

BILL NUMBER 1-2010

ORDINANCE NUMBER 31 RESIDENTIAL BUILDING CODE

AN ORDINANCE GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, EQUIPMENT REPAIR, DEMOLITION, REMOVAL, CONVERSION, USE OR MAINTENANCE OF ONE AND TWO FAMILY DWELLINGS AND ACCESSORY STRUCTURES; AND FURTHER PROVIDING FOR THE ISSUE IN SAID PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE **EUREKA FIRE PROTECTION DISTRICT OF ST. LOUIS AND JEFFERSON COUNTIES**, MISSOURI AS FOLLOWS:

That a certain document, three (3) copies of which are on file in the office of the Code Official of the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri, being marked and designated as "*ICC, International Residential Code, 2009 edition*" as published by the International Code Council, Inc., together with the standards which are referenced in Chapter 44 – "Referenced Standards" (pp. 727-748), Appendix B - Sizing of Venting Systems Servicing Appliance Equipped with Draft Hoods, Category I Appliance and Appliances Listed for Use with Type B Vents (pp. 761-769), Appendix C - Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems (p. 771), Appendix E – "Manufactured Housing Used as Dwellings" (pp 775-782) and Appendix J – "Existing Building and Structures" (pp. 799-802), Appendix M - Home Day Care – R-3 Occupancy (pp. 807-808), Appendix N - Venting Methods (pp. 809-815) and Appendix Q - ICC International Residential Code Electrical Provisions/National Electric Code Cross Reference (pp. 843-855) be and is hereby adopted as the Residential Building Code of the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the "*ICC, International Residential Code, 2009 edition*", are hereby referred to, adopted and made a part hereof, as if more fully set out in this Ordinance, with the additions, insertions, deletions and changes prescribed in Section 3 of this Ordinance. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

In addition the "*ICC, International Fire Code 2009 edition*" as published by the International Code Council, Inc, will be considered part of the Residential code as with Chapter 5 – Fire Service Features, Section 502 – Definitions, Section 503 – Fire Apparatus Access Roads and Appendix D – Fire Apparatus Access Roads.

SECTION 2. JURISDICTIONAL TITLES.

100.1 Wherever "name of jurisdiction" appears in such Code, it shall read the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri.

100.2 Wherever "jurisdiction" appears in the code it is defined as the Authority Having Jurisdiction which for this ordinance is **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri.

100.3 Wherever "Code Official", "Building Official" or "Fire Code Official" may appear it is defined at the Fire Marshal, Fire Inspector, or his duly authorized representative of the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri.

SECTION 3. – ADDITIONS, INSERTIONS AND CHANGES TO THE ICC, INTERNATIONAL RESIDENTIAL CODE

CHAPTER 1 – SCOPE AND ADMINISTRATION

Accept IRC 2009 Code with the following additions and deletions:

Section R101.1 -Title. Whenever (Name of Jurisdiction) appears in such code, it shall read the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri.

Section R101.2 - Scope.

Accept IRC 2009 Code with the following deletions:

Delete the words "removal and demolition" and delete the words "townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures".

Exception. Delete the word "townhouses".

Section R101.3 - Intent. Delete the words "structural strength, stability, sanitation, light and ventilation, energy conservation."

Section R102.7 - Existing structure.

Accept IRC 2009 Code with the following additions and deletions:

Delete the words "the International Property Maintenance Code."

ADD Appendix J - "Existing Building and Structures."

Section R104.10.1 - Areas prone to flooding.

Delete in its entirety.

REPLACE: Section - R105.1 Required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move or change the occupancy classification of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required permit.

ADD: Section 105.1.1 - Extensive alterations, reconstruction and additions.

When the total area of all the work areas included in an *alteration* exceeds fifty percent (50%) of the area of the *dwelling unit*, such building or structure shall be made to conform to the requirements for new buildings or structures.

ADD: Section 105.1.1 Exception:

Work in which the alternation work is exclusively plumbing, mechanical or electrical shall not be included in the computations of total area of all work areas.

Section R105.2 - Work exempt from permit.

Accept IRC 2009 Code with the following additions and deletions:

Replace the "Building" section of Section R105.2 with the following.

Building:

1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area does not exceed 200 square feet (18.58 m²).
2. Fences.
3. Retaining walls.
4. Water tanks not for use of fire protection water supply.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Swimming pools exterior to structure.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more then 54 inches (1372 mm) from the exterior wall and does not require additional support.
10. Decks and patios without a roof structure.

Section - R105.3 Application for permit.

Accept IRC 2009 Code with the following additions and deletions:

2. Describe the land on which the propose work is to be done by Lot Number, Street Address and/or similar description that will readily identify and definitely locate the proposed building or work.

Section R105.3.1.1 Determination of Substantially improved or substantially damaged existing buildings flood hazard areas.

Delete in its entirety and insert the following:

ADD Section R105.3.1.1 - New Subdivisions.

In one and two family dwelling and multiple single-family dwelling developments, no more than six (6) dwelling units shall be either constructed or under construction in any contiguous development being developed and accessed by the same fire apparatus access roads in any subdivision, in any platted subdivisions, or in any single development, prior to the installation and operation of a public water system and of fire hydrants as required by a Fire Hydrant Resolution passed and approved by the District such public water system shall first be approved and accepted by the public water utility company. This shall not prohibit construction of noncombustible footings and foundations.

ADD Section R105.1.1.2 - New subdivision streets.

See International Fire Code Section 503 and Appendix D In one and two family dwelling and multiple single-family dwelling developments, no more than six (6) dwelling units shall be either constructed or under construction in any contiguous development being developed in any subdivision, in any platted subdivision or in any single development prior to the installation of fire apparatus access roads.

REPLACE Section R105.7 - Placement of Permit / Inspection Placard.

When work has progressed to a point of having windows, or when the job is an alteration or addition, the placard shall be attached to the available glass in view for recording the balance of inspections required by the Residential Building Code. An inspection may not be conducted in an event were the Permit / Inspection Placard is not on the construction site. (Failure to maintain this inspection and identification placard will not relieve the permit holder of the responsibility as provided by the Residential Building Code.)

REPLACE Section R106.1 - Submittal documents.

Submittal documents consisting of *construction documents*, and other data shall be submitted in one set with each application for a *permit*. Submittal documents consisting of *construction documents* and other data shall be submitted in two sets if the documents are to be considered a "Master" set of documents. The *construction documents* shall be prepared by the appropriate registered design professional consistent with the professional registration laws of the State of Missouri per Revised Statutes of the State of Missouri. The construction documents shall include the name and address of the registered design professional and shall be signed, sealed and dated by the registered design professional in accordance with section R106.1.3. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a registered *design professional*.

Exceptions:

1. Single family home documents drawn by the home owner may have the seal and signature of a registered design professional replaced with their own signature as long as the home owner will be living in the single family home.
2. The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a registered *design professional* if it is found that the nature of the work applied for is such that reviewing of *construction documents* is not necessary to obtain compliance with this code.

Section R106.1.3 - Information for construction in areas prone to flooding. Delete in its entirety.

ADD Section R106.1.3 - Application of seals. When construction documents are submitted, the application of seals and signatures on those documents shall be required as follows:

- a) All construction documents submitted with an application for a building permit shall bear an original embossed or wet ink seal and original signature on the front sheet of each discipline within each set of construction documents; or
- b) The registered design professional for each discipline shall place his original seal and signature upon the cover sheet of each set of construction documents.

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

REPLACE Section R106.3.1 - Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved in writing or by a stamp which states "REVIEWED FOR CODE COMPLIANCE." One set of construction documents, known as the "Master" so reviewed shall be retained by the building official. All other sets shall be returned to the applicant, may be kept at the site of work or shall be available at the time of the inspection and shall be open to inspection by the building official or his or her authorized representative.

Section R108.2 - Schedule of permit fees. Delete in its entirety.

ADD Section R108.2 - Schedule of residential permit fees.

The permit fee for all residential one and two family dwellings shall be as shown in Table R108.2. Permit fees shall include a total of three (3) inspections prior to incurring re-inspection fees. Permit fees will be doubled if construction is performed prior to the issuance of a required permit.

Table R108.2 Schedule of residential permit fees.

Construction Type	Base Fee	Rate Schedule
New Residence	None	\$1.50 per \$1,000 Cost of Construction
Residential Addition or Remodel	\$50 plus	\$1.50 per \$1,000 Cost of Construction
Detached Structure > 200 square feet	\$50 plus	\$1.50 per \$1,000 Cost of Construction
Lower Level/Basement Finish	\$75.00	No Additional Permit Fee
Fire Damage Repair	\$50 plus	\$1.50 per \$1,000 Cost of Construction
Fireplace and Wood Stove	\$50 plus	\$1.50 per \$1,000 Cost of Construction
Re-inspection	\$25 for each re-inspection performed	No Additional Fees
Starting Construction without Permits Per R108.6 and AHJ	None	Double the permit fees

Note: The Cost of Construction shall be based on the square foot construction costs published semiannually by the International Code Council. The latest published cost data shall be used.

REPLACE Section R108.5 - Refunds.

Fifty percent (50%) of the permit fee and the entire base fee are not refundable if a permit which has been issued is canceled. Refunds will be processed when a written request for a refund due to cancellation is received.

REPLACE Section R108.6 - Work commencing before permit issuance.

Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by Table R108.2 shall be in addition to the required permit fees. Any fees for "Work Commencing Before Permit Issuance" shall not be refundable.

Exemptions:

1. Earthwork
2. Stakeouts and other necessary planning procedures.

Section R109.1.1 - Foundation Inspection. Delete in its entirety.

Section R109.1.2 - Plumbing, mechanical, gas and electrical systems. Delete in its entirety.

Section R109.1.3 - Floodplain inspections. Delete in its entirety.

Section R110 Certificate of Occupancy. Delete in its entirety.

ADD Section R110 - Use and Occupancy.

No building or structure shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Fire Code Official has approved the final inspection. For the purpose of this code, occupancy shall be defined as the utilization of a building or area for any other use or activity beyond construction. This shall include, but is not limited to: fixtures, furnishings, stock, merchandise, equipment, supplies, decorating, personal belongings or effects, training and all other uses as defined by the Fire Code Official.

Section R110.1. Occupancy prior to public or private water supply.

No building or structure shall be occupied prior to the installation, operation and approval of a public or private water main and fire hydrant system, or permanent stored water system, designed and installed in accordance with this ordinance.

Exception: Building and structures under the scope of the International Residential Code to which access to a public or private water supply is not reasonably available.

Section R110.2.1 Street Signs.

No dwelling shall be occupied prior to the installation of permanent street signs identifying the approved name of the streets serving such dwellings.

Section R111.1 Connection of service utilities. Delete in its entirety.

Section R111.2 Temporary connection. Delete in its entirety.

Section R112 Board of appeals. Delete in its entirety.

ADD Section R112 Appeals.

An owner, lessee, agent, operator or occupant aggrieved by an order pursuant to this order, may file an appeal to the Board of Directors within ten (10) days from the service of any order, and the Board of Directors shall fix a time and place when and where such an appeal may be heard. Such an appeal shall stay the execution of such order until it has been heard and reviewed, vacated or confirmed. The Board of Directors shall, at such hearings, affirm, modify, revoke or vacate such an order. Unless revoked or vacated, such an order shall then be complied with. Nothing contained shall be deemed to deny the right of any person, firm, corporation, co-partnership or voluntary association to appeal from an order of a decision of the Board of Directors to a court of competent jurisdiction. Such appeals shall stay the execution of such order until it has been heard and reviewed, vacated or confirmed.

Section R113.4 Violation penalties. Delete in its entirety.

ADD Section R113.4 Violation penalties.

Any person, firm or corporation who shall violate any provision of this Ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of

an approved plan or directive of the Fire Code Official, or of a permit or certificate issued under the provisions of this Ordinance, or who prevents the Fire Code Official from conducting any inspection required or permitted by this Ordinance, or shall start any work requiring a permit without first obtaining a permit, therefore, or who shall continue any work in or about a structure after having been served a stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premise or any other person who commits, takes part or assists in any violation of the Ordinance or who maintains any building or premises in which such violation shall exist, shall be guilty of a Class B misdemeanor, provided for in section 321.600(12) R.S. Mo. and section 557.021 R.S. Mo., punishable by a fine of not less than \$500 or by imprisonment not to exceed six (6) months or both such fine and imprisonment, as provided for by law. Each day that a violation continues shall be deemed a separate offense.

Notwithstanding the provisions hereof, the Fire 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 a compliance with the provisions of this Ordinance. 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 or by administrative appeal.

SECTION R114.2 - Unlawful continuance. Delete in its entirety.

ADD SECTION R114.2 - Unlawful continuance.

Any person, who shall continue any work in or about the structure after a stop work order has been posted, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to penalties as specified in Section 113.4 of this Ordinance.

Chapter 2 – Definitions

Accept IRC 2009 Code with the following addition.

ADD: Bedroom - Sleeping room:

Any space in the conditioned area of a dwelling unit or accessory structure which is 70 square feet and greater in size and which is located along an exterior wall, but not including the following: hall; bathroom; kitchen; living room (maximum of one per dwelling unit); dining room (in proximity to kitchen, maximum of one per dwelling unit); family room (maximum of one per dwelling unit), laundry room, closet/dressing room opening off of a bedroom.

The fire code official may grant exceptions if a room, by its design, cannot function as a bedroom. Sewing rooms, dens, studios, lofts, game rooms, and any other conditioned room along an exterior wall which is 70 square feet or greater in size will be considered to be bedrooms unless the room is specifically exempted. If a home office, library or similar room is proposed, it may be exempted from being considered a bedroom if there is no closet and at least one of the following is present:

- a) Permanently built-in bookcases, desks and other feature that encumber the room in such a way that it cannot be used as a bedroom;
- b) A minimum 4 foot opening, without doors, into another room; or
- c) A half wall (4 foot maximum height) between the room and another room. A detached building which contains only a half bath will not routinely be considered as having a bedroom unless it is specifically identified and permitted as a guest house.

When an exception is made per the above, it shall be documented in Permits Application Documents and Submitted Plans in the comments section so that all staff are aware of the determination.

A conditional statement may be required to be signed by the property owner if the permit is for an outbuilding which has been determined to be a use other than a bedroom or other living space. This statement may be recorded as necessary to inform future property owners of restrictions on use of the building.

Chapter 3 – Building Planning

Section R301 - Design criteria.

Delete in its entirety.

Section R302 – Fire Resistant Construction

Accept IRC 2009 Code with the following additions and deletions.

Section R302.1 – Exterior Walls.

Add the following Exceptions:

Exception 6: Cantilevered framing enclosure for manufactured fireplaces

Exception 7: Uncovered decks

Exception 8: Lower level egress windows & wells below grade.

Section 302.2 – Townhouses

Delete in its entirety – Refer to the International Building Code 2009.

Section 302.3 – Two Family Dwellings.

Delete the exception #2

Section 302.4 – Dwelling unit rated penetrations.

Delete reference to R302.2

Section 302.5.1 – Opening Protection

Delete the following words in the second sentence "solid wood doors not less than 1 3/8 inches (35mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35mm) thick, or"

Section 302.6 – Dwelling / garage fire separation.

ADD to **Table R302.6 - Dwelling/Garage Separation** that all drywall shall be a minimum of 5/8-inch listed and labeled fire retardant gypsum board.

ADD to **Table R302.6 - Dwelling/Garage Separation** Under "Separation" for "From the residence and attics" add "main egress path to public way."

Section R303.1 - Habitable rooms. Delete in its entirety.

Section R303.2 - Adjoining rooms. Delete in its entirety.

Section R303.3 - Bathrooms. Delete in its entirety.

Section R303.4 - Opening location. Delete in its entirety.

Section R303.5 - Outside opening protection. Delete in its entirety.

Section R303.7 - Required glazed openings. Delete in its entirety.

Section R303.8 - Required heating. Delete in its entirety.

Section R306 - Sanitation. Delete in its entirety.

Section R307 - Toilet, Bath and shower spaces. Delete in its entirety.

Section R308.6.3 - Screens, general. Delete in its entirety.

Section R308.6.4 - Screens with multiple glazing. Delete in its entirety.

Section R308.6.5 - Screens not required. Delete in its entirety.

Section R308.6.6 - Glass in greenhouses. Delete in its entirety.

Section R308.6.7 - Screen characteristics. Delete in its entirety.

Section R309.1 – Floor surface. Delete the words “a drain or”

Section R309.2 – Carports. Delete the words “a drain or”

Section R309.3 – Flood hazard area. Delete this section in its entirety

Section R311.3 - Floors and landings at exterior doors.

Replace Exceptions with the following.

Exception 1: Exterior balconies less than 60 square feet (5.6 m²) and only accessible from a door are permitted to have a landing less than 36 inches (914 mm) measured in the direction of travel.

Exception 2: Exterior doors, not including required egress doors, protected by an approved guard shall not require an exterior landing.

Section R311.3.2 - Floor elevation for other exterior doors.

Replace Exception with the following.

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

Section R312 – Guards

Accept IRC 2009 Code with the following additions and deletions.

REPLACE **Section R312.3 – Opening Limitations.**

Required *guards* shall not have openings from the walking surface to the required *guard* height which allow passage of a sphere 4 inches (102 mm) in diameter. The balusters or ornamental patterns shall be primarily in a vertical direction or perpendicular to the walking surface. *Guards* shall not have an ornamental pattern that would provide a ladder effect.

Section R313 – Automatic Fire Sprinkler Systems

Accept IRC 2009 Code with the following addition and deletions.

Section R313.1 – Townhouse automatic fire sprinkler systems.

Delete section in its entirety

Section R313.2 – One- and two-family dwelling automatic fire systems

Accept IRC 2009 Code with the following replacements

REPLACE **Section R313.2 - One- and two-family dwellings automatic fire systems.**

A builder of single family dwellings or residences or multi-unit dwellings of four or fewer units shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling, residence or unit. No purchaser of such a single family dwelling, residence or multi-unit dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased.

REPLACE Section R313.2.1 – Design and installation.

Automatic residential fire sprinkler systems shall be designed and installed in accordance with NPFA 13D.

Section R314.5 - Termite Damage. Delete in its entirety.

Section R316.7 – Termite Damage. Delete this section in its entirety

Section R317 – Protection of Wood and Wood Based Products Against Decay.

Delete Section Exclusive of the Following:

Section R317.3 – Fasteners and connectors in contact with preservative-treated and fire-retardant-treated-wood

Accept IRC 2009 Code.

Section R317.3.1 – Fasteners for preservative-treated wood.

Accept IRC 2009 Code

Section R317.3.2 Fastening for wood foundations.

Accept IRC 2009 Code

Section R317.3.3 – Fasteners for fire-retardant-treated wood used in exterior applications or wet or damp locations.

Accept IRC 2009 Code.

Section R317.3.4 – Fasteners for fire-retardant-treated wood used in interior applications.

Accept IRC 2009 Code.

Section R318 – Protection Against Subterranean Termites. Delete this section in its entirety

REPLACE Section R319 – Site Address.

Each structure shall have a *street address number* displayed by shall have the number so displayed in a position easily observed and readable from the public right-of-way. All numbers shall be in Arabic figures at least four (4) inches high and one half (1/2) inch wide strokes. Written and or script type numbers shall not be accepted. The color of address numbers must contrast to their background. . No gold, silver or brass numbers accepted. Numbers must be permanently affixed to the structure, no stick-on or Velcro numbers will be accepted. If the building is not visible from the street, the address must be posted next to the street by the driveway on a post four (4) feet high or as approved by the Fire Code Official. The address on the post must be visible from the approach of both directions of the street and perpendicular to the street.

Section R322 – Flood-Resistant Construction.

Delete Section Exclusive of the Following:

Section R322.1.6 – Protection of Mechanical and Electrical Systems.

Accept IRC 2009 Code.

ADD Section R324 - Fire Hydrants.

ADD Section R324.1 - New subdivisions.

No person shall commence construction of any new building or structure of any kind in any subdivision within the District, unless such person shall have first submitted to the Fire Code Official of the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri a plot of the aforesaid subdivision, indicating the proposed installation of the fire hydrants within such subdivision, approved by the Fire Code Official.

ADD Section R324.2 - New structures.

No person shall commence construction of any new structure, or building, or addition to any structure or building, within or upon any real property within the District, unless such person shall first have submitted to the Fire Code Official of the District a plat or drawing of the property whereon is located such building, structure or addition, which plat or drawing has indicated thereon the nearest existing fire hydrant, and if there is not an existing fire hydrant within such distance as approved by the Fire Code Official, then also the proposed installation of a new fire hydrant or hydrants, and unless, also, the particular locations proposed for such fire hydrants and the number of fire hydrants to be installed if any, shall be approved by the Fire code Official.

ADD Section R324.3 - Installation of other new fire hydrants.

No person shall install or cause to be installed any fire hydrant within the District, unless the location thereof and the design and type of the hydrant, including the threads and outlets thereof, shall first have been approved by the Fire Code Official.

ADD Section R324.4 - Residential uses.

There shall be no more than six (6) dwelling units constructed prior to the installation of a public water system with fire hydrants as set forth herein so as to be accessible for Fire District use in the event of a fire emergency.

ADD Section R324.5 - Fire hydrant placement.

Fire hydrants shall be placed within the guidelines Section R324.5.3.

ADD Section R324.5.1 - Fire flow one- and two-family dwellings.

The minimum fire-flow requirements for one and two-family dwellings shall be 1000 gallons per minute with a minimum 20 psi residual pressure.

Exception: A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system

ADD Section R324.5.2 - Area to be provided with fire hydrants.

Fire hydrants and water mains shall be placed along the full length of the property to be developed that abuts an existing and/or proposed improved public way. Variances may be required by the water agency because of water quality considerations.

ADD Section R324.5.3 - Fire hydrant spacing.

Spacing of fire hydrants along a public way shall be five hundred (500) feet between hydrants. The maximum distance from any point on street or road frontage to a hydrant is two hundred fifty (250) feet.

Exception: Reduce the spacing of fire hydrants on dead end streets or roads by one hundred (100) feet. Reduce the maximum distance from any point on a street or road frontage by fifty (50) feet for dead end streets or roads.

ADD Section R324.5.4 - No parking area at fire hydrants.

Where fire hydrants are required to be installed in areas where vehicles would be parked or standing, said vehicle parking or standing shall be restricted for ten (10) feet in each direction from the fire hydrant.

ADD Section R324.5.5 - Unacceptable locations for fire hydrants.

Fire hydrants shall not be permitted in the locations indicated in Section R324.5.6.

ADD Section R324.5.6 - Prohibited locations.

A fire hydrant shall not be placed at any location where the fire hydrant could be damaged by vehicular traffic.

ADD Section R324.5.7 - Relocation of fire hydrants.

Relocation of fire hydrants requested or required by a property owner and/or developer shall be relocated as specified by the water agency's policies and procedures.

ADD Section R324.6 - Fire hydrant installation.

All fire hydrants shall be installed in accordance with Sections R325.6.1 through R325.6.3.

ADD Section R324.6.1 - Fire hydrant set back distance.

All fire hydrants shall be set back from the curb or edge of pavement. The set back shall not exceed twelve (12) feet.

ADD Section R324.6.2 - Fire hydrant connection height.

Fire hydrants shall be installed a minimum of fourteen (14) inches and a maximum of thirty six (36) inches above finished grade, measured from the center of the steamer connection.

ADD Section R324.6.3 - Fire hydrant type.

All fire hydrants shall be approved by the American Water Works Association (AWWA).

ADD Section R324.7 - Obstructions.

There shall be no obstructions, plantings, bushes, trees, signs, light standards, etc., within three (3) feet of any fire hydrant in all directions.

ADD Section R324.8 - Color coding of public fire hydrants.

All public fire hydrant barrels are to be painted yellow. All fire hydrant bonnets are to be painted as follows:

COLOR	WATER MAIN SIZE
Green	Twelve (12) inch and larger
Orange	Eight (8) and ten (10) inch
Red	Six (6) inch and smaller

ADD Section R324.9 - Color coding of private fire hydrants.

All private fire hydrants shall be painted yellow, including the bonnet.

ADD Section R324.10 - Access.

The commencement of construction of any such new subdivision, or new building, or structure or addition by any person, within the District, shall be deemed to be the granting of permission by such person for entry upon such property by the water supplier, for the installation of any such aforesaid fire hydrants and the water main leading thereto, and also to the District and to the members of its Staff and to its equipment, for access to such fire hydrant, or hydrants, which may be located upon any such property, for any purpose whatever within the functions of the District, in considerations of issue of building permit.

ADD Section R324.11 - Building permits.

The Fire Code Official of the District shall not approve, nor issue building permits for, nor permit the construction of any such new subdivision, or new building or structure or addition, so long as the owner thereof shall fail to provide for fire hydrants, or to perform any guarantees, or to permit access, according to this Section.

Exception: On the application of any person, the Board of Directors of the District may grant exception to the requirements of this Section for fire hydrant installations, where such person shall prove to the satisfaction of the Board of Directors that there is no water supply reasonably available for the installation of hydrants.

Chapter 4 – Foundations.

Delete in its entirety

Chapter 5 – Floors.

Delete Chapter Exclusive of the Following Sections:

Section R501.1 - Application.

The provisions of this chapter shall control the design and construction of the floors for all buildings including the floors of attic spaces used to house mechanical or plumbing fixtures and equipment.

Section R501.2 - Requirements.

Floor construction shall be capable of accommodating all loads according to Section R301 and of transmitting the resulting loads to the supporting structural elements.

ADD Section R501.3 - Fire Protection of Floors.

Floor assemblies, not required elsewhere in this code to be fire resistance rated, shall be provided with a 1/2 inch gypsum wallboard member with a rough tape, 5/8 inch wood structural panel member or equivalent on the underside of the floor framing member with seams protected. There shall be no unprotected opening or penetrations in the membrane. The requirements of this Section R501.3 will not take effect until June 1, 2011.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with NFPA 13D or other approved equivalent sprinkler system.
2. Floor assemblies located directly over a crawl space not intended for storage or fuel-fired appliances.
3. Portions of floor assemblies can be unprotected when complying with fire blocking in accordance with section R302.11.1 shall be installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using solid sawn lumber or dimensional lumber equal to or greater than 2-inch by 10-inch nominal dimension.
5. Floor assemblies with a fire rating equivalent to the floor assembly described in Section R501.3.4.

Section R502.12 – Draft-stopping required.

Accept IRC 2009 Code

Section R502.13 – Fire-blocking required.

Accept IRC 2009 Code

Chapter 6 – Wall Construction

Delete Chapter Exclusive of the Following Sections:

Section R602.6 – Drilling and notching –studs.

Accept IRC 2009 Code

Section R602.6.1 – Drilling and notching of top Plate.

Accept IRC 2009 Code

Section R602.8 - Fire blocking required.

Accept IRC 2009 Code

Section R612 – Exterior Windows and Doors

Accept IRC 2009 Code

Chapter 7 – Wall Covering

Accept IRC 2009 Code

Chapter 8 – Roof-Ceiling Construction

Delete Chapter Exclusive of the Following Sections:

Section R802.1.3 - Fire-retardant-treated wood.

Accept IRC 2009 Code

Section R802.1.3.1 - Pressure process.

Accept IRC 2009 Code

Section R802.1.3.2 - Other means during manufacture.

Accept IRC 2009 Code

Section R802.1.3.3 – Testing

Accept IRC 2009 Code

Section R802.1.3.4 – Labeling

Accept IRC 2009 Code

Section R802.1.3.5 – Strength adjustments

Accept IRC 2009 Code

Section R802.1.3.6 – Exposure to weather

Accept IRC 2009 Code

Section R802.1.3.7 – Interior applications

Accept IRC 2009 Code

Section R802.1.3.8 – Moisture content

Accept IRC 2009 Code

Section R807 - Attic access.

Accept IRC 2009 Code With the following addition:

ADD Section R807.2 Attic access in closets

Attic accesses are not to be located in any closet unless the finished dimensions of the closet are greater than eight (8) feet by ten (10) feet, any such access must be centrally located and in line with the closet door, or other location which has been approved by the Fire Code Official.

ADD Section R807.3 - Garage Attic Access

Attic access opening shall be protected by 1 layer of 5/8 inch gypsum board which is listed and labeled fire retardant. The access panel shall be supported with a minimum of two (2) inch by four (4) inch nominal thickness lumber or other approved fire resistance rated materials or methods, which have been approved by the Fire Code Official.

Chapter 9 – Roof-Ceiling Construction

Delete Chapter Exclusive of the Following Sections:

Section R901 – General

Accept IRC 2009 Code

Section R902 - Roof classification.

Accept IRC 2009 Code

Section R905 - Requirements for Roof Coverings.

Accept IRC 2009 Code

Section R906 Roof insulation.

Accept IRC 2009 Code

Chapter 10 – Chimneys and Fireplaces

Accept IRC 2009 Code With the following addition:

ADD Section R1004.5 – Fire box separation.

The fire box area shall be completely enclosed with a minimum of 5/8-inch listed and labeled fire retardant gypsum board. All joints shall receive a rough tape finish or one hour listed and labeled rated tape.

ADD Section R1004.5.1 – Factory built fireplace underside protection.

Factory built fireplaces must be placed on a noncombustible material with in the fire box enclosure.

ADD Section R1004.6 - Chimney separation.

Factory built chimneys shall be separated from any dwelling unit interior space by minimum 5/8-inch listed and labeled fire retardant gypsum board. Gypsum board shall be secured to the interior of the chimney chase and shall include a rough tape finish to all joints or one hour listed and labeled rated tape.

Exception: Tape not required at joints created by inspection plug.

ADD Section R1004.7 - Hearth extension.

Factory built fireplace hearth extensions shall be constructed of an approved noncombustible materials, and reinforced to carry their own weight and all imposed loads.

Exceptions:

1. Hearths installed in accordance with the manufacturer's Instructions with specific hearth extension dimensions.
2. Factory built fireplace with a permanently affixed cover of the entire fireplace opening.

ADD Section R1004.7.1 - Hearth extension dimensions.

Hearth extensions shall extend at least 16 inches (406 mm) in front of and at least 8 inches (203 mm) beyond each side of the fireplace opening. Where the fireplace opening is 6 square feet (0.6 m²) or larger, the hearth extension shall extend at least 20 inches (508 mm) in front of and at least 12 inches (305 mm) beyond each side of the fireplace opening.

Chapter 11 – Energy Efficiency. Delete in its entirety.

Chapter 12 – Mechanical Administration. Accept IRC 2009 Code

Chapter 13 – General Mechanical System Requirements.

Accept IRC 2009 Code With the following replacement:

REPLACE Section M1305.1.4.1 Ground clearance.

Equipment and appliances supported from the ground shall be level and firmly supported on a concrete slab or other approved material extending not less than 2 inches (50.8 mm) above the adjoining ground. Such support shall be in accordance with the manufacturer's installation instructions. Appliances suspended from the floor shall have a clearance of not less than 6 inches (152 mm) from the ground.

Chapter 14 – Heating and Cooling Equipment.

Accept IRC 2009 Code With the following deletions and replacement:

REPLACE Section M1401.3 Sizing.

Heating and cooling equipment shall be sized in accordance with ACCA Manual S based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies. The design temperatures for St. Louis regional area shall be in accordance with Table M1401.3.

ADD Table M1401.3 – Design Temperatures.

**TABLE M1401.3
DESIGN TEMPERATURES**

	Outdoor	Indoor
Winter	DB 2° F	DB 70° F
Summer	DB 95° F WB 76° F	DB 78° F

Delete Section M1411.3.1.1 Water level monitoring devices.

REPLACE Section M1411.6 Tamper-resistant port caps.

Refrigerant circuit access ports located outdoors shall be fitted with tamper-resistant caps.

Chapter 15 – Exhaust Systems.

Accept IRC 2009 Code With the following additions and replacement:

REPLACE Section M1502.4.4.1 Specified length.

The maximum length of the exhaust duct shall be 35 feet (10668 mm) from the connection to the transition duct from the dryer to the outlet terminal. Where fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table M1502.4.4.1.

ADD Section M1502.4.4.1 Exception:

The total developed length of dryer exhaust ducts may be up to a maximum of 55 feet (16764 mm) when cleanouts and signage are provided. Cleanouts shall be provided for every 15 feet (4572 mm) of length, within 12 inches (305 mm) of the second elbow and at every elbow thereafter. Permanent signage shall be provided to identify each cleanout location. Permanent signage shall also be provided at the dryer exhaust connection to inform occupants of the periodic inspection and cleaning requirements.

REPLACE Section M1503.1 General.

All kitchens shall be equipped with means of mechanical exhaust directly over, or adjacent to, a range or cook top. The mechanical exhaust system may be of the re-circulating type or may exhaust directly to the outside. Re-circulating systems shall be equipped with the appropriate filtration for grease removal and odor control and must be capable of operating in a moist environment. Either type of system shall be a listed exhaust system. With either type, the mechanical exhaust system shall be allowed to run on an intermittent basis. Exhaust systems shall be installed in accordance with Sections M1503, M1505 and M1507.3. Range hoods shall discharge to the outdoors through a single-wall duct. The duct serving the hood shall have a smooth interior surface, shall be air tight and shall be equipped with a backdraft damper. Ducts serving range hoods shall not terminate in an attic or crawl space or areas inside the building.

REPLACE Section M1503.1 Exception.

Where installed in accordance with the manufacturer's installation instructions, and where mechanical or natural ventilation is otherwise provided, listed and labeled ductless range hoods shall not be required to discharge to the outdoors.

REPLACE Section M1503.4 Makeup air required.

Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the exhaust air rate. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Chapter 16 – Duct Systems.

Accept IRC 2009 Code With the following replacement:

REPLACE Table M1601.1.1 (2) – Gages of metal ducts and plenums used for heating and cooling.

TABLE M1601.1.1(2)

GAGES OF METAL DUCTS AND PLENUMS USED FOR HEATING AND COOLING

TYPE OF DUCT	SIZE (Inches)	MINIMUM THICKNESS (Inches)	EQUIVALENT GALVANIZED SHEET GAGE
Round ducts and enclosed rectangular ducts	14 or less	0.013	30
	over 14	0.016	28
Exposed rectangular ducts	14 or less	0.016	28
	over 14	0.019	26

Chapter 17 – Combustion Air. Accept IRC 2009 Code

Chapter 18 – Chimneys and Vents.

Accept IRC 2009 Code With the following replacement:

REPLACE Section M1801.1 Venting required.

Fuel-burning appliances shall be vented to the outdoors in accordance with their listing and label and manufacturer's installation instructions except appliances listed and labeled for unvented use. Venting systems shall consist of approved chimneys or vents, or venting assemblies that are integral parts of labeled appliances. Gas-fired appliances shall be vented in accordance with Chapter 24.

ADD Section M1801.1 Exception.

Unvented appliances where the manufacturer's instructions require a window to be opened during operation of the appliance shall not be installed.

Chapter 19 – Special Fuel-Burning Equipment. Accept IRC 2009 Code

Chapter 20 – Boilers and Water Heaters.

Accept IRC 2009 Code With the following replacement:

REPLACE Section M2006.3 Temperature and pressure-limiting devices.

Pool heaters shall have temperature and pressure-relief valves

Chapter 21 – Hydronic Piping.

Accept IRC 2009 Code With the following addition:

ADD Section M2101.11 Joints between different piping materials.

Joints between different materials shall be made with approved adapter fittings. Joints between different metallic piping materials shall be made with approved dielectric fittings or brass converter fittings.

Chapter 22 – Special Piping and Storage Systems. Accept IRC 2009 Code

Chapter 23 – Solar Systems. Accept IRC 2009 Code

Chapter 24 – Fuel Gas.

Accept IRC 2009 Code With the following replacement:

REPLACE Section G2408.4 (305.7) Clearances from grade.

Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending not less than 2 inches (50.8 mm) above adjoining grade or shall be suspended not less than 6 inches (152 mm) above adjoining grade. Such supports shall be installed in accordance with the manufacturer's installation instructions.

REPLACE Section G2420.5.1 (409.5.1) - Located within same room.

The shutoff *valve* shall be located in the same room as the *appliance*. The shutoff *valve* shall be installed more than 3 feet and less than 6 feet from the *appliance*, and shall be installed upstream of the union, connector or quick disconnect device it serves. The shut off valve shall be a ¼ (quarter) turn valve.

REPLACE Section G2420.5.2 (409.5.2) - Vented decorative appliances and room heaters.

Shutoff *valves* for vented decorative *appliances*, room heaters and decorative *appliances* for installation in vented fireplaces shall be located in the same room as the *appliance*. The shutoff *valve* shall be installed more than 3 feet and less than 6 feet from the *appliance*, and shall be installed upstream of the union, connector or quick disconnect device it serves. The shut off valve shall be a ¼ (quarter) turn valve. Such *valves* shall be permanently identified and shall serve no other *appliance* and installed in accordance with Sections G2412 through G2419.

REPLACE Section G2439.5.5.1 (614.6.5.1) Specified length.

The maximum length of the exhaust duct shall be 35 feet (10668 mm) from the connection to the transition duct from the dryer to the outlet terminal. Where fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table G2439.5.5.1.

ADD Section G2439.5.5.1 Exception:

The length of the dryer exhaust shall be permitted to be in accordance with M1502.4.4.1.

Chapter 25 – Plumbing Administration. Delete in its entirety.

Chapter 26 – General Plumbing Requirements. Delete in its entirety.

Chapter 27 – Plumbing Fixtures. Delete in its entirety.

Chapter 28 – Water Heaters. Accept IRC 2009 Code

Chapter 29 – Water Supply and Distribution. Delete in its entirety.

Chapter 30 – Sanitary Drainage. Delete in its entirety.

Chapter 31 – Vents. Delete in its entirety.

Chapter 32 – Traps. Delete in its entirety.

Chapter 33 – Storm Drainage. Delete in its entirety.

Chapter 34 – General Electric Requirements

Delete section in its entirety exclusive of the following:

Section E3402 - Building structure protection.

Section E3405 - Equipment location and clearance.

Chapter 35 – Electrical Definitions. Accept IRC 2009 Code

Chapter 36 – Electrical Services.

Delete in its entirety exclusive of the following:

Section E3601.6 - Service disconnect required.

Section E3601.6.2 - Service disconnect location.

Section E3604.1 - Clearance from building openings.

Section E3604.2 - Vertical clearance.

Section E3604.2.1 - Above roofs.

Section E3604.2.2 - Vertical clearance from grade.

Chapter 37 – Branch Circuits and Feeder Requirements. Delete in its entirety.

Chapter 38 – Wiring Methods. Delete in its entirety.

Chapter 39 – Power and Lighting Distribution. Accept IRC 2009 Code

Chapter 40 – Devices and Luminaries. Accept IRC 2009 Code

Chapter 41 – Appliance Installation. Delete in its entirety.

Chapter 42 – Swimming Pools. Delete in its entirety.

Chapter 43 – Class 2 Remote-Control, Signaling and Power-Limited Circuits.
Delete in its entirety.

Chapter 44 – Reference Standard

ASTM

ADD: F2200 – Standard Specifically for Automated Vehicular Gate Construction.

ICC International Fire Code - 2009

ADD: Chapter 5 – Fire Service Features: Section 502 & Section 503

ADD: Appendix D – Fire Apparatus Access Roads

NFPA

Replace NFPA 13D-07 with NFPA 13D-10 – Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes

Appendix B – Sizing of Venting Systems Servicing Appliance Equipped with Draft Hoods, Category I Appliance and Appliances Listed for Use with Type B Vents

Accept IRC 2009 Code

Appendix C – Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems

Accept IRC 2009 Code

Appendix E – Manufactured Housing Used as Dwellings

Accept IRC 2009 Code with the following additions and deletions.

REPLACE Section AE302 - Application for permit.

Permits shall be applied for in accordance with Section R105

REPLACE Section AE303 - Permits issuance.

Permits shall be issued in accordance with Section R105.

REPLACE Section AE304 - Fees.

Permit fees shall be in accordance with Table R108.2.

REPLACE Section AE305 - Inspections.

Inspections shall be in accordance with Section R109.

Section AE305.5.1 - Structural inspections for the manufactured home installation.
Delete in its entirety.

Section AE305.5.2 - Structural inspections for accessory building and structures.
Delete in its entirety.

Section AE305.5.3 - Building service equipment inspections. Delete in its entirety.

Section AE307 - Utility service. Delete in its entirety.

REPLACE **Section AE402 - Location on property.** Manufactured homes and accessory buildings shall be located on the property in accordance with Section R302.

Section AE501 - Design. Delete in its entirety.

Section AE502 Foundation systems. Delete in its entirety.

Section AE503 - Skirting and perimeter enclosures. Delete in its entirety.

Section AE504 - Structural additions. Delete in its entirety.

Section AE505 - Building service equipment. Delete in its entirety.

Section AE600 - Special requirements for foundation systems. Delete in its entirety.

Section AE601 - Footings and foundations. Delete in its entirety.

Section AE602 - Pier construction. Delete in its entirety.

Section AE603 Height of piers. Delete in its entirety.

Section AE604 Anchorage installations. Delete in its entirety.

Section AE605 Ties, materials and installation. Delete in its entirety.

Appendix J – Existing Buildings and Structures

Accept IRC 2009 Code with the following additions and deletions.

Section AJ102.4 - Replacement windows. Delete in its entirety.

Section AJ102.5 - Flood hazard areas. Delete in its entirety.

Section AJ301.1.1 - Hazardous material. Delete in its entirety.

Section AJ301.1.2 - Plumbing material and supplies. Delete in its entirety.

Section AJ301.2 - Water closets. Delete in its entirety.

Section AJ401.4 Structural. Delete in its entirety.

Appendix M – Home Day Care – R-3 Occupancy. Accept IRC 2009 Code.

Appendix N – Venting Methods. Accept IRC 2009 Code.

Appendix Q – ICC International Residential Code Electrical Provisions/National Electric Code Cross Reference.

Accept IRC 2009 Code.

SECTION 4. – ADDITIONS, INSERTIONS AND CHANGES TO THE ICC, INTERNATIONAL FIRE CODE APPENDIX D.

ADD Section D102.2 - Fire apparatus access road obstructions.

A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street, within the boundaries of the Fire District. The word street as used in this ordinance shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to private streets or access lanes, as well as public streets and highways within the boundaries of the Fire District.

Exception: Gates installed in accordance with D103.5.

ADD Section D102.3 – Fire apparatus access road for residential structures.

Any One or Two Family dwelling unit construction in that the travel distance upon the driveway is greater than 300 feet from the main fire apparatus road shall be accessible to fire district apparatus by way of an *approved* Fire Apparatus Access Road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34,050 kg.)

Exceptions:

1. The Fire Apparatus Access Road is not required if the dwelling structure is equipped throughout with an *approved automatic sprinkler system*.
2. The structure has no bedrooms / sleeping rooms.

ADD Section D102.3.1 – Driveway measurement.

The driveway travel distance is measured from the curb line or edge of the finished roadway surface of the main fire apparatus road closest to the structure along the travel path on the driveway to the structure, including the distance to the front or main entrance door of the dwelling unit.

ADD Section D102.3.2 - Specifications.

Fire apparatus access roads shall be installed and arranged in accordance with Sections D102.3.2.1 through D102.3.2.5.

ADD Section D102.3.2.1 - Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section D103.5, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

ADD Section D102.3.2.2 - Authority.

The fire code official shall have the authority to require an increase in the minimum access widths and heights where they are inadequate for fire or rescue operations.

ADD Section D102.3.2.3 - Bridges and elevated surfaces.

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

ADD Section D102.3.2.4 - Grade.

The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

ADD Section D102.3.2.5 - Angles of approach and departure.

The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

REPLACE Section D103.5 Fire apparatus access road gates.

Security gates installed or constructed on a fire apparatus access road shall comply with Section D103.5.1 through D103.5.3. A permit shall be required before the construction or installation of a security gate across a fire apparatus access road. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Locking device specifications shall be submitted for approval by the fire code official.

ADD Section D103.5.1 - Number of gates. Fire apparatus shall not be required to pass through more than one gate to access, or pass through, any part of a subdivision, development, facility or building.

ADD Section D103.5.2 - Electrically operated gates. All electrically operated gates shall be installed in accordance with the following requirements:

1. **Set back:** The gate shall be at least 50 feet back from the edge of the cross street from which the "gated" street is accessed, and shall open the full width of the required pavement, roadway or driveway.
2. **Operation:** The gate shall be equipped with a "Siren Activated" system, that will automatically open the gate upon approach of emergency vehicles, which have their sirens sounding in the "yelp" mode and equipped with an optical preemption system compatible with the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri Fire District Opticom™ system that will automatically open the gate upon the approach of an emergency vehicle with the Opticom™ activated. It shall also be equipped with a 'Rapid Entry' key operated switch to open the gate, in addition to the normal 'resident operated mechanism. The key switch, when activated, shall keep the gate open until fire district personnel reset it after the emergency. The 'Rapid Entry' key operated switch shall be purchased through the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri Fire Protection District.
3. **Power failure:** The gate shall release in the event of a power failure, allowing it to be opened manually;
4. **Manual release:** Provide a means to manually release the gate, in addition to item 3 above to allow the gate to be opened in the event the switch, motor, or some other component fails; and
5. **Approval prior to use:** The gate installation shall be inspected, tested and approved by the Fire Code Official prior to the use of the gate.
6. **Gates added to existing subdivisions:** Prior to approval a signed petition stating: "I agree with a gate being installed at the entrance to all the streets to the subdivision, I understand that when this gate is installed the fire department response can be lengthened by as much as two additional minutes. I further will not hold the fire department responsible for loss of life or property due to the additional response time." This petition shall be signed by 100% of all property owners within the subdivision.

ADD Section D103.5.3 - Manually operated gates. All manually operated gates shall be installed in accordance with the following requirements:

1. **Set Back:** The gate shall be at least 50 feet back from the edge of the cross street from which the "gated" street is accessed, and shall open the full width of the required pavement, roadway or driveway;
2. **Lock:** If the gate is to be locked, it shall be equipped with a 'Rapid Entry' padlock, The 'Rapid Entry' padlock shall be purchased through the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri Fire Protection District. The gate locking mechanism shall be constructed in such a manner as to always allow the gate to open with the activation/removal of the 'Rapid Entry' padlock; and
3. **Approval Prior to Use:** The gate installation shall be inspected, tested and approved by the Fire Code Official prior to the use of the gate
4. **Gates added to existing subdivisions:** Prior to approval a signed petition stating: "I agree with a gate being installed at the entrance to all the streets to the subdivision, I understand that when this gate is installed the fire department response can be lengthened by as much as two additional minutes. I further will not hold the fire department responsible for loss of life or property due to the additional response time." This petition shall be signed by 100% of all property owners within the subdivision.

SECTION 5. CONFLICTING PORTIONS OF THE RESIDENTIAL CODE.

In case of a conflict between any sections of this Code and any existing ordinance, the most stringent requirements shall apply.

SECTION 6. INCONSISTENT ORDINANCES REPEALED – VIOLATIONS UNDER PREVIOUS ORDINANCES.

All ordinances of the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri Fire Protection District of St. Louis County, Missouri, enacted prior to this Residential Building Code, which deal with one and two family dwellings, in conflict with this Residential Building Code are hereby expressly repealed, except that such previously existing Ordinances of the District shall be enforceable as to violations of the same which may have existed prior to the enactment of this Residential Code.

SECTION 7. SAVING CLAUSE.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in **Section 6** of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 8. SEVERABILITY.

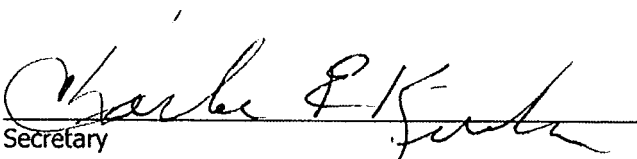
If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining sections, subsections, sentences, clauses, phrases, or portion of this Ordinance.

SECTION 9. EFFECTIVE DATE:

This Ordinance, having been duly considered and voted upon by the Board of Directors of the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri, is now duly adopted and enacted, and shall be effective as an Ordinance of the **Eureka Fire Protection District of St. Louis and Jefferson Counties**, Missouri this the 11th day of January, 2011, as provided by law.


Chairman of the Board of Directors

(SEAL)
Attest:


Secretary

