds of the policy.
- C. It shall be unlawful for an insurance carrier to fail to pay insurance proceeds to the City after being notified pursuant to this article.

Section 7-102 is hereby added to read as follows: Sanitary sewer service construction and connection. Residential properties within one hundred fifty (150) feet of public sewer and non-residential properties within three hundred (300) feet of public sewer shall be required to connect to the public sewer in accordance with the Plumbing Code and Chapter 32 of the Lee's Summit Code of Ordinances. When public sewers are not available, permits for private sewage systems must be obtained from the Jackson County Public Works Department prior to issuance of the building permit.

Section 7-103 is hereby added to read as follows: Sanitary facilities for construction workers. The contractor, builder, or other person having the management and control of construction work shall prevent the commission of any nuisance by the workers on the premises connected therewith and if a temporary privy is located on the premises it shall be properly screened and maintained in a sanitary manner.

Section 7-104 is hereby added to read as follows: Natural gas detectors. Dwelling units, congregate residences, and hotel or lodging houses erected within a natural gas or oil field as identified by the State of Missouri Department of Natural Resources, shall be provided with at least one approved detector, unless otherwise required by the Building Official, capable of detecting natural gas. Detectors shall be installed and located in accordance with the approved manufacturer's instructions.

In new construction, required natural gas detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent without a disconnecting switch other than those required for overcurrent protection. Natural gas detectors may be solely battery operated when installed in existing buildings; or in buildings without commercial power; or in buildings which undergo alterations, repairs, or additions as regulated by this section.

Section 7-105 is hereby added to read as follows: Refunds. The Building Official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. The Building Official may authorize refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official shall not authorize refunding of any fee paid except on

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written application filed by the original permittee.

Section 7-106 is hereby added to read as follows: Inspection requests. Inspection requests shall be made in advance and in accordance with the most current written policies of the Codes Administration Department.

Section 7-107 is hereby added to read as follows: Posting the certificate of occupancy. The certificate of occupancy, or a copy, shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.
Exception: R-1, R-2 and R-3 occupancies.

ARTICLE II. – BUILDING CODE

Sec. 7-200. - International Building Code adopted.

The 2024 IBC, including Appendices C and I, and the most current errata as published by the International Code Council from time to time, is hereby adopted and incorporated in this chapter as fully as if set forth herein, except for those parts or portions thereof as are specifically added or amended.

Sec. 7-201. - International Building Code amended; Section 101.1. Title.

Section 101.1 Title is hereby amended to read as follows: Section 101.1 Title. These regulations shall be known as the building code of the City of Lee's Summit, hereinafter referred to as "this code".

Sec. 7-202. - International Building Code amended; Section 101.4.7. Existing building.

Section 101.4.7 Existing building is hereby amended to read as follows: The provisions of the 2024 International Existing Building Code may be permitted under a Code Modification Request (CMR) process only. A CMR form must be submitted and approved prior to project submittal.

Sec. 7-203. - International Building Code amended; Section 103.1. Creation of an enforcement agency.

Section 103.1 Creation of an enforcement agency is hereby amended to read as follows: The Development Services Department is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Sec. 7-204. - International Building Code amended; Section 104.4. Right of entry.

Section 104.4 Right of entry is hereby deleted. See Article I Local Provisions.

Sec. 7-205. - International Building Code amended; Section 104.4.1. Warrant.

Section 104.4.1 Warrant is hereby deleted. See Article I of this chapter.

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Sec. 7-206. - International Building Code amended; Section 105.5. Expiration.

Section 105.5 Expiration is hereby amended by adding the following language: Every *permit* issued shall become invalid unless the work on the *site* authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the *site* by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. *Before* expiration date the *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. *After* expiration date, additional *building permit* fees may be assessed to reinstate a permit that has expired. Any additional fee assessed will be based on the original building permit fee and percentage (as determined by the Building Official) of work remaining to complete the project or obtain a certificate of occupancy. (Example; if the original permit fee was \$100 and 30% of the work remains, the fee assessed would be \$30 to reinstate an expired permit). If reinstatement of a permit is not possible the original permit shall remain expired, and a new permit shall be issued. New fees shall be assessed based on city's schedule of fees.

Sec. 7-207. - International Building Code amended; Section 109.4. Work commencing before permit issuance.

Section 109.4 Work commencing before permit issuance is hereby amended to read as follows: Any person who commences any work before obtaining the necessary permit shall be subject to a 100% penalty of the required building permit fee.

Sec. 7-208. - International Building Code amended; Section 110.3.7. Weather-exposed balcony and walking surface waterproofing.

Section 110.3.7 Weather-exposed balcony and walking surface waterproofing is hereby deleted.

Sec. 7-209. - International Building Code amended; Section 110.3.9. Energy efficiency inspections.

Section 110.3.9 Energy efficiency inspections is hereby deleted.

Sec. 7-210. - International Building Code amended; Section 111.3. Temporary occupancy.

Section 111.3 Temporary occupancy is hereby amended by adding the following language: Temporary occupancies will be charged a fee. See the City's schedule of fees.

Sec. 7-211. - International Building Code amended; Section 405.1. General.

Section 405.1 General is hereby amended to read as follows: Exception 7. Structures as defined in the LSCO Chapter 7, Article XIII Subterranean Space Building and Fire Code.

Sec. 7-212. - International Building Code amended; Section 502.1. Address identification.

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Section 502.1 Address identification is hereby amended by adding the following language: In multi-tenant commercial buildings where tenants have multiple entrances located on different sides of the building, each door shall be addressed. Address characters shall be capable of being illuminated by an internal or external lighting source.

Sec. 7-213. - International Building Code amended; Section 901.5. Acceptance test.

Section 901.5 Acceptance test is hereby amended to read as follows: Fire detection and alarm systems, fire extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service main and all other fire protection systems and appurtenances thereto shall be subject to acceptance test(s) as contained in the installation standards and as approved by the Fire Code Official. The Fire Code Official shall be notified forty-eight (48) hours before any required acceptance testing.

Sec. 7-214. - International Building Code amended; Section 903.2.4. Group F-1.

Section 903.2.4 Group F-1 is hereby amended to read as follows: Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet (1115 m²).
2. A Group F-1 fire area is located more than two stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group F-1 occupancy is used to manufacture lithium-ion or lithium metal batteries.
5. A Group F-1 occupancy is used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.

Sec. 7-215. - International Building Code amended; Section 903.2.7. Group M.

Section 903.2.7 Group M is hereby amended as follows: Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exist:

1. A Group M fire area exceeds twelve thousand (12,000) square feet (1,115 m²).
2. A Group M fire area is located more than two (2) stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds twenty-four thousand (24,000) square feet (2,230 m²).

Sec. 7-216. - International Building Code amended; Section 903.2.9. Group S-1.

Section 903.2.9 Group S-1 is hereby amended to read as follows: Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 12,000 square feet (1115 m²).
2. A Group S-1 fire area is located more than two stories above grade plane.

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3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m²).

Sec. 7-217. - International Building Code amended; Section 903.2.9.1. Repair garages.

Section 903.2.9.1 Repair garages is hereby amended to read as follows: An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406, as shown:

1. Buildings two (2) or more stories in height, including basements, with a fire area containing a repair garage exceeding five thousand (5,000) square feet (464 m²).
2. Buildings no more than one story above grade plane with a fire area containing a repair garage exceeding five thousand (5,000) square feet (464 m²).
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds five thousand (5,000) square feet (464 m²).

Sec. 7-218. - International Building Code amended; Section 903.2.11.3. Buildings more than two stories in height.

Section 903.2.11.3 Buildings more than two stories in height is hereby amended to read as follows: Buildings more than two stories in height. An automatic sprinkler system shall be installed throughout buildings with a floor level more than two stories above the lowest level of fire department vehicle access.

EXCEPTIONS:

1. Open parking garages.
2. Occupancies in Group F-2

Sec. 7-219. - International Building Code amended; Section 903.3.7. Fire Department connection.

Section 903.3.7 Fire Department connection is hereby amended to read as follows: The location of Fire Department connections shall be approved by the fire code official. Connections shall be four-inch Storz type fittings and located within one hundred (100) feet of a fire hydrant, or as approved by the fire code official.

Sec. 7-220. - International Building Code amended; Section 903.4.1. Electronic supervision.

Section 903.4.1 Electronic supervision is hereby amended to read as follows: Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and waterflow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

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EXCEPTIONS:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area sprinkler systems in accordance with Section 903.3.8, provided that backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position unless supplying an occupancy required to be equipped with a fire alarm system, in which case the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.
8. Underground key or hub gate valves in roadway boxes.
9. Isolation valves for the backflow prevention devices remotely located in pits which are locked and/or chained in the open position.

Sec. 7-221. - International Building Code Section amended; Section 903.4.3.1. Notification devices.

Section 903.4.3.1 Notification devices is hereby added to read as follows: Where an automatic fire sprinkler system is installed in a new or existing building, audible and visible notification appliances shall be installed throughout the building as follows:

1. Audible notification appliances shall be installed to be audible at 15 dBa above sound pressure level throughout the building.
2. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors and in accordance with NFPA 72.

EXCEPTION: The requirements of this section do not apply to Group R-3 occupancies.

Sec. 7-222. - International Building Code amended; Section 905.3.1. Height.

Section 905.3.1 Height is hereby amended to read as follows: Class III standpipe systems shall be installed throughout buildings where any of the following conditions exist:

1. Three or more stories are above or below grade plane.
2. The floor level of the highest story is located more than 30 feet (9144mm) above the lowest level of the fire department vehicle access.
3. The floor level of the lowest story is located more than 30 feet (9144mm) below the highest level of fire department vehicle access.

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1. Class I standpipes are allowed in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I standpipes are allowed in Group B and E occupancies.
3. Class I standpipes are allowed in parking garages.
4. Class I standpipes are allowed in *basements* equipped throughout with an *automatic sprinkler system*.
5. Class I standpipes are allowed in buildings where occupant-use hose lines will not be utilized by trained personnel or the fire department.
6. In determining the lowest level of fire department vehicle access, it shall not be required to consider either of the following:
 - 6.1. Recessed loading docks for four vehicles or less.
 - 6.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

Sec. 7-223. - International Building Code amended; Section 905.3.4. Underground buildings.

Section 905.3.4 Underground buildings is hereby amended to read as follows: Underground buildings shall be equipped throughout with a Class I automatic wet or manual wet standpipe system. Subterranean spaces developed by the extraction of subsurface material from underground spaces shall also be regulated by the City of Lee's Summit Subterranean Building and Fire Code.

Sec. 7-224. - International Building Code amended; Section 905.3.8. Open parking garages.

Section 905.3.8 Open parking garages is hereby added to read as follows: Open parking garages with two or more tiers shall be provided with a Class I standpipe system in accordance with NFPA 14.

Sec. 7-225. - International Building Code amended; Section 905.5. Location of Class II standpipe hose connections.

Section 905.5 Location of Class II standpipe hose connections is hereby deleted.

Sec. 7-226. - International Building Code amended; Section 907.2.7.1.1. Occupant notification.

Section 907.2.7.1.1 Occupant notification is hereby amended to read as follows: During times that the building is occupied, the initiation of a signal from a manual fire alarm box or from a water flow switch shall not be required to activate the alarm notification appliances when an alarm signal is activated at a constantly attended location from which evacuation instructions shall be initiated over an emergency voice/alarm communication system installed in accordance with Section 907.5.2.2 and only when approved by the Fire Code Official.

Sec. 7-227. - International Building Code amended; Section 912.2. Location.

Section 912.2 Location is hereby amended to read as follows: With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that

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fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be within 100 feet of an approved fire hydrant or as approved by the Fire Code Official.

Sec. 7-228. - International Building Code amended; Section 1010.2.4. Locks and latches.

Section 1010.2.4 Locks and latches is hereby amended to read as follows: Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exist:

1. No change.
2. In Group I-1, Condition 2 and Group I-2 occupancies where the clinical needs of persons receiving care require containment or where persons receiving care pose a security threat, provided that all clinical staff can readily unlock doors at all times, and all such locks are keyed to keys carried by all clinical staff at all times or all clinical staff have the codes or other means necessary to operate the locks at all times.
3. The use of key-operated locking devices from the egress side is prohibited, unless approved by the fire code official.
4. No change.
5. No change.
6. No change.
7. No change.
8. No change.
9. No change.
10. No change.

Sec. 7-229. - International Building Code amended; Chapter 13. Energy Efficiency.

Chapter 13 Energy Efficiency is hereby deleted. See Article VIII Energy Efficiency.

Sec. 7-230. - International Building Code amended; Table 1505.1. Minimum roof assembly classification for types of construction.

Table 1505.1 Minimum roof assembly classification for types of construction is hereby amended by deleting footnotes a, b, and c from the table.

Sec. 7-231. - International Building Code amended; Section 1512.1. General. Exception 3. Minimum Roof Assembly Classification.

Section 1512.1 General, Exception 3. Minimum Roof Assembly Classification is hereby added to read as follows: Re-roofing includes any repairs of more than 10% of the total roof covering in any three-year period. A repair of 10% or less of the total roof covering in any three-year period may utilize approved roofing materials comparable to the existing non-rated (NR) roofing materials.

Sec. 7-232. - International Building Code amended; Section 1804.4.1. Local Site Grading Regulations.

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Section 1804.4.1 Local Site Grading Regulations is hereby added to read as follows: All drainage facilities shall be designed to carry waters to the nearest drainage way, storm sewer conveyance, or other approved point of collection and conveyance. Erosion of ground in the area of discharge shall be prevented by installation of erosion control devices. Unless specified drainage ways and swales are specifically approved by the Building Official, abutting property lines between structures shall be designed to function as drainage ways. The toe of slopes shall set back from the property line a minimum of one foot. The area surrounding the building foundation shall have a drainage gradient as provided for in the International Building Code, as amended from time to time with draining gradient thereafter of not less than two (2) percent toward approved drainage facilities unless waived by the Building Official.

- A. Prohibited conduct: No person shall allow or cause any:
1. Obstruction to be created, installed or maintained within any drainage way, detention facility, or engineered swale which will create ponding on adjacent property, divert water onto the adjoining property, or impede drainage. Fences may be erected in such areas provided they do not unnecessarily restrict the flow of water.
 2. Water from intermittent sources such as discharges from sump pumps, downspouts, foundation drains, swimming pools, swimming pool backwashes, or other similar sources excluding lawn sprinklers to be discharged closer than five (5) feet from any adjoining property line.
- B. Enforcement: Where such conditions exist and the Code Official has given written notice of the violation, the owner of the property shall take appropriate measures to eliminate the problems caused on the adjacent property, within the time period stated on the notice, and failure to do so shall be a violation of this chapter.

Sec. 7-233. - International Building Code amended; Section 1805.4.2. Additional drainage requirements.

Section 1805.4.2 Additional drainage requirements is hereby added to read as follows: Where foundations retain earth and enclose habitable or usable space located below grade, drains shall be provided below the floor slab. Drainage tiles, perforated pipe or other approved systems or materials shall be installed at or below the area(s) to be protected; shall be placed with positive or neutral slope to minimize the accumulation of deposits in the drainage system; and shall discharge by gravity or mechanical means to an approved storm water drainage system. The under-slab drainage system shall be installed around the inner perimeter of the area(s) to be protected, or, in a manner that will provide adequate drainage for all area(s) to be protected and is approved by the Building Official. Interior under-slab drains installed on uncompacted fill material shall be supported by mechanical means which are adequately tied into the concrete slab to ensure proper drainage throughout the under slab-drain(s).

ARTICLE III. – ELECTRICAL CODE

Sec. 7-300 is hereby added to read as follows: National Electrical Code adopted. The 2023 edition of the National Electrical Code as published by the National Fire Protection Association (NFPA No. 70-2023) is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

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Sec. 7-301 is hereby added to read as follows: Enforcement of the Electrical Code. Electrical Code shall be enforced by the Building Official for all electrical construction, alterations, relocations, enlargement, replacements or repairs of electrical systems.

Sec. 7-302 is hereby added to read as follows: Right of entry/warrant. See Article 1 Local Provisions.

Sec. 7-303 is hereby added to read as follows: Electrical Permit required. A permit must be obtained and fees paid prior to any person performing electrical work.

Expiration. Every *permit* issued shall become invalid unless the work on the *site* authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the *site* by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. *Before* expiration date the *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. *After* expiration date, additional *building permit* fees may be assessed to reinstate a permit that has expired. Any additional fee assessed will be based on the original building permit fee and percentage (as determined by the Building Official) of work remaining to complete the project or obtain a certificate of occupancy. (Example; if the original permit fee was \$100 and 30% of the work remains, the fee assessed would be \$30 to reinstate an expired permit). If reinstatement of a permit is not possible the original permit shall remain expired, and a new permit shall be issued. New fees shall be assessed based on city's schedule of fees.

Sec. 7-304 is hereby added to read as follows: Electrical work not requiring a permit. A permit shall not be required for the following electrical work.

- A. Repair work, replacement of lamps or connection of portable electrical equipment to suitable permanently installed receptacles.
- B. Low voltage wiring.
- C. Electrical work under the supervision and authority of the electric utility.

Sec. 7-305 is hereby added to read as follows: Enforcement. The Building Official may designate inspectors who are qualified to enforce the provisions of the National Electrical Code.

Sec. 7-306. - National Electrical Code amended; Section 625.43. Disconnection means.

Section 625.43 Disconnection means is hereby amended to read as follows: EVSE and WPTE shall be provided with one or more disconnecting means in accordance with 625.43 (A) and 625.43 (B).

Sec. 7-307. - National Electrical Code amended; Section 625.43(A). Equipment disconnects.

Section 625.43(A) Equipment disconnects is hereby amended to read as follows: For fixed in place EVSE and WPTE rated more than 60 amperes or more than 150 volts to ground, the disconnecting means shall be provided and installed in a readily accessible

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location. If the disconnection means is installed remote from the equipment, a plaque shall be installed on the equipment denoting the location of the disconnecting means. The disconnect shall be lockable in accordance with Section 110.25 of the NEC.

Sec. 7-308. - National Electrical Code amended; Section 625.43(B). Emergency shutoff.

Section 625.43(B) Emergency shutoff is hereby amended to read as follows: For fixed-in-place equipment supplying DC power to the vehicle, one or more clearly identified emergency shutoff devices or electrical disconnects shall be provided and shall meet the following.

- A. Be installed in a readily accessible location in sight of the equipment and located not more than 20 ft. and no more than 100 ft. from the equipment.
- B. Disconnecting power to all electrical vehicle power transfer equipment co-located.
- C. Be clearly marked "ELECTRIC VEHICLE EMERGENCY DISCONNECT".
- D. Require manual reset of the emergency shutoff condition.
- E. Disconnect all ungrounded conductors simultaneously from the source of supply.

National Electrical Code Section. The disconnecting means required in accordance with 625.43(A) shall be permitted to serve as the emergency disconnect if it complies with all the requirements of 625.43(B).

ARTICLE IV. - PLUMBING CODE

Sec. 7-400 is hereby added to read as follows: National Plumbing Code adopted. The 2024 edition of the International Plumbing Code, and its most current errata as published by the International Code Council from time to time, is hereby adopted and incorporated in this chapter as fully if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

Sec. 7-401. - International Plumbing Code amended; Section 101.1. Plumbing.

Section 101.1 Plumbing is hereby amended to read as follows: These regulations shall be known as the Plumbing Code of the City of Lee's Summit hereinafter referred to as "this code".

Sec. 7-402. - International Plumbing Code amended; Section 104.4. Right of entry.

Section 104.4 Right of entry is hereby deleted. See Article 1 Local Provisions.

Sec. 7-403. - International Plumbing Code amended; Section 104.4.1. Warrant.

Section 104.4.1 Warrant is hereby deleted. See Article 1 Local Provisions.

Sec. 7-404. - International Plumbing Code amended; Section 105.5.3. Expiration.

Section 105.5.3 Expiration is hereby amended by adding the following language: Every *permit* issued shall become invalid unless the work on the *site* authorized by

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such *permit* is commenced within 180 days after its issuance, or if the work authorized on the *site* by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. *Before* expiration date the *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. *After* expiration date, additional *building permit* fees may be assessed to reinstate a permit that has expired. Any additional fee assessed will be based on the original building permit fee and percentage (as determined by the Building Official) of work remaining to complete the project or obtain a certificate of occupancy. (Example; if the original permit fee was \$100 and 30% of the work remains, the fee assessed would be \$30 to reinstate an expired permit). If reinstatement of a permit is not possible the original permit shall remain expired, and a new permit shall be issued. New fees shall be assessed based on city's schedule of fees.

Sec. 7-405. - International Plumbing Code amended; Section 113. Board of Appeals.

Section 113 Board of Appeals is hereby deleted. See Article XV Board of Appeals.

Sec. 7-406. - International Plumbing Code amended; Section 305.4.1. Sewer depth.

Section 305.4.1 Sewer depth is hereby amended to read as follows: Building sewers that connect to private sewage disposal systems shall be installed a minimum of (12) inches(304.8mm) below grade at the point of septic tank connection. Building sewers shall be installed at a minimum of twelve (12) inches (304.8 mm) below grade.

Sec. 7-407. - International Plumbing Code amended; Section 312.10. Shower liner test.

Section 312.10 Shower liner test is hereby deleted.

Sec. 7-408. - International Plumbing Code amended; Section 312.11. Inspection and testing of backflow prevention.

Section 312.11 Inspection and testing of backflow prevention is hereby amended to read as follows: Inspection and testing of backflow prevention assemblies shall be in accordance with the policies prescribed by the Water Utilities Department of the City of Lee's Summit, MO.

Sec. 7-409. - International Plumbing Code amended; Table 403.1, Footnote G.

Table 403.1 Footnote G is hereby added to read as follows: A service sink may not be required, at the discretion of the Building Official, if deemed unnecessary due to the size, type and finish of the space.

Sec. 7-410. - International Plumbing Code amended; Section 410.4. Substitution.

Section 410.4 Substitution is hereby amended to read as follows: Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required for those restaurants. In other occupancies, where drinking fountains are required, water coolers, bottled water dispensers or break rooms with a kitchen sink

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shall be permitted to be substituted for the required drinking fountains.

Sec. 7-411. - International Plumbing Code amended; Section 607.2. Hot or tempered water supply to fixtures.

Section 607.2 Hot or tempered water supply to fixtures is hereby amended to read as follows: The developed length of hot or tempered water piping, from the source of hot water to the fixtures that require hot or tempered water, shall not exceed 100 feet (30,480 mm). Recirculating system piping and heat-traced piping shall be considered to be sources of hot or tempered water.

Sec. 7-412. - International Plumbing Code amended; Section 608.17.5. Connections to lawn irrigation systems.

Section 608.17.5 Connections to lawn irrigation systems is hereby amended to read as follows: All lawn irrigation systems shall be installed with the policies as prescribed by the Water Utilities Department of the City of Lee's Summit and with automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for scheduling irrigation events. Irrigation controllers shall meet all requirements and be a Certified Water Sense Controller. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all new irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

Sec. 7-413. - International Plumbing Code amended; Section 701.2. Connection to sewer required.

Section 701.2. Connection to sewer required is hereby amended to read as follows: Sanitary drainage piping from plumbing fixtures in buildings and sanitary drainage piping systems from premises shall be connected directly or indirectly to a public sewer. Where a public sewer is not available, the sanitary drainage piping and systems shall be connected to a private sewage disposal system in compliance with Jackson County Missouri requirements for private sewage disposal systems.

Sec. 7-414. - International Plumbing Code amended; Section 714.11 Backwater valves.

Section 714.1 Backwater valves is hereby deleted.

Sec. 7-415. - International Plumbing Code amended; Section 903.1. Roof extension.

Section 903.1. Roof extension is hereby amended to read as follows: Open vent pipes that extend through a roof shall be terminated not less than six (6) inches (152.4 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than seven (7) feet (2,134 mm) above the roof.

Sec. 7-416. - International Plumbing Code amended; Section 918.1. General.

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Section 918.1 General is hereby amended to read as follows: Air admittance valves are only allowed when approved by the Administrative Authority. Vent systems utilizing air admittance valves shall comply with this section. Stack-type air admittance valves shall conform to ASSE 1050. Individual- and branch-type air admittance valves shall conform to ASSE 1051.

Sec. 7-417. - International Plumbing Code amended; Section 1101.3. Prohibited drainage.

Section 1101.3 Prohibited drainage is hereby amended to read as follows: Sanitary sewer systems shall be designed, built and maintained in such a manner to prevent all storm or ground water from draining, discharging or entering into the sanitary sewer system. Connection of sump pumps, foundation drains, yard drains, gutter downspouts and any other storm water drainage receptacle(s) or system(s) are specifically prohibited from being connected to the sanitary sewer system.

Section 7-418 International Plumbing Code amended; Section 1113.1.1. Pump capacity and head.

Section 1113.1.1 Pump capacity and head is hereby amended to read as follows: The sump pump shall be of a capacity and head appropriate to anticipated use requirements. Sumps receiving storm water from any exposed exterior drain(s) or opening(s) shall be provided with back-up system(s) capable of assuring proper sump operation in case of power failure for a minimum of one hour.

ARTICLE V. – MECHANICAL CODE

Sec. 7-500 is hereby added to read as follows: The 2024 edition of the International Mechanical Code, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

Sec. 7-501. - International Mechanical Code amended; Section 101.1. Title.

Section 101.1 Title is hereby amended to read as follows: These regulations shall be known as the Mechanical code of the City of Lee's Summit, hereafter referred to as "this code".

Sec. 7-502. - International Mechanical Code amended; Section 104.4. Right of entry.

Section 104.4 Right of entry is hereby deleted. See Article 1 Local Provisions.

Sec. 7-503. - International Mechanical Code amended; Section 104.4.1. Warrant.

Section 104.4.1 Warrant is hereby deleted. See Article 1 Local Provisions.

Sec. 7-504 International Mechanical Code amended; Section 105.4.3. Expiration.

Section 105.4.3 Expiration is hereby amended by adding the following language: Every *permit* issued shall become invalid unless the work on the *site* authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on

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the *site* by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. Before expiration date the *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. After expiration date, additional *building permit* fees may be assessed to reinstate a permit that has expired. Any additional fee assessed will be based on the original building permit fee and percentage (as determined by the Building Official) of work remaining to complete the project or obtain a certificate of occupancy. (Example; if the original permit fee was \$100 and 30% of the work remains, the fee assessed would be \$30 to reinstate an expired permit). If reinstatement of a permit is not possible the original permit shall remain expired, and a new permit shall be issued. New fees shall be assessed based on city's schedule of fees.

Sec. 7-505. - International Mechanical Code amended; Section 113. Board of Appeals.

Section 113 Board of Appeals is hereby deleted. See Article XV Board of Appeals.

ARTICLE VI. – FUEL GAS CODE

Sec. 7-600 is hereby added to read as follows: The 2024 Edition of the International Fuel Gas Code, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

Sec. 7-601. - International Fuel Gas Code amended; Section 101.1. Title.

Section 101.1. Title is hereby amended to read as follows: These regulations shall be known as the Fuel Gas code of the City of Lee's Summit, hereafter referred to as "this code".

Sec. 7-602. - International Fuel Gas Code amended; Section 104.4. Right of entry.

Section 104.4 Right of entry is hereby deleted. See Article 1 Local Provisions.

Sec. 7-603. - International Fuel Gas Code amended; Section 104.4.1. Warrant.

Section 104.4.1 Warrant is hereby deleted. See Article 1 Local Provisions.

Sec. 7-604. - International Fuel Gas Code amended; Section 105.5.3. Expiration.

Section 105.5.3 Expiration is hereby amended by adding the following language: Every *permit* issued shall become invalid unless the work on the *site* authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the *site* by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. Before expiration date the *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. After expiration date, additional *building permit* fees may be assessed to reinstate a permit that has expired. Any additional fee assessed will be based on the original building permit fee

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and percentage (as determined by the Building Official) of work remaining to complete the project or obtain a certificate of occupancy. (Example; if the original permit fee was \$100 and 30% of the work remains, the fee assessed would be \$30 to reinstate an expired permit). If reinstatement of a permit is not possible the original permit shall remain expired, and a new permit shall be issued. New fees shall be assessed based on city's schedule of fees.

Sec. 7-605. - International Fuel Gas Code amended; Section 403.4.1. Steel tubing.

Section 403.4.1. Steel tubing is hereby amended to read as follows: Steel tubing shall not be utilized to distribute natural gas, nor shall it be utilized to distribute any other fuel gas within a building or structure.

Sec. 7-606. - International Fuel Gas Code amended; Section 403.4.3. Copper and copper alloy tubing.

Section 403.4.3 Copper and copper alloy tubing is hereby amended to read as follows: Copper and copper alloy tubing shall not be utilized to distribute natural gas, nor shall it be utilized to distribute any other fuel gas within a building or structure.

Sec. 7-607. - International Fuel Gas Code amended; Section 403.4.4. Aluminum tubing.

Section 403.4.4. Aluminum tubing is hereby amended to read as follows: Aluminum tubing shall not be utilized to distribute natural gas, nor shall it be utilized to distribute any other fuel gas within a building or structure.

Sec. 7-608. - International Fuel Gas Code amended; Section 406.4.1. Test pressure.

Section 406.4.1. Test pressure is hereby amended to read as follows: The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than ten (10) psig (68.9 kPa) irrespective of design pressure. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure, the test pressure shall not be less than sixty (60) psig. Where the test pressure exceeds one hundred twenty-five (125) psig (862 kPa), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than fifty (50) percent of the specified minimum yield strength of the pipe.

ARTICLE VII – PRIVATE SEWAGE DISPOSAL

No changes are proposed to this Article.

ARTICLE VIII – ENERGY CONSERVATION CODE

No changes are proposed to this Article.

ARTICLE IX. – RESIDENTIAL CODE

Section 7-900 is hereby added to read as follows: The 2024 Edition of the International Residential Code, including appendices BA, BF, and BO, and its most current errata as

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published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

Sec. 7-901. - International Residential Code amended; Section R101.1. Title.

Section R101.1 Title is hereby amended to read as follows. These provisions shall be known as the Residential Code for One-and Two-family Dwellings of the City of Lee's Summit.

Sec. 7-902. - International Residential Code amended; Section R103.1. Creation of agency.

Section R103.1 Creation of agency is hereby amended to read as follows: The Development Services Department is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Sec. 7-903. - International Residential Code amended; Section R104.4. Right of entry.

R104.4 Right of entry is hereby deleted. See Article 1 Local Provisions.

Sec. 7-904. - International Residential Code amended; Section R104.4.1 Warrant.

Section R104.4.1 Warrant is hereby deleted. See Article 1 Local Provisions.

Sec. 7-905. - International Building Code amended; Section 105.5. Expiration.

Section 105.5 Expiration is hereby amended by adding the following language: Every *permit* issued shall become invalid unless the work on the *site* authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the *site* by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. *Before* expiration date the *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. *After* expiration date, additional *building permit* fees may be assessed to reinstate a permit that has expired. Any additional fee assessed will be based on the original building permit fee and percentage (as determined by the Building Official) of work remaining to complete the project or obtain a certificate of occupancy. (Example; if the original permit fee was \$100 and 30% of the work remains, the fee assessed would be \$30 to reinstate an expired permit). If reinstatement of a permit is not possible the original permit shall remain expired, and a new permit shall be issued. New fees shall be assessed based on city's schedule of fees.

Sec. 7-906. - International Residential Code amended; Section R110.3. Temporary occupancies.

Section R110.3 Temporary occupancies is hereby amended to add the following language: Temporary occupancies will be charged a fee. See the city's schedule of fees.

Sec. 7-907. - International Residential Code amended; Table R301.2. Climatic and geographic design criteria.

Table R301.2 Climatic and geographic design criteria is hereby amended to read as follows: Table R301.2 shall include the following data:

- A. Ground Snow Load: Twenty (20) pounds per square foot.
- B. Wind Speed: Ninety (90) miles per hour.
- C. Topographic Effects: No
- D. Special Wind Region: No
- E. Windborne Debris Zone: No
- F. Seismic Design Category: A
- G. Weathering: Severe.
- H. Frost Line Depth Thirty-six (36) inches.
- I. Termite: Moderate to Heavy
- J. Ice Shield Underlayment Required: Yes
- K. Flood Hazards: See Article 5 Division II of the Unified Development Ordinance (UDO)
- L. Air Freezing Index: 927
- M. Mean Annual Temperature: 55.5 degrees Fahrenheit
- N. Manual J Design Criteria is hereby Deleted

Sec. 7-908. - International Residential Code amended; Section R302.5.1. Opening.

Section R302.5.1. Opening is amended by adding the following: Exception: Attic access openings shall not be required to be equipped with a self-closing or automatic closing device.

Sec. 7-909. - International Residential Code amended; Section R304.1.1. Field treatment.

Section R304.1.1. Field treatment is hereby deleted.

Sec. 7-910. - International Residential Code amended; Section R305.1.2. Field treatment.

Section R305.1.2 Field treatment is hereby deleted.

Sec. 7-911. - International Residential Code amended; Section R309. Automatic fire sprinkler.

Section R309 Automatic fire sprinkler is hereby amended to read as follows: A builder of a one-and two-family dwelling or townhouse 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 one-and two-family dwelling or townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such one- and two-family dwelling or townhouse shall be denied the right to install a fire sprinkler system in such dwelling or townhouse being purchased.

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Sec. 7-913. - International Residential Code amended; Section R309.1. Townhouse automatic sprinkler systems.

Section R309.1 Townhouse automatic sprinkler systems is hereby deleted.

Sec. 7-914. - International Residential Code amended; Section R309.2. One- and two- family dwellings automatic sprinkler systems.

Section R309.2 One- and two- family dwellings automatic sprinkler systems is hereby deleted.

Sec. 7-915. - International Residential Code amended; Section R318.3.2. Floor elevations at other exterior doors.

Section R318.3.2 Floor elevations at other exterior doors is hereby amended to read as follows: Exception: An exterior landing or floor is not required at the exterior doorway where the stairway has no more than four (4) risers and is located on the exterior side of the door, provided that the door does not swing over the stairway.

Sec. 7-916. - International Residential Code amended; Section R320.6. Grip size.

Section R320.6 Grip size is hereby amended to read as follows: EXCEPTION: Handrails provided at other non-required exterior stairs may have a maximum horizontal cross-sectional dimension of 3-1/2 inches and shall be easily graspable.

Sec. 7-917. - International Residential Code amended; Section R328 Swimming pools, spas and hot tubs.

Section R328 Swimming pools, spas and hot tubs is hereby deleted. See Article X Swimming Pool, Spa, and Hot Tub Code.

Sec. 7-918. - International Residential Code amended; Section R401.3.1. Minimum standards. is hereby added to read as follows:

Section R401.3.1 Minimum standards is hereby added to read as follows: All drainage facilities shall be designed to carry waters to the nearest drainage way, storm sewer conveyance, or other approved point of collection and conveyance. Erosion of ground in the area of discharge shall be prevented by installation of erosion control devices. Unless specified drainage ways and swales are specifically approved by the building official, abutting property lines between structures shall be designed to function as drainage ways. The toe of slopes shall set back from the property line a minimum of one foot. The area surrounding the building foundation shall have a drainage gradient as provided for in the International Residential Code, as amended from time to time with a draining gradient thereafter of not less than two percent toward approved drainage facilities unless waived by the building official.

- A. Prohibited conduct: No person shall allow or cause any:
 - 1. Facility, or engineered swale which will create ponding on adjacent property, divert water onto the adjoining property, or impede drainage. Fences may be erected in such areas provided they do not unnecessarily

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restrict the flow of water.

2. Water from intermittent sources such as discharges from sump pumps, downspouts, foundation drains, swimming pools, swimming pool backwashes, or other similar sources excluding lawn sprinklers to be discharged closer than five feet to any adjoining property line.
- B. Enforcement: Where such conditions exist and the code official has given written notice of the violation, the owner of the property shall take appropriate measures to eliminate the problems caused on the adjacent property, within the time period stated in the notice, and failure to do so shall be a violation of this chapter.

Sec. 7-919. - International Residential Code amended; Section R403.1.1.1. Footing Reinforcement.

Section R403.1.1.1 Footing reinforcement is hereby added to read as follows: Footings for basement foundation walls shall have a minimum reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum of 3 inches clear from the bottom and edges of the footing.

Sec. 7-920. - International Residential Code amended; Section R403.1.1.2 Column pads.

Section R403.1.1.2 Column pads is hereby added and reads as follows: Unless specified otherwise, column pads shall be a minimum of 24 inches by 24 inches and 8 inches deep (24" x 24" x 8"). Reinforcement shall consist of a minimum of three No. 4 bars each way, uniformly spaced, within each column pad.

Sec. 7-921. - International Residential Code amended; Section R403.3. Frost protected shallow foundations.

Section R403.3 Frost protected shallow foundations is hereby deleted.

Sec. 7-922. - International Residential Code amended; Section R404.1.7. Backfill.

Section R404.1.7 Backfill is hereby amended to read as follows: Backfill placement is hereby amended to read as follows: Backfill shall not be placed against the wall until the wall has sufficient strength or has been sufficiently braced to prevent damage by the backfill.

EXCEPTION: Such bracing is not required for walls supporting less than 4 feet (1219 mm) of unbalanced backfill.

Sec. 7-923. - International Residential Code amended; Section R405.1. Concrete and masonry foundations.

Section R405.1 Concrete and masonry foundations is hereby amended to read as follows: A sump shall be provided to drain the porous layer, footings, and foundations that retain earth and enclose habitable or usable space located below grade that do not drain and discharge by gravity to an approved storm sewer system or to daylight. The sump shall be at least 24 inches (610mm) in diameter or 20 inches square (0.0129 m²), shall extend

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at least 24 inches (610mm) below the bottom of the basement floor and shall be capable of positive gravity or mechanical drainage to remove any accumulated water. Sumps receiving storm water from any exposed exterior drain(s) or opening(s) shall be provided with back-up system(s) capable of assuring proper sump operation in case of power failure. The drainage system shall discharge into an approved storm sewer system or to daylight.

Sec. 7-924. - International Residential Code amended; Section R506.3.5. Interior underslab drains.

Section R506.3.5 Interior underslab drains is hereby added to read as follows: Where foundations retain earth and enclose habitable or usable space located below grade, drains shall be provided below the floor slab. Drainage tiles, perforated pipe or other approved systems or materials shall be installed at or below the area(s) to be protected; shall be placed with positive or neutral slope to minimize the accumulation of deposits in the drainage system; and shall discharge by gravity or mechanical means to an approved storm water drainage system. The underslab drainage system shall be installed around the inner perimeter of the area(s) to be protected, or, in a manner that will provide adequate drainage for all area(s) to be protected and is approved by the building official. Interior underslab drains installed on uncompacted fill material shall be supported by mechanical means which are adequately tied into the concrete slab to ensure proper drainage throughout the underslab drain(s).

Sec. 7-925. - International Residential Code amended; Section R507.9.2. Lateral connection.

Section R507.9.2 Lateral connection is hereby deleted.

Sec. 7-926. - International Residential Code amended; Section R602.6.1. Drilling and notching of the top plate.

Section R602.6.1 Drilling and notching of the top plate is amended to read as follows: When piping or ductwork is placed in or partly in an exterior wall or interior load bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 ga) and 1 ½ inches (38 mm) wide shall be fastened across and to the plate at each side of the opening with not less than four 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1

EXCEPTION: When the entire side of a wall with the notch or cut is covered by wood structural panel sheathing.

Sec. 7-927. - International Residential Code amended; Section R801.3. Roof drainage.

Section R801.3 Roof drainage is hereby amended to read as follows: All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface at least three (3) feet from foundation walls or to an approved drainage system.

Sec. 7-928. - International Residential Code amended; Section R902.1. Roof assemblies.

Section R902.1. Roof assemblies is hereby amended to read as follows: Roof decks shall be covered with materials as set forth in Section R904 or with roof coverings as set forth in Section R905. Class A, B or C roof assemblies shall be installed in jurisdictions designated by law as requiring their use or where the edge of the roof deck is less than 3 feet (914 mm) from a lot line. Where Class A, B or C roof assemblies are required, they shall be tested in accordance with ASTM E108 or UL 790. Where required, the roof assembly shall be listed and identified as to class by an approved testing agency.

EXCEPTIONS: Deleted

Sec. 7-929. - International Residential Code amended; Section R908.1. General Materials.

Section R908.1 General Materials is hereby amended to read as follows: and methods of application used for re-covering or replacing an existing roof covering shall comply with the requirements of Chapter 9 as amended. Re-roofing includes any repairs of more than 10% of the total roof covering in any three-year period. A repair of 10% or less of the total roof covering in any three-year period may utilize approved roofing materials comparable to the existing roofing materials.

EXCEPTION: Re-roofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section R905 for roofs that provide positive roof drainage.

Sec. 7-930. - International Residential Code deleted; Chapter 11. Energy Efficiency.

Chapter 11 Energy Efficiency is hereby deleted. See Article VIII Energy Conservation Code.

Sec. 7-931. - International Residential Code amended; Section G2414.4. Metallic tubing.

Section G2414.4 Metallic tubing is hereby amended to read as follows: Metallic tubing shall not be utilized to distribute natural gas, nor shall it be utilized to distribute any other fuel gas within a building or structure.

Sec. 7-932. - International Residential Code amended; Section G2414.4.3. Copper or copper alloy tubing.

G2414.4.3 Copper or copper alloy tubing is hereby amended to read as follows: Copper and brass tubing shall not be utilized to distribute natural gas, nor shall it be utilized to distribute any other fuel gas within a building or structure.

Sec. 7-933. - International Residential Code amended; Section G2417.4.1. Test pressure.

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Section G2417.4.1 Test pressure is amended to read as follows: The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig (68.9kPa) irrespective of design pressure. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure, the test pressure shall not be less than 60 psig. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

Sec. 7-934. - International Residential Code amended; Section P2503.4. Building sewer testing.

Section P2503.4 Building Sewer Testing is hereby deleted.

Sec. 7-935. - International Residential Code deleted; Section P2503.5. Drain, Waste and Vent System Testing.

Section P2503.5 Drain, Waste and Vent System Testing is hereby deleted.

Sec. 7-936. - International Residential Code deleted; Section P2503.6. Shower Liner Test.

Section P2503.6. Shower Liner Test is hereby deleted.

Sec. 7-937. - International Residential Code amended; Section P2503.7 Water-Supply System Testing.

Section P2503.7. Water-Supply System Testing is hereby deleted.

Sec. 7-938. - International Residential Code amended; Section P2601.2.1. Prohibited drainage and connections.

Section P2601.2.1 Prohibited drainage and connections is hereby added to read as follows: Sanitary sewer systems shall be designed, built and maintained in such a manner to prevent all storm or ground water from draining, discharging or entering into the sanitary sewer system. Connection of sump pumps, foundation drains, yard drains, gutter downspouts and any other storm water drainage receptacle(s) or system(s) are specifically prohibited from being connected to the sanitary sewer system.

Sec. 7-939. - International Residential Code amended; Section P2603.5.1. Sewer depth.

Section P2603.5.1 Sewer depth is hereby amended to read as follows: Building sewers shall be a minimum of 12 inches below grade.

Sec. 7-940. - International Residential Code amended; Section P2902.5.3. Lawn irrigation systems.

Section P2902.5.3 Lawn irrigation systems is hereby amended to read as follows: All lawn irrigation systems shall be installed with the policies as prescribed by the Water Utilities

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Department of the City of Lee's Summit and with automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for scheduling irrigation events. Irrigation controllers shall meet all requirements and be a Certified Water Sense Controller. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all new irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

Sec. 7-942. - International Residential Code amended; Section P2902.6.2. Protection of backflow preventers.

Section P2902.6.2 Protection of backflow preventers is hereby amended to read as follows: Backflow preventers shall not be located in areas subject to freezing except where they can be removed by means of unions, or are protected by heat, insulation or both.

EXCEPTION: In-ground backflow preventers installed for lawn irrigation systems.

Sec. 7-943. - International Residential Code amended; Section P3005.4.2. Building drain and sewer size and slope.

Section P3005.4.2 Building drain and sewer size and slope is hereby amended to read as follows: Pipe sizes and slope shall be determined from Table P3005.4.2 on the basis of drainage load in fixture units (d.f.u.) computed from Table P3004.1. The minimum size of a building sewer serving a dwelling unit shall be four (4) inches.

Sec. 7-944. - International Residential Code amended; Section P3008.1. Backwater valves.

Section P3008.1 Backwater valves is hereby deleted.

Sec. 7-945. - International Residential Code amended; Section P3114.3. Where permitted.

Section P3114.3 Where permitted is hereby amended to read as follows: Individual vents, branch vents, circuit vents and stack vents shall be permitted to terminate with a connection to an air admittance valve only when approved by the Administrative Authority.

Sec. 7-946. - International Residential Code amended; Section E3601.6.2 Service disconnect location.

Section E3601.6.2 Service disconnect location is hereby amended to read as follows: The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect shall be installed at the service cable entrance to the building or structure. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

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Sec. 7-947. - International Residential Code deleted; Section E3601.8. Emergency disconnect.

Section E3601.8 Emergency disconnect is hereby deleted.

Sec. 7-948. - International Residential Code deleted; Section E3606.5. Surge protector.

Section 3606.5 Surge protector is hereby deleted.

Sec. 7-949. - International Residential Code deleted; Section E3901.4.2. Island and peninsular countertop and work surfaces.

Section E3901.4.2 Island and peninsular countertop and work surfaces is hereby deleted.

Sec. 7-950. - International Residential Code amended; Section E3901.4.3. Receptacle outlet location.

Section E3901.4.3 Receptacle outlet location is amended to read as follows: Receptacle outlets shall be located not more than 20 inches (508 mm) above the countertop or work surface. Receptacle outlet assemblies installed in countertops and work surfaces shall be listed for use in countertops or work surfaces. Receptacle outlets rendered not readily accessible by appliances fastened in place, appliance garages, sinks or range tops as addressed in the exception to Section 3901.4.1, or appliances occupying dedicated space shall not be considered as these required outlets.

EXCEPTION: Receptacle outlets shall be permitted to be mounted not more than 12 inches (305 mm) below the countertop or work surface in construction designed for the physically impaired or for island and peninsular countertops or work surface where the surface is flat across its entire surface and there are no means to mount a receptacle within 20 inches (508 mm) above the countertop, such as in an overhead cabinet. Receptacles mounted below the countertop or work surface in accordance with this section shall not be located where the countertop or work surface extends more than 6 inches (152 mm) beyond its support base.

Sec. 7-951. - International Residential Code amended; Section E3902.2. Garage and accessory building receptacles.

Section E3902.2 Garage and accessory building receptacles is hereby amended to read as follows: All 125-volt, through 250-volt receptacles installed in garages and grade level portions of unfinished accessory buildings used for storage or work areas and supplied by a single-phase branch circuit rated 150 volts or less to ground shall have ground-fault circuit interrupter protection for personnel.

EXCEPTIONS:

- A. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
- B. A single receptacle supplied by a dedicated branch circuit that is located and identified (non GFI) for a specific use by a cord-and-plug-connected appliance such as a refrigerator, freezer or sump pump.

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- C. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.

Sec. 7-952. - International Residential Code amended; Section E3902.5. Unfinished Basement receptacles.

Section E3902.5 Unfinished Basement Receptacles is hereby amended to read as follows: All 125-volt through 250-volt receptacles installed in basements and supplied by a single-phase branch circuits rated 150-volts or less to ground shall have ground fault circuit interrupter protection for personnel.

EXCEPTIONS:

- A. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
- B. A single receptacle supplied by a dedicated branch circuit that is located and identified (non- GFI) for a specific use by a cord-and-plug-connected appliance such as a refrigerator, freezer or sump pump.
- C. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.

Sec. 7-953. - International Residential Code amended; Section E3902.11. Indoor damp and wet locations.

Section E3902.11 Indoor damp and wet locations is hereby amended to read as follows: All 125-volt through 250-volt receptacles installed in basements and supplied by a single-phase branch circuit rated 150-volts or less to ground shall have ground fault circuit interrupter protection for personnel.

EXCEPTIONS:

- A. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
- B. A single receptacle supplied by a dedicated branch circuit that is located and identified (non GFI) for a specific use by a cord-and-plug-connected appliance such as a refrigerator, freezer or sump pump.
- C. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.

Sec. 7-954. - International Residential Code amended; Section E3902.12. Specific appliance.

Section E3902.12 Specific appliance is amended to read as follows: Ground-fault circuit-interrupter protection shall be provided for the branch circuit or outlets supplying the following appliances rated 150 volts or less to ground and 60 amperes or less, single or three-phase:

- A. A single receptacle supplied by a dedicated branch circuit that is located and identified (non GFI) for a specific use by a cord-and-plug-connected appliance such as a refrigerator, freezer or sump pump.

Sec. 7-955. - International Residential Code amended; Section 3902.14. Outdoor

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outlets.

Section 3902.14 Outdoor outlets is hereby amended to read as follows: Exception 3. GFCI shall not be required for listed HVAC equipment.

ARTICLE X. – SWIMMING POOL, SPA, AND HOT TUB CODE

No changes are proposed to this Article.

ARTICLE XI. – REMOVAL OF STRUCTURES

No changes are proposed to this Article.

ARTICLE XII. – DANGEROUS AND NUISANCE BUILDING CODE

Article XII is hereby deleted. Article XIII (Subterranean Space Building and Fire Code) and Article XIV (Security Code) and their contents, shall be renumbered as Article XII and Article XIII, respectively.

ARTICLE XIV. – CONTRACTOR LICENSING

Section 7-1400 is hereby added to read as follows: Contractor Licensing Regulations. The purpose of Contractor Licensing Regulations is to protect the public health, safety, and welfare by assuring that those undertaking the construction, alteration, repair, or demolition of structures are qualified to perform such services. It is further the intent that owner-occupants of single-family residential structures be permitted, without first obtaining a contractor's license, to perform minor work on such homeowner's residence.

Section 7-1401 is hereby added to read as follows: Contractor defined. A "contractor" shall mean any person or firm that undertakes with or for another to construct, alter, repair, or demolish any structure or any portion thereof including every i) plumbing contractor, ii) electrical contractor, iii) mechanical heating, ventilation, and air conditioning (HVAC) contractor, and iv) general contractor, building contractor, and residential contractor.

For the purposes of this definition:

"Firm" shall mean any sole proprietorship, partnership, association, limited liability company, or corporation.

The following persons shall not be considered "contractors" as defined herein:

- A. An employee or agent working for and under the supervision of a contractor licensed under this article for any type of construction being undertaken; and,
- B. A homeowner who personally occupies and undertakes the construction, alteration, repair, or maintenance of such homeowner's single-family residence or any accessory structure thereto. Notwithstanding the foregoing, for purposes of this section, any homeowner who undertakes the construction of a new residence for his personal occupancy more than one time in any five (5) year period shall be deemed to be a "contractor".

Section 7-1402 is hereby added to read as follows: Contractor responsible for all work.

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Upon issuance of a building permit to a contractor, such contractor shall be responsible for all work undertaken pursuant to such building permit or portions thereof, including work done by the contractor's employees, agents, and subcontractors. Said work shall be performed in accordance with all applicable codes as adopted and amended from time to time.

Section 7-1403 is hereby added to read as follows: Contractor insurance. Every licensed contractor shall keep in force a policy of general liability insurance, including completed operations coverage during the term of the building permit or during actual construction, whichever date is later. Such insurance policy shall be written with an insurance company licensed to do business in the State of Missouri. All contractors shall maintain general liability coverage in an amount not less than one million dollars (\$1,000,000,000.00). In addition, every such contractor shall procure and maintain workers compensation insurance as required by law. Proof of insurance shall be provided at the time of licensure and shall be a current copy of the "Certificate of Insurance" naming the City of Lee's Summit, Missouri as a certificate holder.

Section 7-1404 is hereby added to read as follows: Licenses authorized. There shall be five (5) separate classes of licenses authorized for contractors as provided:

- A. Class A—General contractor. A general contractor license shall entitle the holder thereof to construct, remodel, demolish or repair any structure. Said contractor shall not engage in any mechanical (HVAC), plumbing, or electrical services unless also properly licensed as a Class D Contractor.
- B. Class B—Building Contractor. A building contractor license shall entitle the holder thereof to construct, remodel, demolish or repair all structures not exceeding three (3) stories in height. A Class B License shall also entitle the license holder to perform non-structural remodeling, tenant finish, and repairs of all structures. Said contractor shall not engage in any mechanical (HVAC), plumbing, or electrical services unless also properly licensed as a Class D Contractor.
- C. Class C—Residential Contractor. A Class C License shall entitle the holder thereof to construct, remodel, demolish or repair any single family, duplex, or townhouse structure and buildings accessory thereto. Said contractor shall not engage in any mechanical (HVAC), plumbing, or electrical services unless also properly licensed as a Class D Contractor.
- D. Class D—Mechanical, electrical and plumbing contractors. A Class D License shall entitle the holder thereof to perform mechanical (HVAC) services, plumbing services, or electrical contractor services. Said contractor shall be specifically licensed for each trade in which they desire to perform work and shall not engage in any work entitled by Class A, Class B, or Class C contracting services unless also properly licensed to perform said work.
- E. Class E- All other contractors not classified as Class A, B, C, or D

Section 7-1405 is hereby added to read as follows: Application and fee. The Development Services Department shall receive and process contractor license applications. A fee for each contractor license shall be paid prior to issuance of said license, in accordance with the City of Lee's Summit Fee Schedule.

Section 7-1406 is hereby added to read as follows: Renewal of license. Every contractor license shall be issued for a period of one year. A contractor shall be entitled to

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renew such contractor's license upon satisfaction of the licensing requirements.

- A. Any contractor who does not provide evidence of obtaining the required number of continuing education units (CEU's) as required by Section 7-1408(C) and wishes to renew their contractor license shall be assessed a one hundred dollars (\$100.00) renewal fee for failure to complete required continuing education.
- B. Any contractor whose license is suspended for any code-related violation must provide satisfactory evidence to the Board of Appeals that the violation has been corrected in accordance with the applicable Code. Failure to provide such evidence may result in the revocation of the contractor's license.
- C. When a contractor's license is revoked, a new license shall not be granted until the contractor has provided the Board with satisfactory evidence that issuance of a new license is warranted. If the contractor's license is revoked as the result of a code-related violation, such contractor may not be re-licensed unless the Building Official determines that the violation has been corrected.

Section 7-1407 is hereby added to read as follows: Inactive license. During the annual renewal period, a licensed contractor who has completed the annual requirement for continuing education may, upon the payment of twenty dollars (\$20.00) have the contractor's license declared inactive. No building 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 code 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 upon the payment of the required business license fee.

Section 7-1408 is hereby added to read as follows: Examinations, license approval, and issuance. Contractor applicants shall be licensed by satisfying one or more of the following provisions:

- A. Obtain or possess a certificate of competency from a nationally recognized testing institution such as ICC Contractor Examination Services or other recognized equivalent with a minimum seventy (75) percent passing score; or
- B. Hold a bachelor's degree in engineering, architecture, or construction science from an accredited college or university.
- C. The Building Official shall expeditiously process all license applications. The Building Official shall adopt reciprocity rules and regulations to allow persons and firms from other cities or states to obtain a contractor's license based upon such person's or firm's ICC Contractor Examination Service in such other city or state. Reciprocity will be given to Johnson County, Kansas license holders or other municipality where equivalency of licensing can be substantiated. Eight (8) hours of continuing education units (CEU) are required for license renewals or approvals. Every Contractor shall complete at least eight (8) hours of continuing education each calendar year. The Building Official shall provide for the recognition of codes-related education provided by governmental entities, trade associations, contractor education providers and others for courses and instruction directly related to those codes adopted by the City of Lee's Summit, Missouri.
- D. 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 is a principal of a firm, the application shall disclose whether the

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firm or the firm's employees or 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 (5) years. Any contractor-applicant denied a license under the provisions of this section may appeal such denial to the Board of Appeals.

Section 7-1409 is hereby added to read as follows: Firms/designated representatives. A firm may obtain, in the firm's name, a contractor's license provided that such firm has at least one full-time employee who is designated by the firm as its representative and such designated representative satisfies one of the requirements of Section 7-1408. A designated representative must spend a minimum of thirty (30) hours per week carrying out meaningful supervision of the construction work of the firm. Whenever a building permit is issued in the name of a firm, the firm shall be subject to these regulations and the jurisdiction of the Board of Appeals.

Section 7-1410 is hereby added to read as follows: Business license. It shall be unlawful for any person to engage in the construction contracting business without first obtaining a business license as required under the applicable provisions of Chapter 28 of the Lee's Summit Code of Ordinances.

Section 7-1411 is hereby added to read as follows: Administrative appeals. For the purpose of administering contractor licensing provisions, the Board of Appeals, as established by Article II, shall hear appeals of decisions rendered by the Building Official, in accordance with the following provisions.

- A. Any person directly affected by a decision of the Building Official made pursuant to Article XV, and after receiving a notice or order issued under Article XV, shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within ten (10) days after the day the decision, notice or order was served. If a person fails to appeal a decision within thirty (30) days as set forth in this subsection, the decision shall be final, and no appeal shall be heard. An application for appeal shall be based on a claim that the applicable code provisions have been incorrectly interpreted or applied, or that the decision was based on erroneous facts.
- B. The following information must be contained in a written appeal made by any person entitled to appeal pursuant to this section:
 1. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.
 2. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified, or otherwise set aside.
 3. The signatures of all parties named as appellants and their official mailing addresses.
- C. Upon receipt of any appeal filed pursuant to this section, the Building Official shall provide notice to the person of the date, time and place of hearing, where the person will have full opportunity to present evidence and testimony in support of the person's appeal. The hearing shall be conducted as a contested case under

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the provisions of Chapter 536 RSMo., and the Board of Appeals shall issue a Final Decision within ten (10) days of the hearing date. The decision shall include written findings of fact and conclusions of law. The decision of the Board shall be final for purposes of appeal pursuant to Chapter 536, RSMo.

Section 7-1412 is hereby added to read as follows: Contractor discipline. The Board of Appeals shall have the authority to admonish, reprimand, and otherwise discipline any contractor subject to the provisions set forth in Section Article XV, including the suspension or revocation of the contractor's license issued under the said provisions. Before a contractor is disciplined, a hearing shall be held following not less than ten (10) days' notice to the effected contractor. The hearing shall be conducted as a contested case under the provisions of Chapter 536 RSMo. The Board of Appeals may suspend or revoke a contractor's license if the Board concludes, following a hearing, that the contractor's action or inaction is:

- A. A serious or repeated violation of the contractor licensing provisions, any applicable Code, or the failure to comply within a reasonable time to any lawful written order of the Building Official;
- B. A knowing and intentional misrepresentation of a material fact made in connection with obtaining a contractor's license or a building permit;
- C. A fraudulent or deceitful use of a contractor's license to obtain a building permit;
- D. A failure to obtain a building permit or to obtain a required inspection of an on-going project as required by any applicable code;
- E. A failure to exercise regular, routine control and supervision over an on-going project for which the contractor has obtained a building permit;
- F. A failure to timely obtain a certificate of occupancy for a completed structure, prior to occupancy, as required by the applicable building code;
- G. A failure to hire a licensed electrical, plumbing, or mechanical (HVAC) contractor to perform any electrical, plumbing, or mechanical (HVAC) work on the job site for which the contractor obtained a building permit; or
- H. A failure by a contractor to pay the required application or licensing fee(s) for a building permit, contractor license, or inspection fee.

Section 7-1413 is added to read as follows: Board action. Upon a finding by a majority of the members present at the hearing that a contractor has violated one or more of the provisions of Section Article XV, the Board of Appeals may admonish, reprimand, or take other appropriate disciplinary action against such contractor including, but not limited to:

- A. Suspension of the contractor's license for a fixed period not to exceed ninety (90) days.
- B. Suspension of the contractor's license for a fixed period exceeding ninety (90) days, provided however, the contractor shall have the right to have the suspension and the terms thereof reconsidered by the Board at the expiration of the first ninety (90) days and every ninety (90) days thereafter to determine if just cause exists to modify or terminate the suspension. Such reconsideration may, at the Board's option, include a hearing.
- C. Revocation of the contractor's license for a period not less than twelve (12) months from the date of revocation. A contractor's license shall be revoked if the contractor has been suspended five (5) times during any thirty-six (36) month period.
- D. Any decision of the Board of Appeals shall be made in writing and mailed to the

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contractor within ten (10) days of the hearing date. Any decision of the Board shall be final for purposes of appeal pursuant to Chapter 536, RSMo.

Section 7-1414 is hereby added to read as follows: Safe harbor provision. A contractor shall not be found in violation of these provisions, nor disciplined by the Board, for a violation of an applicable building safety code provision if the contractor performs the work in accordance with and reliance upon duly certified 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.

ARTICLE XV. – BOARD OF APPEALS

Section 7-1500 is hereby added to read as follows: Board of Appeals. A board of appeals shall be established within the jurisdiction for the purpose of hearing applications for modification of the requirements of this code pursuant to the provisions of the Building Code, Fire Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Residential Code, Electrical Code, Property Maintenance, Design and Construction and all other development related codes. The board shall be established and operated in accordance with this section and shall be authorized to hear evidence from appellants and the building official or city engineer pertaining to the application and intent of the codes for the purpose of issuing orders pursuant to these provisions.

Section 7-1501 is hereby added to read as follows: Application for appeal. Any person shall have the right to appeal a decision of the building official to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.

Section 7-1502 is hereby added to read as follows: Limitation of authority. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

Section 7-1503 is hereby added to read as follows: Stays of enforcement. Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the appeal is heard by the board.

Section 7-1504 is hereby added to read as follows: Membership of board. The board shall consist of Seven (7) voting members appointed by the chief appointing authority of the jurisdiction. Each member shall serve for Three (3) years or until a successor has been appointed. The board members' terms shall be staggered at intervals, to provide continuity.

Section 7-1505 is hereby added to read as follows: Qualifications. The board shall consist of seven individuals, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

Section 7-1506 is hereby added to read as follows: Alternate members. The chief

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appointing authority is authorized to appoint two (2) alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership, and shall be appointed for the same term or until a successor has been appointed.

Section 7-1507 is hereby added to read as follows: Vacancies. Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made.

Section 7-1508 is hereby added to read as follows: Conflict of interest. A member with any personal, professional or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.

Section 7-1509 is hereby added to read as follows: Compensation of members. Compensation of members shall be determined by law.

Section 7-1510 is hereby added to read as follows: Removal from the board. A member shall be removed from the board prior to the end of their term only for cause. Any member with continued absence from regular meeting of the board may be removed at the discretion of the chief appointing authority.

Section 7-1511 is hereby added to read as follows: Rules and procedures. The board shall establish policies and procedures necessary to carry out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be presented.

Section 7-1512 is hereby added to read as follows: Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic intervals.

Section 7-1513 is hereby added to read as follows: Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

Section 7-1514 is hereby added to read as follows: Quorum. A majority of the entire board shall constitute a quorum.

Section 7-1515 is hereby added to read as follows: Legal counsel. The jurisdiction shall furnish legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

Section 7-1516 is hereby added to read as follows: Board decision. The board shall only modify or reverse the decision of the building official by a concurring vote of three or more members.

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Section 7-1517 is hereby added to read as follows: Resolution. The decision of the board shall be by resolution. Every decision shall be promptly filed in writing in the office of the building official within three days and shall be open to the public for inspection. A certified copy shall be furnished to the appellant or the appellant's representative and to the building official.

Section 7-1518 is hereby added to read as follows: Administration. The building official shall take immediate action in accordance with the decision of the board.

Section 7-1519 is hereby added to read as follows: Court review. Any person, whether a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision.

SECTION 2. That it is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Lee's Summit, Missouri.

SECTION 3. That this ordinance shall be in full force and effect on October 1, 2026, after the date of its passage and adoption, and approval by the Mayor.

SECTION 4. That if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2026.

Mayor J. Beto Lopez

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this _____ day of _____, 2026.

Mayor J. Beto Lopez

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head