

ORDINANCE NO. 52

AN ORDINANCE PROVIDING FOR THE REPEAL AND REPLACEMENT OF ORDINANCE NO. 51, ADOPTED SEPTEMBER 12, 2018, FORMERLY ENACTED TO REPEAL ORDINANCE 50 AND FURTHER PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL BUILDING CODE, FIRST PRINTING, 2021, AND THE INTERNATIONAL FIRE CODE, INCLUDING APPENDIX B, C, D, E, I, AND K FIRST PRINTING, 2021, THE INTERNATIONAL EXISTING BUILDING CODE, FIRST PRINTING 2021 AND THE INTERNATIONAL MECHANICAL CODE, FIRST PRINTING, 2021 FOR THE LAKE ST. LOUIS FIRE PROTECTION DISTRICT OF ST. CHARLES COUNTY, MISSOURI.

WHEREAS, pursuant to Revised Missouri Statutes Section 67.280, the Lake St. Louis Fire Protection District of St. Charles County ("District") may adopt or repeal an ordinance which incorporates by reference the provisions of any code or portions of any code, or any amendment thereof, properly identified as to date and source, without setting forth the provisions of such code in full; and

WHEREAS, pursuant to Revised Missouri Statutes Section 67.280, two (2) copies of the: International Building Code, First Printing, 2021, the International Fire Code, First Printing 2021 including appendix B, C, D, E, I and K, International Existing Building Code, First Printing, and the International Mechanical Code, First Printing, 2021, as published by the International Code Council, beginning on May 27, 2021; and

WHEREAS, the Board of Directors ("Board") does hereby find and determine that the International Building Code, First Printing, 2021, the International Fire Code, First Printing, 2021 including appendix B, C, D, E, I and K, International Existing Building Code, First Printing, 2021 and the International Mechanical Code, First Printing, 2021, as published by the International Code Council, have been adopted by a majority of the communities in St. Charles and St. Louis Counties; and

WHEREAS, the Board desires to support and encourage uniformity in building regulations within St. Charles County and St. Louis Counties; and

WHEREAS, the Board deems it to be in the best interest of the District and its residents, and pursuant to its general police powers and in order to promote the health, safety and general welfare of its residents, that it adopt the International Building Code, First Printing, 2021, the International Fire Code, First Printing, 2021 including appendix B,C,D,E,I and K, the International Existing Building Code, First Printing, 2021 and the International Mechanical Code, First Printing, 2021, as published by the International Code Council;

NOW, THEREFORE, be it ordained by the Board of Directors of the Lake St. Louis Fire Protection District of St. Charles County; Missouri as follows:

SECTION ONE:

That the International Building Code, First Printing, 2021 Edition as published, as amended is hereby adopted as the Building Code of the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

- A. The following additions, changes, insertions, and /or deletions are to be added to the International Building Code, First Printing, 2021

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

Section 103.1 - Creation of enforcement agency. The Lake St. Louis Fire Protection District, Fire Prevention Bureau is hereby created and the official in charge there of shall be known as the Fire Code Official.

Section 103.1.1 - Fire Code Official. "Fire Code Official" is defined as the Fire Marshal of the Lake St. Louis Fire Protection District of St. Charles County, Missouri, or his duly authorized representatives.

Section 103.1.2 - Building Official. Building official and/or fire code official wherever it may appear in this code, it shall read "Fire Code Official".

Section 109.2 - Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established in **Appendix 2** by Lake St. Louis Fire Protection District.

Section 109.3 Delete in its entirety. (Permit valuations) insert.

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

Section 110.3.1 Delete in its entirety. (Footing and Foundation Inspections)

Section 110.3.3 Delete in its entirety. (Lowest Floor Elevation)

Section 110.3.7 Delete in its entirety. (Weather exposed balcony and walking surface waterproofing)

Section 110.3.9 Delete in its entirety (Energy efficiency inspections)

Section 111.5 - Certificate Required. Failure of the owner or tenant of a building to obtain the certificate of occupancy and to pay the fees set forth shall be deemed a violation and

shall subject said owner or tenant to the penalties prescribed in Section 114.4

Section 113.1 – General. Amend the fifth sentence to read "The Board of Directors of said District shall serve as the board of appeals". (*See copy of Rules for Appeal attached here to as Appendix 1)

Section 113.3 - Delete in its entirety. (Qualifications)

Section 114.4 - Delete in its entirety and insert the following in lieu thereof: (Violation Penalties)

Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class B misdemeanor, punishable by a fine of not more than five hundred dollars (**\$500.00**) or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 114.4.1 – Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall be liable to the fine of not less than **\$50** or more than **\$500** per day.

SECTION TWO:

That the International Fire Code, First Printing, 2021 as published as amended is hereby adopted as the Fire Code of the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

- A. The following additions, changes, insertions, and /or deletions are to be added to the International Fire Code, First Printing, 2021

Section 101.1 - Title. Line 2 Insert "Lake St. Louis Fire Protection District of St, Charles County Missouri".

Section 103.1 - Creation of enforcement agency. The Lake St. Louis Fire Protection District, Fire Prevention Bureau is hereby created and the official in charge there of shall be known as the Fire Code Official.

Section 103.1.1 - Fire Official. "Fire Code Official" is defined as the Fire Marshal of the Lake St. Louis Fire Protection District of St. Charles County, Missouri, or his duly authorized representatives.

Section 103.1.2 - Fire Code Official. Fire Code Official and/or Code Official wherever they

may appear in this code, shall read "Fire Official".

Section 105.6.24 – Temporary membrane structures and tents. (Delete in its entirety)
(INSERT)

Section 105.6.24 Temporary membrane structures and tents. Tents and membrane structure shall be subject to application for permit and inspection from the fire code official as required under 3103.2.

Section 111.1 - Board of appeals established. Amend the fifth sentence to read "The Board of Directors of said District shall serve as the board of appeals". (*See copy of Rules for Appeal attached hereto as Appendix 1)

Section 111.3 - Delete in its entirety. (Qualifications)

Section 112.4-line 5 - Insert "twenty-five dollars (\$25.00) and five hundred dollars (\$500.00)". Insert the following sentence after the first sentence.: "Each day that such unauthorized work continues after a stop work order has been issued shall be deemed a separate offense."

Section 112.4-line 7 - Insert "Class B Misdemeanor"

Section 112.4-line 8 - Insert "five hundred dollars (\$500.00)"

Section 112.4-line 9 - Insert "six (6) months"

Section 112.5 - Civil action. Notwithstanding the provisions hereof, the Code Official, with the approval of the Board of Directors, may cause to be instituted in the name of the District, a civil action for injunction or other appropriate relief to secure compliance with the provisions of this Code. Injunctive or other appropriate relief shall not be denied on the grounds that an adequate remedy at law exists through the imposition of criminal sanctions.

Section 307.2 - Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.5 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, bonfire, or burning leaves, brush, and vegetation.

Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

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

Section 307.4.2.1 – Bonfire and Recreation fire size and duration. A bonfire shall not be more than 4 feet by 4 feet by 4 feet in dimension and shall not burn longer than 4 hours. The

maximum size and duration of a bonfire shall not be increased by the code official unless it is determined that fire safety requirements of the situation and the desirable duration of the burn warrant the increase

Section 307.4.3 – Delete the Exception in entirety.

Section 307.5 – Attendance for Open burning. bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire- extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization. Any public nuisance caused by burning or the actions of the attendees shall be grounds for not allowing further permits to be issued.

Section 307.5.1 - Additional requirements for burning brush and vegetation: Burning brush and vegetation shall comply with all the other provisions of this code, and with the following.

- 1) Only allowed un-incorporated areas.
- 2) Only allowed between September 16th and April 14th
- 3) Size cannot exceed 16 square feet.
- 4) Under no circumstances shall tires, plastic, coated electrical wires, roof shingles, household refuse, leaves and miscellaneous solid waste be burned.

Section 503.6 - Security gates. Gates to any structure as a method of ingress and egress and which meet the following requirements, will be permitted as described in the following:

- 1) Plans for the gate system, including location, dimensions, locking arrangements, and systems operation must be submitted to the Fire District for approval. The construction, installation, and operation of any gates under this requirement must comply with all applicable codes, ordinances and regulations of all other pertinent municipal and/or county jurisdictions.
- 2) All gates must be maintained in good operating condition at all times.
- 3) Gate systems, which are out of service due to damage, malfunction, or repairs to the system, must be kept in the fully open position until such time as the system has been repaired, and is fully operational.
 - a. Electronically Opened Gates: A gate as described in this subparagraph shall be allowed in all instances, provided all other requirements and procedures of this ordinance are satisfied.
 - i. An electronically operated gate must utilize a Fire District approved Master Key-Knox Box system:
 - ii. Such gate must be a least fifty (50) feet removed from the edge of a cross street, if any, connecting to the street upon which the gate is located;
 - iii. Such gates shall open in both directions a minimum of twenty (20) feet or the full width of the pavement, whichever is less;

- iv. Such gate must have a "rapid entry" Key operated switch that the Fire District can use to open the gate. This switch, when activated, must keep the gate open until the Fire District manually resets the mechanism, so as to allow all other responding apparatus to enter without stopping to open the gate. This switch can only be purchased through the Fire District, and is keyed to a special key that is carried by the Fire District.
- v. In the event of a power failure, the gate must release in order that it may be opened manually.
- vi. Such gate must also have a means to manually release the gate from the electronically operated mechanism. This means in addition to item (v) above, will allow the Fire District to open the gate if the switch, motor, or some other components fails.

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

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

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

A manually operated gate must also meet the following requirements:

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

- c. The provisions of subparagraph (b) to the contrary notwithstanding, a Manually Operated Gate meeting all of the requirements of subparagraph (b) except that being located at a "non-primary" entrance, shall be allowed under the following circumstances;
 - i. Such gate must remain fully open at any time in which human beings are in the area sought to be enclosed by the erection of the gate
 - ii. Conversely, such gate may only be closed and locked at such times that no human beings are present in the area sought to be enclosed by the erection of a gate
 - iii. All other conditions of subparagraph (b) are met.

Section 505.1 Address Identification (line 4 add shall not be less than 6 inches in height and 1 inch stroke).

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

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

Section 507.5.5 - Delete in its entirety and insert new section. (Clear space around hydrants)

Section 507.5.5 - Clear space around hydrants and fire protection equipment. There shall be no obstruction, i.e., plantings, bushes, trees, signs, light standards, mailboxes, etc. within five (5) feet of any fire hydrant, and/or fire department connection to an automatic sprinkler or standpipe system, in all directions, except as otherwise required or approved.

Section 507.5.6.1 - Parking by hydrants. Where fire hydrants are located in areas where vehicles would be parked, said vehicle parking shall be restricted for five (5) feet in each direction from the hydrant.

Section 507.5.6.2 - Parking by fire department connections. When fire department connections are located in an area where vehicles may be parked, said parking shall be restricted for ten (10) feet in each direction from the fire department connection.

Section 507.5.7 - Tampering with fire hydrant. It shall be unlawful for any person to use or operate a fire hydrant for any purpose other than the suppression of a fire. This provision shall not apply to employees of the municipality or village, firefighters or employees of the public utility supplying water to the fire hydrant while in the performance of their duties as firefighters or employees.

Section 604.5.5 - Elevator emergency operations testing: All elevators that are equipped with emergency elevator operations in accordance with Rule 211.3 of ASME A17.1/CSA B44 listed in Chapter 45 shall be tested at least once each year in all phases of emergency functions. An approved elevator service company shall conduct the tests.

Section 901.6.3 - Records: Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 3 years or the required testing frequency if greater than three years and shall be submitted to the AHJ within thirty (30) days of the inspection in an approved format and made available to the code official upon request. Accurate logs shall be maintained indicating the number, location, and type of device tested. Any defect, modification or repair shall be logged.

Section 907.2.9 Group R2

Section 907.2.9.1 Manual fire alarm systems Delete exception #3 in it entirety. Replace Fire sprinkler monitoring systems to require occupant notification with low-frequency sounder base devices in sleeping rooms.

Section 907.11 – “Fire Alarms System”

Section 907.11.1.1 - "Alarm System" means any mechanical or electrical device which is designed to be actuated manually or automatically upon the detection of fire or smoke in the protected building, structure, facility, or premises through the emission of a sound or transmission of a signal or message.

Section 907.11.1.2 - "False" Alarm means any activation of an alarm system intentionally or by inadvertence, negligence, or unintentional act to which the Fire District responds, including activation caused by the malfunction of the alarm system, except that the following shall not be considered a false alarm.

- a. When the Fire Official determines that an alarm has been caused by the malfunction of the indicators at St. Charles County Department of Dispatch and Alarm Center.
- b. When the Fire Official determines that an alarm has been caused by damage, testing, or repairs of telephone equipment or lines by the telephone company, provided that such incidents are promptly reported to the telephone company.

- c. When an alarm is intentionally caused by an occupant or resident acting under a reasonable belief that a need exists to call the district; and or
- d. When an alarm is followed by a call to St. Charles County Department of Dispatch and Alarm Center canceling the alarm by giving proper information prior to the arrival of the District's apparatus at source of the alarm.

Section 907.11.2 - Every person, corporation, firm, or other entity owning or occupying any premises within the boundaries of the Lake St. Louis Fire Protection District, in or on which premises is installed an automatic fire alarm, fire detection or sprinkler system, shall maintain such system in such operation condition that the alarm system shall not transmit to St. Charles County Department of Dispatch and Alarm any false alarms.

Section 907.11.2.1 - It shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required or so installed; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection were necessary to make tests, repairs, alterations, or additions. The Fire Official shall be notified before such tests, repair, alterations, or additions are to be affected and of its completion, and shall be advised of the extent of any such work for additional requirements. Whenever an alarm system is to be shut off for repairs, it shall be the owner's or occupant's responsibility to determine that the servicemen performing such repairs have notified the Fire District of the pending shut off prior to such action. When an alarm has central station supervision, the company providing this service shall also be notified of said action. Failure to notify the Fire District or the central station supervising company of a system shut off, and if the shut-off results in an unnecessary alarm being transmitted to the District, will subject the owner or occupant to a fine of One Hundred Dollars (**\$100.00**) for each alarm received.

Section 907.11.2.2 - Should an alarm system transmit any false fire alarm to the Lake St. Louis

Fire Protection District, either directly or through a central dispatching service, or should inspection of such system by any officer of the Lake St. Louis Fire Protection

District reveal that such a system is in a state of maintenance or disrepair that such system is likely to transmit a false fire alarm, the owner or occupant of the premises shall take such remedial action as necessary, and shall make or cause to be made such adjustments and repairs to the alarm system that the Fire Marshal shall order, in order to abate the condition causing the transmission or likelihood of transmission of false fire alarms.

Section 907.1012.3 - Any person, firm, corporation or other entity given an order by the Fire Marshal, Pursuant to Section 907.11.2.2 herein, shall comply with in twenty-four (24) hours after such order has been given. Any person, firm, corporation or other entity who shall fail to comply within 24 hours after such order has been given shall be fined One Hundred Dollars (**\$100.00**) for each and every day that such violation shall occur or continue to occur.

Section 907.11.2.4 - All False Alarms to which the District responds shall result in the

following service charges to the alarm system's owner or occupant.

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

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

Section 907.11.3. - Definition: An alarm system which automatically sends over regular telephone lines or cell service, by direct connections or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.

Section 3103.2 Approval required.

Section 3103.2 Approval required. Tents and membrane structures having an area in excess of *900 square feet* shall not be erected, operated, or maintained for any purpose without first obtaining a permit and approval from the *fire code official*.

Exceptions. (These exceptions only pertain to this exemption from section 3102 and are not a requirement of all tents):

1. Tents used exclusively for recreational camping purposes.
2. Tents open on two sides that comply with all of the following:
 - 2.1 Individual tents without cooking having a maximum size of 900 sq. ft.
 - 2.2 The aggregate area of multiple tents without cooking placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 900 sq. ft. (65 m²) total.
 - 2.3 A minimum clearance of 12 feet to all structures and other tents unless a greater is required elsewhere in the code.

Appendix 3 - Basic Fire Control Measures and Regulations: Appendix 3 is hereby adopted by the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

Appendix B - Fire Flow Requirements for Buildings: This appendix is hereby adopted by the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

Appendix C - Fire Hydrant Locations and Distributions: This appendix is hereby adopted by the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

Section C105.1 - Fire Hydrant location near Fire Department Connection: Buildings or structures equipped with an automatic fire sprinkler system or standpipe system shall have a fire hydrant within 150 feet of the fire department connection.

Section C105.2 - Fire Hydrant Standards: All fire hydrants installed shall each have not less than:

- 1) Two (2) 2-1/2-inch outlets
- 2) One (1) 4-1/2-inch outlet-18-24 inches from grade to the center of the outlet, facing the direction designated by the fire code official.
- 3) A 5-1/4-inch valve
- 4) A 6-inch barrel
- 5) Shall be of a break-away design
- 6) Shall be frost free
- 7) Shall have chains on the caps
- 8) Shall have left hand National Standard Threads (NST) on all three outlets.

Section C106.2 - Control Valves: Each fire hydrant shall be provided with a control valve in the hydrant connection such that the hydrant can be removed from service without shutting off water supply to other fire hydrants. Whenever a water main is more than twelve hundred (1200) feet in length, such main shall have a control valve.

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

Appendix D102 add Provide hard surface roads, driveways or parking areas shall be installed with 150 feet of said building as it comes out of the ground.

Section D103.3 - Turning radius. The minimum turning radius shall be **42 feet** at outside of curb.

Section D104.1 - Building exceeding three stories or 30 feet in height: Buildings or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.

Section D107.1 - One-or Two-Family dwelling residential developments: Developments of One-or Two-family dwellings where the number of dwelling units exceed 100 shall be provided with separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3

Exceptions:

1. Where there are more than 100 dwellings units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
2. No Change

3. The code official shall be permitted to increase the number of dwelling units allowed with a single fire apparatus access road when topography or other reasons do not permit an additional access road to be provided.

SECTION THREE:

That the International Existing Building Code, First Printing, 2021 Edition as published, as amended is hereby adopted as the Existing Building Code of the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

- A. The following additions, changes, insertions, and/or deletions are to be added to the International Existing Building Code, First Printing, 2021

Section 101.1 Insert: "LAKE ST. LOUIS FIRE PROTECTION DISTRICT"

SECTION FOUR:

That the International Mechanical Code, First Printing, 2021 as published as amended is hereby adopted as the Mechanical Code of the Lake St. Louis Fire Protection District of St. Charles County, Missouri.

- A. The following additions, changes, insertions, and/or deletions are to be added to the International Mechanical Code, First Printing, 2021

Section 101.1 - line 2 Insert: "LAKE ST. LOUIS FIRE PROTECTION DISTRICT"

Section 103.1 – line one insert "LAKE ST. LOUIS FIRE PROTECTION DISTRICT"

Section 114.1 - **Delete** in its entirety and replace with Appeal procedure Attached hereto as Appendix 1.

Section 115.4 - Insert: "Class B Misdemeanor"

Section 115.4 - line 8 Insert: "five hundred dollars (\$500.00)"

Section 115.4 - line 9 Insert: "six (6) months"

Section 115.4 - Insert the following sentence after the last sentence: "Each day that such unauthorized work continues after a stop work order shall be deemed a separate offense."

SECTION FIVE:

Validity: The Board of Directors of the Lake St. Louis Fire Protection District of St. Charles County, Missouri, hereby declares that should any section, paragraph, sentence or word of this Ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of this Ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of this Board of Directors that it would have passed all

other portions of this Ordinance independent of the elimination here of any portion as may be declared invalid.

SECTION SIX:

Savings. Except as specifically set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the District or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof.


SECTION SEVEN:

Severability Clause. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be *valid* and shall be enforced to the fullest extent permitted by law, it being the intent of the Board that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the District and shall thereafter be binding.

SECTION EIGHT:

This Ordinance No. 51, having been duly considered and voted upon by the Board of Directors of the Lake St. Louis Fire Protection District, was duly enacted as an Ordinance of said District on **June 12th, 2024**.

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

	
Michael Crowell, Acting Chairman of the Board of Directors	Date
	
Richard Thurwachter, Director	Date
_____ Vacant Seat, Director	_____ Date

Appeals

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

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

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

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

APPENDIX 2

SCHEDULE OF PERMIT FEES

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

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

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

One and Two Family Dwellings:

\$3.50 per each \$1,000.00 dollar estimated cost of construction minimum fee of 300.00.
(Estimated cost of construction is to be determined by the highest value of the following:
The ICC's most current Building Valuation Data Report or what is submitted on permit application)

Commercial Structures:

\$3.50 per each \$1,000.00 dollar estimated cost of construction minimum fee of \$300.00.
(Estimated cost of construction is to be determined by the highest value of the following:
The ICC's most current Building Valuation Data Report or what is submitted on permit application)

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

One and Two Family Dwellings:

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

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

Single Family Residential Sprinkler Plan Review Fee: No Charge

Commercial, Structures:

A plan review fee of \$200.00 for new commercial structures. (This includes the initial and one (1) revised plan.), plus a \$100.00 inspection fee.

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

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

Commercial:

Sprinkler Plan Review and Permit Fee (F105.7.1): \$150.00, plus a \$100.00 inspection fee.

- Fire Alarm Plan Review and Permit Fee (F105.7.5): \$150.00, plus a \$100.00 inspection fee.
- Fire Main Review and Permit Fee (F105.7.1): \$150.00, plus a \$100.00 inspection fee.
- Kitchen Hood/Fire Suppression Systems Plan Review & Permit Fee (F105.7.1): \$150.00 or \$75.00 for each system, plus a \$100.00 inspection fee.

- C. **Additional Fees:**
- \$20.00 Fire Permit Card replacement
 - \$20.00 Occupancy Permit Card replacement
 - \$50.00 Extra Inspection (See explanation note below)
 - \$75.00 Stop Work Order processing
 - \$150.00 New Commercial Structures extra plan review
 - \$75.00 New One and Two Family Dwellings extra plan review

***Extra Inspection**

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

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

- D. **Fee for Occupancy Commercial:**
The permit fee for Non-residential occupancy permits (Section F105.3.3) shall be \$75.00.
- E. **Fee for Change of Occupancy Commercial / Residential:** Permit required for: Change of Occupancy (Section F105.3.3) "Permit fee" \$75.00

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

- A. **Required Operational Permits:**
1. Permit required for Special Amusement Buildings (Section 105.6.2) Permit fee \$100.00.
 2. Permit required for Carnivals and Fairs. (Section 105.6.4) Permit fee \$100.00
 3. Permit required for Covered Mall Buildings (Section 105.6.9) Permit fee \$100.00
 4. Permit required for Exhibits and Trade Shows (Section 105.6.13) Permit fee \$100.00
 5. Permit required for Explosives: (Section 105.6.14)
 - a. Sale of fireworks Permit fee \$1500.00
 - b. Permit required for Fireworks or Pyrotechnic Special Effects Display (Section 3308.1). Permit fee \$500.00

Exceptions:

 1. The display (discharge) of consumer grade (Division 1.40) fireworks.
 - c. Construction blasting (\$200.00) per 30 days
 - d. Storage of blasting agent (\$50.00) per 30 days

6. Permit required for Temporary Membrane Structures, Tents and Canopies (Section 105.6.43) Permit fee \$200.00
7. Permit required for installation of security gates (Section 503.6) Permit Fee \$100.00
8. Permit required for installation/removal of underground storage tanks- \$100.00 per tank

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

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

APPENDIX 3

BASIC FIRE CONTROL MEASURES AND REGULATIONS

- Section 3.1 **Adoption of Fire Control Measures and Regulations:** There is hereby adopted by the Fire District the fire control measures and regulations herein set forth for the purposes of controlling conditions which could impede or interfere with fire suppression forces.
- Section 3.2 **Authority at Fires and Other Emergencies:** The Chief of the Fire District, or his duly appointed representative as may be in charge at the scene of a fire or other emergency involving the protection of life and property, hereinafter referred to as "the incident commander," is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks, or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The incident commander may prohibit any person, vehicle, or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle, or object which may impede or interfere with the efficient operations of the Fire District. The incident commander may remove or cause to be removed any person, vehicle, or object from hazardous areas. All persons ordered to leave a hazardous area shall immediately do so and shall not re-enter the area until authorized to do so by the incident commander.
- Section 3.3 **Interference with Fire District Operations:** It is unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any Fire District emergency vehicle in any way, or to interfere with attempt to interfere with, conspire to interfere with, obstruct or hamper any Fire District operation.
- Section 3.4 **Compliance with Order:** A person shall not willfully fail or refuse to comply with any lawful order or direction of the incident commander or to interfere with the compliance attempts of another individual.
- Section 3.5 **Vehicles Crossing Fire Hoses:** A vehicle shall not be driven or propelled over any unprotected fire hose without the consent of the incident commander.
- Section 3.6 **Definition of Emergency Vehicle:** Authorized emergency vehicles shall be restricted to those that are defined and authorized as such under the laws of the State of Missouri.
- Section 3.7 **Operation of Vehicles on Approach of Emergency Vehicles:** Upon the approach of any emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection, and shall stop and remain in such position until the emergency vehicle or vehicles have passed, unless otherwise directed by the incident commander or a police officer.
- Section 3.8 **Vehicles Following Fire Apparatus:** It is unlawful for the operator of any vehicle, other than a vehicle on official business, to follow closer than three hundred (300) feet from any fire apparatus traveling in response to a fire alarm, or to drive any vehicle within the block or immediate area where fire apparatus have stopped in answer to an emergency call.

- Section 3.9 **Unlawful Boarding or Tampering with Fire District Equipment:** A person shall not, without proper authorization from the incident commander, cling to, attach oneself to, climb upon or into, board, or swing upon any Fire District vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or part of, any Fire District vehicle.
- Section 3.10 **Damage or Injury to Fire District Equipment or Personnel:** It is unlawful for any person to damage or deface, or attempt or conspire to damage or deface any Fire District emergency vehicle at any time, or to injure, attempt or conspire to injure Fire District personnel while performing Fire District duties.
- Section 3.11 **Emergency Vehicle Operation:** The driver of an emergency vehicle responding to a call may:
- 1.) Park or stand irrespective of the provisions of existing traffic regulations.
 - 2.) Proceed past a red or stop signal or other sign.
 - 3.) Exceed the prima facie speed limit.
 - 4.) Disregard regulations governing direction of movement or turning in specified directions.
- Section 3.12 **Blocking Fire Hydrants and Fire Department Connections:** It is unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire protection systems, including fire hydrants and fire department connections that are located on public or private streets, or on private property. If upon the expiration of the time period specified in a Notice of Violation, the obstructions or encroachments are not removed, the code official shall proceed to remove the same, and report the expense to the Board of Directors. The Board of Directors may authorize legal counsel to institute appropriate action for the recovery of such expenses, as well as reasonable attorney's fees and costs.
- Section 3.13 **Hydrant Use Approval:** A person shall not use or operate any fire hydrant intended for use by the Fire District for fire suppression purposes unless such person first secures a permit for such use from the code official and the Water District having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by, and authorized to make such use by, the Water District having jurisdiction.
- Section 3.14 **Maintenance of Fire Suppression Equipment:** A person shall not obstruct, remove, fail to maintain, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of this code except for the purpose of extinguishing a fire, training, testing purposes, recharging, making necessary repairs, or when permitted by the code official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the code official.
- Section 3.15 **Sale of Defective Fire Extinguishers:** A person shall not sell, trade, loan, or give away any form, type or kind of fire extinguisher which is not approved by the code official, or

which is not in proper working order, or the contents of which do not meet the requirements of the code official. The requirements of this section shall not apply to the sale, trade, or exchange of obsolete or damaged equipment for junk if said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

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

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

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