

AN ORDINANCE ADOPTING THE
FIRE PREVENTION CODE
OF THE
EUREKA FIRE PROTECTION DISTRICT
OF
ST. LOUIS and JEFFERSON COUNTIES, MISSOURI

BE IT ORDAINED by the **Board of Directors** of the **Eureka Fire Protection District** of St. Louis and Jefferson Counties, Missouri, as follows:

An **ordinance** governing the design, construction, alteration, enlargement, equipment repair, demolition, removal, conservation, use and maintenance of all buildings and structures, prescribing minimum requirements and conditions to safeguard life, property and public welfare from the hazard of fire and explosion, adopting basic fire control measures and regulations conditions which could impede or interfere with emergency duties, **known as the Fire Prevention Code**, providing penalties for the violation thereof; declaring and establishing fire limits; repealing existing and conflicting ordinances of the **Eureka Fire Protection District** of St. Louis and Jefferson Counties, Missouri and providing for the effective date of the ordinance.

SECTION 1. ADOPTION OF THE FIRE PREVENTION CODE.

That certain documents, copies of which are on file in the office of the Fire Marshal of the **Eureka Fire Protection District**, being marked and designed as “**The International Fire Code**”, as published by The International Code Council, Inc., and the National Fire Protection Association; “**The International Residential Building Code**, first edition, 2003, and its appendices, published by The International Code Council, Inc., and “**The International Building Code**”, first edition, 2003, and its appendices, published by, The International Code Council, Inc., as amended herein, are all hereby **ADOPTED AND DECLARED** to be the **Fire Prevention Building Code of the Eureka Fire Protection District of St. Louis and Jefferson Counties, Missouri**, for the control of buildings and structures and each and all of the regulations, provisions, penalties, conditions and terms of “**The International Fire Code**”, as published by The International Code Council, Inc., and the National Fire Protection Association; “**The International Residential Building Code**, first edition, 2003, and its appendices, published by The International Code Council, Inc., and “**The International Building Code**”, first edition, 2003, and its appendices, published by The International Code Council, Inc., are hereby adopted and incorporated hereto by reference, as if fully set out in this ordinance, with all insertions, deletions, and changes, if any, prescribed in the following sections of this ordinance and furthermore, the foregoing are hereby **ADOPTED AND DECLARED** to be the **Fire Prevention Code of the Eureka Fire**

Protection District of St. Louis and Jefferson Counties, Missouri, for the control of buildings and structures, including any and all regulations, provisions, penalties, conditions and terms included therein.

SECTION 2. All previous ordinances of the Eureka Fire Protection District of St. Louis and Jefferson Counties, Missouri, which are in conflict with or contradict this ordinance are hereby expressly repealed and held for naught.

SECTION 3. It is hereby adopted by the **Board of Directors** of the **Eureka Fire Protection District** of St. Louis and Jefferson Counties, Missouri as the **Fire Prevention Code of the Eureka Fire Protection District of St. Louis and Jefferson Counties, Missouri**, as follows:

Article I. International Fire Code

(a) **Article I. INTERNATIONAL FIRE CODE.** The following shall be added to, inserted, deleted, or changed in the **International Fire Code, 2003 First Edition**, as follows.

F-101.1 **Title** (Page 1) Delete and add the following:
These regulations shall be known as the Fire Code of **Eureka Fire Protection District**, hereinafter referred to as “this Code”.

F-103.2 **Appointment** (Page 2) Delete in its entirety and refer to B-103.2

F-103.3 **Deputies** (Page 2) Delete in its entirety and refer to B-103.3

F-104.11.3 **Systems and devices** (Page 3) Delete and add the following:
No person shall render a system or device inoperative during an emergency unless by direction of the Fire Marshal or fire department official in charge of the incident. A vehicle shall not be driven over any unprotected fire hose, without the consent of the Fire Marshal or other officer in command of the operation or area.

Section F-108 **BOARD OF APPEALS** (Page 11) Delete in its entirety and refer to B-112 (Page 7)

Section F-109 **VIOLATIONS** (Page 11) Delete in its entirety and refer to B-113.4 (Page 7)

F-304.1.2 **Vegetation** (Page 25) Delete in its entirety.

Section F-307 **OPEN BURNING** (Page 26) Delete and add the following

F-307.1 General:

A person shall not kindle or maintain or authorize to kindle or maintained any open burning unless conducted and approved in accordance with this section.

F-307.2 Definitions:

As used herein, the following words and terms shall have the meaning stated below:

Air Curtain Destructor:

Special equipment used to burn large amounts of brush with little or no air pollution. The term Air Curtain Destructor is abbreviated in this code as “ACD”.

Open Burning:

The burning of any materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber.

For the purpose of this definition, a chamber shall be regarded as enclosed, when, during the time of combustion only, apertures, ducts, stacks, flues, or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

F-307.3 Allowable Burning:

Open Burning shall be permitted without prior notification to the Fire Marshal's Office for highway safety flares, smudge pots, similar occupational requirements, barbecuing, and like activities. Recreational fires which meet the requirements of section F-307.5 and section F-307.11 shall be permitted with prior notification to the Eureka Fire Protection District.

F-307.4 Permit Required:

Open Burning shall be permitted, upon obtaining a burning permit from the Fire Marshal's office, for Air Curtain Destructors (ACD).

F-307.4.1 Application for Burning Permit:

Applications for Burning permits shall contain information regarding the name of person responsible for burning, address, and location of burning, telephone number, date the permits expire, authorized signature and signature of responsible party. Application for an ACD permit must be accompanied with a permit from the **Department of Natural Resources**.

F-307.4.2 Authorization:

Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

F-307.5 Open Burning Prohibited:

The Fire Marshal shall prohibit open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous. The Fire Marshal may order the extinguishment, by the permit holder, of any open burning when the wind speed is 15 miles per hour or higher, when the humidity is 50 percent or lower, or when the burning creates or adds to a hazardous or unsafe situation.

F-307.6 Permit Fees:

All permit fees shall be paid to the Eureka Fire Protection District of St. Louis and Jefferson Counties, Missouri as provided by B-108.2.1 "Fees of the District".

F-307.7 Location:

The location for any open burning shall not be less than fifty (50) feet from a structure, and provisions shall be made to prevent the fire from spreading to within fifty (50) feet of a structure. Fires in approved container shall be permitted, provided that such fires are not less than fifty (50) feet from any structure.

F-307.8 Materials:

Open burning shall not be utilized for waste disposal purposes, or for the following materials; household trash, rubber, tires, shingles, vinyl siding, treated lumber, leaves. The fuel shall be chosen to minimize the generation of air contaminants.

F-307.9 Attendance:

Any open burning shall be constantly attended until the fire is extinguished. A minimum of one (1) portable fire extinguisher with a minimum 4-A rating, Two (2) portable fire extinguishers with a minimum of 2-A rating each, 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 in the event of an emergency.

F-307.10 Season:

The burning season shall be regulated by the Department of Natural Resources (DNR). Burning season can be extended only if approved by the Department of Natural Resources (DNR).

F-307.11 Recreational fire size:

Unless approved by the Fire Marshal, a fire shall not be more than four (4) feet by four (4) feet by four (4) feet in height.

F-307.11.1 Location:

The location for any recreational fire shall not be less than twenty five (25) feet from a structure, and provisions shall be made to prevent the fire from spreading to within twenty five (25) feet of a structure. Fires in approved containers shall be permitted, provided that such fires are not less than twenty five (25) feet from any structure.

F-307.11.2 Material:

Fuel for a fire shall consist only of untreated wood and shall be ignited with a small quantity of paper. The fire shall not be utilized for waste disposal purposes.

F-307.12 Permits:

Before a permit can be issued for an ACD a copy of the permit must be submitted from the Department of Natural Resources. The area will be inspected by the Fire Marshal's office after a permit through the Fire Marshal's office as been submitted, to check the materials being burned and the distance to other structures. All rules noted on the permit must be followed along with the regulations issued by the Department of Natural Resources

F-307.12.1 Burning locations for ACD's

The pit shall not be any closer than 200 feet from any structure.

F-307.12.2 Pits for Air Curtain Destructor (ACD):

The pit dimensions shall be a maximum of eight (8) feet to ten (10) feet in width. The length shall be the same as the blower. Both ends must be blocked off square. The ACD must be angled properly (airflow directed downward at an approximate thirty [30] degree angle) and operating.

The material being burned shall be loaded into the pit below the airflow. The Fire Marshals Office shall inspect the location of each pit before any burning may occur. Violations found may cause the permit to be revoked until violation are corrected.

In the event that the ACD has been relocated, the ACD location must be re-inspected further burning operations shall be allowed to be conducted.

F-307.12.3 Materials: Air curtain destructors (ACDs) shall not be utilized for waste disposal purposes, or for the following materials: household trash, rubber, tires, shingles, vinyl siding, treated lumber, or other material determined by the Fire Marshal.

F-307.13.4 Closing of Burn Pit:

At 4:00 PM the burn pit must extinguished until smoke is no longer visible.

F-409.0 Faulty Alarms. Add a new section:

F-409.1 Definitions:

Alarm Systems: 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.

False Alarm: Any activation of an alarm system intentionally or by inadvertence, negligence, or unintentional act to which the District responds, including activation caused by the malfunction of the alarm system, except that the following shall not be considered false alarms:

- A. When the Fire Marshal determines that the alarm has been caused by the malfunction of the indicators at the alarm dispatching agency;
- B. When the Fire Marshal determines that the alarm had been caused by damage, testing or repair of the 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.

F-409.2 Condition:

No person, corporation, firm or other entity owning or occupying any premises within the boundaries of the district, in or on which premises is installed an automatic fire alarm, fire detection or sprinkler system shall transmit false alarms to any alarm dispatching agency.

F-409.2.1 Tampering:

It shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required or so installed, except that the owner or occupant may temporarily reduce or discontinue the protection where necessary to make test, repairs, alterations, or additions. The Fire Marshal shall be notified before such test, repairs, alterations, or additions are to be effected and upon completion shall be advised of the extent of any such work for additional requirements.

F-409.2.2 Notification to District When out of Service:

Whenever an alarm is to be out of service for repairs, it shall be the owner's or occupant's responsibility to determine that the serviceman performing such repairs has notified the district of the pending shut-off prior to such action. When an alarm system has Central Station Supervision, the company providing such service shall also be notified of said action.

F-409.3 System in Disrepair:

Should any such alarm system transmit any false alarm to the district, either directly or through a central dispatching agency, or should inspection of any such system by any officer of the district reveal a condition such that the system is likely to transmit a false 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 as the Fire Marshal shall order. An order by the Fire Marshal shall be completed within twenty four (24) hours after such order has been given.

F-409.4 Service Charges:

All false alarms to which the Fire Protection District responds shall result in the following service charges to the alarm system's owner or occupant:

F-409.4.1 First False Alarm:

A warning for the first false alarm in any calendar year.

F-409.4.2 Second False Alarm:

Fifty dollars (\$50.00) service charge for the second false alarm in any calendar year.

F-409.4.3 All False Alarms after the Second Occurance:

One Hundred dollars (\$100.00) service charge for the third and any subsequent false alarm in any calendar year.

F-409.5 Payment:

Upon determination by the Fire Marshal that a false alarm has occurred, the district shall send a notice to the alarm user of the determination and

directing the payment of the appropriate service charge within thirty (30) days.

F-409.5.1 Cancellation:

The district may cancel any notice or service charge upon satisfactory proof by the alarm user that a particular alarm falls within the exceptions enumerated in the foregoing sections.

F-409.5.2 Refusal:

Willful refusal to pay any such charge within thirty (30) days following notice shall constitute a violation of this Ordinance.

F-409.6 12 Month, No False Alarms:

If the owner or occupant of a building continues through a twelve (12) month period without a faulty or false alarm, they shall begin at a new faulty, or false alarm signal period.

F-409.7 New Systems:

Newly installed systems shall be given sixty days (60) to correct any problems that may activate a faulty or false alarm signal.

F-503.3.1 Parking on Fire apparatus access roads Add a new sub-section:
Parking on fire apparatus access roads shall be allowed as follows:

1. On fire apparatus roads less than 20 feet 0 inches in width. Parking is not allowed on either side of the street.
2. Fire apparatus roads 20 feet 1 inch to 32 feet in width parking on one side of the street.
3. Parking allowed on both sides on fire apparatus roads 32 feet 1 inch or greater in width.
4. Fire apparatus roads and driveways exceeding five hundred (500) feet in length shall provide at least one (1) passing and or staging area at a location approved by the Fire Marshal. Said area shall be a minimum of twenty (20) feet in width and fifty (50) feet in length. For every additional one thousand (1000) feet of road/driveway from the five hundred (500) feet passing area there shall be an additional passing area.

F-503.3.2 Signs (Page 40) Add a new sub-section:

Where required by the Fire Marshal, fire apparatus access roads (fire lanes) shall be marked with permanent signs stating **“NO PARKING-FIRE LANE”** and complying with Figure D103.6 or other D.O.T approved No Parking Fire Lane signs. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. Signs shall be posted and maintained by the

property owner or subdivision-governing body on the fire apparatus road (fire lane) as required in the following:

1. Signs are required on both sides of the street on fire apparatus roads less than 20 feet 0 inches in width.
2. Signs are required on one side of the street on fire apparatus roads 20 feet 1 inch to 32 feet in width.
3. Signs are not required on fire apparatus roads 32 feet 1 inch or greater in width.

F-503.3.2 Location of Signs (Page 40) Add a new sub-section:

NO PARKING-FIRE LANE Signs shall be the responsibility of the property owner or subdivision governing body and shall be located as follows:

1. On the side property line or in the road easement as approved by the Fire Marshal.
2. Three hundred feet (300') spacing between signs or as directed by the Fire Marshal.
3. Signs must face toward the traffic. Where the signs are required to change the side of the street there posted on, as required by the Fire Marshal, signs with arrows shall be added showing the starting and stopping of the fire lane.
4. Signs shall be located on the side of the street that fire hydrants are located.

F-503.3.3 Sign Maintenance (Page 40) Add a new sub-section:

All fire lanes signs and markings shall be maintained in a clear and legible condition. This shall be the responsibility of the property owner(s) and or subdivision governing body.

F-503.5 Required gates and barricades (Page 40) Delete in its entirety and add the following:

F-503.5 Gates and barricades (Page 40):

The Board of Directors of the district must approve proposals for gated and or barricade devices obstructing all public or private roads, public or private streets, and or fire service access roads. All proposals must meet the following criteria:

1. Plans:

Plans, including a plat drawing showing the subdivision, must be filed with the Fire Marshal's office showing:

- A. The location of the gate(s) to be installed;

- B. The type of gate(s) to be installed;
- C. Specifications for the motor and quick release;
- D. Location of the rapid entry switch;
- E. All entrances to the gated community;
- F. Type and location of power source.

2. Set back:

The gate shall be set at a minimum of 60 feet from the edge of a cross street from which the gated street is accessed.

A. Definition:

Cross street: A road that intersects or connects with another road.

3. Width of Gate:

If one gate is used, the gate must open the full width of the street or road. If two (2) gates are used, each gate must open to a minimum width of 12 feet or the full width of the street or road if the street or road is less than 24' in width.

4. Gate(s):

A. Only the following types of gates shall be approved:

- 1. Gates that swing open horizontally in the direction of vehicle travel;
- 2. Gates that slide open perpendicular to the direction to vehicle travel.

B. Gate(s) shall be powered by electricity from the local utility company or by solar power.

C. If power is lost to the gate, the gate must be capable of opening with a battery backup system or manually and must be locked in the open position until power is restored. Any type of battery backup system must be kept fully charged.

D. Gate(s) must be equipped with a rapid entry switch which is approved by the Fire Marshal. The switch must be installed per the manufacturer's recommendations and directions and at the direction of the Fire Marshal.

E. Gate(s) must be opened with a quick release system that allows the gate(s) to be opened manually.

F. The area of the fire apparatus access road measuring sixty (60) feet in both directions from the gate shall be designated as a fire lane and marked by signs in conformity with this code.

G. If a gate is found in a non-working condition it shall be locked in the open position.

5. Inclement Weather

The gate(s) shall be kept open at all times when the fire apparatus access road is covered with snow or ice.

6. Trustees or Property Management Company.

Property owners and or subdivision governing body to which a gate or barricade would be installed shall provide the district with written notification of any change of trustees or a property Management Company within ten (10) days of any such change.

F-503.5.1 **Secured gate(s) and barricades** (Page 40) Delete in its entirety.

F-503.6 Security Gates (Page 40) Delete in its entirety and add the following. The installation of security gates across any fire apparatus road shall be approved the Board of Directors and shall be installed in accordance with section F-503.5

F-504.3.1 **Roof Access** (Page 40) Add a new sub-section:

All structures with mechanical equipment on the roof must have a ladder access or stairway to the roof and to each roof level. The base of the ladder or stairs must be at walking level. Hinged guards may be installed and locked in place, over the ladder for security, provided that the key for the lock has been placed in a Knox Box System that complies with Section 506.0.

Section 505. **Premises identification.** (Page 40) Delete and add the following:

Approved numbers or addresses shall be provided for new and existing buildings in such a position as to be clearly visible and legible from the street or roadway fronting the property and refer to B-505.2.1 and B-505.2.2

F-505.3 **Street name signs** (Page 40) Add a new sub-section

All street name signs shall be installed prior to the beginning of construction of structures.

Section F-506.0 **Key Boxes** (Page 40) Delete in its entirety and add the following:

Section F-506.0 **Mandatory Knox-Boxes & Rapid Entry Systems**

F-506.1 **Knox boxes:**

A Knox box or Rapid Entry System shall be required in a location required by the Fire Marshal. The Knox box size and system shall be approved by the Fire Marshal and shall contain keys to allow access as required by the Fire Marshal This shall include each

commercial building having a fire alarm system that is monitored by a 24 hour supervised system, any commercial building having a fire suppression system.

F-506.1.1 St. Louis County Rapid Entry Locks: Add a new sub-section:
All fire department access areas, that are designated by the Fire Marshal, which may be secured by gate(s), chain, or other securing devices, shall be equipped with a St. Louis County Rapid Entry pad lock.

F-506.2 Installation:
The Knox-Box system shall be installed in a location approved by the Fire Marshal.

F-506.3 Changes within the Knox Box System:
The property owner shall notify the Fire Marshal, in writing, of any changes or additions to the Knox Box, keys, or the plan or plat filed with the district.

F-506.4 Records:
The Fire Marshal of the district shall keep and maintain records regarding the location of such Lock-Box keys. In the case of an emergency, any officer of the district may use said records of Knox-Box keys to open the necessary Knox-Boxes.

F-508.5.5 Clear space around hydrants. (Page 41) Delete and add the following:
A ten foot (10') clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

F-601.2 Permits. (Page 43) Delete in its entirety. Refer to B-105.1.

F-603.8 Incinerators (Page 45) Delete and add the following:
Commercial, industrial and residential type incinerators and chimneys shall be constructed in accordance with the International Building Code, the International Mechanical Code, International Fuel Gas Code, Local Code, and State and Federal Regulations.

Section 606 Mechanical Refrigeration (Page 48) Delete in its entirety.

F-804.1.1 Restricted occupancies (Page 57) Delete and add the following:
Natural cut trees shall be prohibited in all occupancies except R-3 Use Groups

F-905.5.3 Class II system 1-inch hose (Page 73) Delete in its entirety.

F-906.1 Where required. Delete the Exception.

F-907.2.1 Group A Exception (Page 76) Delete the exception in its entirety.

F-907.2.2 Group B Exception (Page 76) Delete the exception in its entirety.

F-907.2.4 **Group F Exception** (Page 76) Delete the exception in its entirety.

F-907.2.7 **Group M Exception** (Page 77) Delete the exception in its entirety.

F-907.2.10.1.1 **Group R-1** (Page 78) Delete in its entirety and refer to B-907.2.10.1.1 (Page 176)

F-907.2.10.1.2 **Groups -2, R-3, R-4 and I-1** (Page 78) Delete and refer to B-907.2.10.1.2. (Page 176)

F-1008.1.8.3 **Locks and latches** (Page 106) Delete and refer to B-1008.1.8.3 (Page 106)

F-3301.2.4.2 **Fireworks display** (Page 266) Delete and add the following:
The permit holder shall furnish a bond or certificate of insurance in the amount of one million dollars (\$1,000,000.00) for the payment of all potential damages to persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. The Fire Marshal is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required

F-3302 **Definitions** (page 267) Add the following:

Display: A public or private exhibition of fireworks arrangements and detonation, created, set up and detonated or discharged by a person or organization of handling, setting up, providing, detonating or discharging fireworks for the public.

Distributor: A person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permit under F3308.11.2, including any person that imported fireworks of any kind in any manner into the District.

Fireworks Season: The period between the twentieth (20th) day of June through the tenth (10th) day of July and the period between the twentieth (20th) day of December through the second (2nd) day of January of each year, shall be the only periods of time that seasonal retailers may be permitted to sell fireworks.

Jobber: Any person engaged in the business of making whole sale or retail sales of fireworks; within the district to non-licensed buyers from outside the state of Missouri for use and distribution outside the state of Missouri during calendar year from the first (1st) day of January through the thirty-first (30th) day of December.

Manufacturer: Any person engaged in the making, manufacturing assembly or construction of fireworks of any kin.

Sale: An exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person

whether as a principal proprietor, salesman, agent, association, co-partnership or one or more individuals.

Prohibited Fireworks: All items of special UN 1.36 commercial type salutes known as “cherry bombs, M 80's”, and various tubular salutes which exceed the limits of permitted D.O.T. Class UN 1.46 common fireworks items as to explosive composition designed to produce an audible effect are expressly prohibited from shipment into, manufacture, possession, sale and use within the District for any purpose.

Permissible Fireworks: It shall be unlawful for any person to possess, sell or use within the district, or ship into the district, except as provided for special fireworks, any pyrotechnics commonly known as fireworks other than items now or hereafter classified as class UN 1.46 common fireworks by the United States Department of Transportation, or those items that comply with the construction, commercial composition, and labeling regulations promulgated by the United States Consumer Protection Safety Commission and permitted for use by the general public under their regulations. Items prohibited shall include items which are not classified by the United States Department of Transportation as “Common Fireworks” but identified under the regulations as trick noisemakers, toy novelties, toy smoke devices, and sparklers, and shall include toy snakes, snappers, auto burglar alarms, smoke balls, smoke novelty items and wire sparklers containing any chlorate or pre-chlorate salts may not exceed five (5) grams of composition per item. Matches, toy pistols, toy canes, toy guns, party popper's, or other devices in with paper caps containing twenty five hundred (2500) grains or less of explosive compound provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty five hundred grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of this ordinance.

Seasonal Retailer: Any person within the district engaged in the business of making sales of fireworks in the district during the fireworks season may be defined by this code or the revised statutes of the State of Missouri.

Wholesales: Any person engaged in the business of making sale of fireworks to any other person engaged in the business of making sale of fireworks at retail within the district.

F-3308.11 **Retail display and sale** (Page 282) Delete and add the following:

F-3308.11.1 Scope:

The sale, distribution, possession, and use of fire works within the district without a permit is prohibited.

F-3308.11.2 Permit Required:

No one shall offer for sale to the public any fire works without first obtaining a permit therefore.

F-3308.11.3 Permit Application:

Application for permits shall be made in writing and shall be accompanied by a fee set forth in section B - 108.2.1. A permit shall be valid only during the fireworks season for which it is granted. A permit granted hereunder shall not be transferable, nor shall any such permit be issued to a person under twenty-one (21) years of age. All applications shall be accompanied by:

1. Written proof of ownership of property or valid lease or rental agreement permitting operation thereon;
2. One copy of plot plan showing:
 - A. The location of the structure that the operation will occupy;
 - B. Lot lines;
 - C. Other structures;
 - D. Distance from structure to lot lines;
3. One application must be completed for each building, stand or tent that an operation will occupy.

F-3308.11.4 Special Fireworks: (Page 282) Add new sub-section:

Nothing in this code shall be construed as applying to the shipping, sale possession and use of special fireworks for public display by holders of a permit for public display to be conducted in accordance with the rules and regulations governing this type of fireworks by the Alcohol, Tobacco and Firearms Division of the United States Treasury Department and Chapter 320 Revised Statutes of Missouri. Possession and sale of special fireworks shall be limited to a holder of a federal license or permit issued for display fireworks. Possession of special fireworks for resale to holders of a permit for public display shall be confined to holders of a manufacturer or distributor's permit.

F-3308.11.5 Seizure of Fireworks (Page 282) Add new sub-section:

The Fire Marshal shall seize, take, or remove or cause to be removed at the expense of the owner, all stock of fireworks offered or exposed for display or sale, stored or held in violation of this ordinance.

F-3308.11.6 Sale of Fireworks (Page 282) Add new sub-section:

No person, corporation or other entity of any kind shall conduct, or cause to be conducted, or keep or maintain or operate any stand or store or other place for the sale, or for offering for sale, or any fireworks within the district. Unless such person, corporation, or the entity shall first obtain from the Fire Marshal a permit. The Fire Marshal shall issue such permit only if satisfied after such investigation, that the conduct of such stand in that location will be in complete compliance with the applicable provisions of the ordinance of the district and the revised statutes of the State of Missouri.

F-3308.11.7 Permissible items sold when (Page 282) Add new sub-section:

Permissible items of fireworks may be sold at retail by holders of a permit only during the selling periods of the twentieth (20th) day of June through the tenth (10th) day of July and the twentieth (20th) day of December through the second (2nd) day of January.

F-3308.11.8 **Egress** (Page 282) Add new sub-section:
All stands shall provide not less than two (2) means of egress.

F-3308.11.9 **Required Documentation** (Page 282) Add new sub-section:
At all times that the stand is open for business, invoices or bills of sale or shopping tickets for all items on sale in the stand shall be available for inspection by the Fire Marshal, and item not covered for sale unless on the special written permission of the Fire Marshal after inspection thereof.

F-3308.11.10 **Restricted Locations** (Page 282) Add new sub-section:
It shall be unlawful to expose fireworks to direct sunlight through glass to the merchandise display, except where the fireworks are in the original package. All fireworks which the public may examine shall be kept for sale in original package, except where an attendant is on duty at all times. Fireworks shall be kept out of reach of the public when an attendant is not on duty.

F-3308.11.11 **Approved locations of stands or tents** (Page 282) Add new sub-section:
No stand, or the sale of any fireworks, shall be permitted within any residence or within any commercial building of any kind, or closer than fifty (50) feet of any structure. Fireworks shall not be stored, kept or sold within fifty (50) feet of any gasoline pump, gasoline filling station, gasoline bulk station, or any building in which gasoline or volatile liquids are sold in quantities in excess of one gallon.

F-3308.11.12 **Sleeping within stand** (Page 282) Add new sub-section:
Sleeping within a fireworks stand, warehouse, storage or place of sale of fireworks is prohibited.

F-3308.11.13 **Fire safety Requirements** (Page 282) Add new sub-section:
The operator of any stand shall closely cut and remove all weeds, grass and similar vegetation and all dry or flammable residues from such cutting. The area inside the stand and within twenty five (25) feet of the sight shall be free of all trash, empty cartons, paper or other debris or flammable material.

F-3308.11.14 **Trash Containers** (Page 282) Add new sub-section:
The operator shall also provide in the premises immediately adjacent to such stand, not less than two (2) trash receptacles, of a kind and size approved by the Fire Marshal, The operator shall not less than hourly remove all trash, paper and flammable debris of any kind from the stand and an which extends and one hundred (100) feet from the outside edge of the stand.

F-3308.11.15 **Heating Units** (Page 282) Add new sub-section:
No heating unit of any kind, nor any other device, which emit flames, heat, shall be kept or used within the stand.

F-3308.11.16 **Electrical wiring** (Page 282) Add new sub-section:

Standard electrical lighting shall conform to the requirements of the current National Electric Code.

F-3308.11.17 No Smoking provision (Page 282) Add new sub-section:

One or more signs reading "Fireworks, No Smoking" shall be displayed at all places where fireworks are stored or sold, with letters not less than four (4) inches in height. Signs shall be displayed to be visible from all sides of the stand. It shall be unlawful to permit the presence of lighted cigars, cigarettes, pipes or any other open flame within twenty-five (25) feet of where fireworks are offered for sale.

F-3308.11.18 Storage of Fireworks (Page 282) Add new sub-section:

No passenger automobile shall be used on the location as a conveyance of storage place for any fireworks, nor any conveyance or vehicle of any kind can be used for storage or transportation of fireworks within fifty (50) feet of any fireworks stand.

Exceptions:

During the actual period of time when merchandise is being unloaded from the conveyance or vehicle and stored within the stand, or is being taken by the customer, which shall be done expeditiously.

F-3308.11.19 Storage area required to be locked (Page 282) Add new sub-section:

When not actually in use with personnel or the operator therein, every such storage area shall be locked in a manor approved by the Fire Marshal. All conveyance or vehicles on the stand premises, which are used for storage or transportation of fireworks by the operator, shall be closed and locked except when loading or unloading.

F-3308.11.20 Fire Extinguisher's (Page 282) Add new sub-section:

At least two (2), two and one half (2 ½) gallon pressurized water fire extinguishers shall be kept within each such stand at all times one immediately adjacent to each exit, or there shall be kept two (2) fifty-five (55) gallon drums filled with water at all times, with at least two (2) buckets hanging on each one, one drum shall be located at each exit of each such stand. Size of stand may require more.

F-3308.11.21 Discharge of fireworks (Page 282) Add new sub-section:

It shall be unlawful to explode or ignite fireworks within six hundred (600) feet of where fireworks are stored, sold or offered for sale. This shall apply to any pump dispensing devices. No person shall ignite or discharge any permissible articles of fireworks within or throw the same from a motor vehicle or at or near any person or group of people. Nothing in this ordinance shall be construed to prevent owner of stand or tent from demonstrating or testing fireworks. Any such demonstrating or testing shall require the notification and written approval of the Fire Marshal.

F-3308.11.21 Parking Areas (Page 282) Add new sub-section:

There shall be no parking areas located within 25 feet of a Fireworks stand unless approved by the Fire Marshal.

Appendix A Board of Appeals (Page 369) Delete in its entirety:

Appendix B Fire Flow Requirements for Buildings (Page 371)

B103.1 Decreases (page 371) Delete and add the following: The fire marshal is authorized to reduce the fire-flow requirement for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.

B103.2 Increases (page 371) Delete and add the following: The fire marshal is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration.

B103.3 Areas without water supply systems. (page 371) Delete and add the following: In the event that a water supply system is not adequate to supply the required fire flow requirements a water supply system and dry hydrant shall be installed according to the Eureka Fire Protection District ordinance number 26.

B105.1 One- and two-family dwellings. (page 371) Delete and add the following: The minimum fire-flow requirements for one – and two-family dwellings shall not be less than 1,000 gallons per minute.

B105.2 Buildings other than one- and two-family dwellings. Delete and add the following. The minimum fire-flow requirements for all other buildings other than one- and two-family dwellings shall not be less than 1,500 gallons per minute.

Appendix C Fire Hydrant Location and Distribution (Page 373):

C101.2 New Structures: (Page 373) Add a new sub-section:

No person shall commence construction of any new structure, building, or addition to any structure or building, within or upon any real property the district, unless such person shall first have submitted to the Fire Marshal 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.

If there is no fire hydrant within such distance as approved by the Fire Marshal, then the proposed installation of a new fire hydrant or hydrants, and also the particular location proposed for such fire hydrants and the number of fire hydrants to be installed, if any, shall be approved by the Fire Marshal. All fire hydrants are to be installed on four inch (4") or larger water mains. All new water mains shall not be less than six inch (6") or larger as required by the IFC Table B-105.1. Public water systems shall be installed at the commencement of construction.

C101.3 Building Permits: Add a new sub-section:

The Fire Marshal shall not approve, issue building permits for, nor permit the construction of any such new subdivision or new building or structure where the owner

thereof shall fail to provide for fire hydrants, to perform conditions of this Ordinance, or to permit access, according to this section.

C101.4 Existing Buildings and Structures: Add a new sub-section:

At any building or structure within the district where the Fire Marshal shall find it is necessary that fire hydrants be installed, as indicated by this ordinance, that a water supply is available upon which one or more fire hydrants can be installed; that the lack of such fire hydrants constitutes a fire hazard, endangering fire safety of any such building or structure; and that the provision of such fire hydrant or fire hydrants is necessary to adequate fire fighting at such building or structure, then the Fire Marshal may deliver or serve by mail, notice on the owner of any such building or structure, stating a time within which the owner shall cause to be installed one or more fire hydrants as the Fire Marshal may determine is necessary. If the owner shall fail to install the fire hydrants within the required time frame given of such notice, or shall not proceed with such installation with due diligence, in any manner, then the Fire Marshal may revoke the occupancy and use permit of such building or structure until such fire hydrant or fire hydrants are installed and in proper working order, in the discretion of the Fire Marshal. Every owner upon whom such notice shall be served shall cause installation of any such fire hydrant or Hydrants to be commenced within the time frame determined in the given notice, and shall cause the completion of installation to be made promptly, but, on application of any such owner, the Board of Directors of the district may extend the time for completion of the installation of any fire hydrant or hydrants, if the owner proves to the satisfaction of the Board of Directors, that such extension of time is necessary for reason beyond the control of the owner.

C102.2 Area to be Provided with Water Mains: Add a new sub-section

Water mains shall be placed along the full length of the property to be developed that abuts existing and/or a proposed improved public way. A variance may be required by the water agency because of terrain and/or water quality considerations.

C102.2.1 Land Agreements Add a new sub-section:

If any installation of a fire hydrant is not reasonable and practicable, the applicant may apply to the Board of Directors for a conditional variance from the Ordinance. In determining whether or not the installation of a fire hydrant is reasonable and practicable many factors are considered including, but not limited to the degree of fire hazard to the building site and those occupying the building site. The cost of installation of a fire hydrant and the number of individuals who would share the benefits of the fire hydrants. If under the circumstances the installation of a fire hydrant is not reasonable and practicable, and after approved by the Board of Directors, the Fire Marshal shall issue a building permit conditioned upon the applicant complying with the Fire Prevention Code and encumbering the land with a Land Agreement in the form designated by the Board of Directors.

The Land Agreement is a covenant to install a fire hydrant(s) when, determined by the Board of Directors that, installation would be reasonable and practicable. On the application of any person, the Board of Directors of the district may grant the conditional variance to the requirements of this section for fire hydrant installations where there is no water supply reasonably available for the installation of fire hydrants.

C102.3 Fire Hydrant Spacing: Add a new sub-section:
Spacing of fire hydrants along a public way shall be regulated by the Use Group classification of the development that abuts the existing and/or proposed public way.

C102.4 Required Locations Add a new sub-section:
A fire hydrant must be placed within one hundred (100) feet of the entrance of a subdivision. All fire hydrants must be located on the side property line and located on the same side of the street or as permitted by the Fire Marshal.

C102.5 Fire Hydrant to Fire Department Connections: Add a new sub-section:
There shall be a fire hydrant within one hundred (100) feet of all Fire Department Connections.

C102.6 Relocation of Fire Hydrants: Add a new sub-section
Relocation of fire hydrants requested by the property owners and/or developer shall be relocated within the sole discretion of the Fire Marshal.

C102.7 Setback Distance: Add a new sub-section
All fire hydrants shall be set back from the curb or edge of the pavement no further than ten (10) feet.

SECTION C105 DISTRUBUTION OF FIRE HYDRANTS (page 373) Delete and add the following:

C105.1 Hydrant spacing that services One- and Two Family dwellings The average spacing between fire hydrants that service one- and two-family dwellings shall not exceed 600 feet from hydrant to hydrant measured along the drivable surface.

C105.2 Hydrant spacing that services all other buildings other than one- and two-family dwellings. The average spacing between fire hydrants that service all other structures other than one- and two-family dwellings shall not exceed 400 feet from hydrant to hydrant measured along the drivable surface.

C106.0 Unacceptable location for fire hydrants Add a new Section:

C-106.1 Cross street Add a new sub-section: Within twenty five (25) feet of an intersection or cross street.

C106.2 Cul-de-sac or an Eye brow Add a new sub-section:
Fire hydrants are not allowed within fifty (50) feet of a cul-de-sac or an eye brow.

Exception:

Fire hydrants are allowed if directed by the water company or public water supply district but are not counted for the required fire hydrants.

C106.3 Fire hydrant damage Add a new sub-section:

At any location where the fire hydrant could be damaged by vehicular traffic, such as in parking lots and like areas.

Section F-C107.0 Color Coding Fire Hydrants Add a new Section:

C107.1 Scope Add a new sub-section:

All fire hydrants shall be painted to match the following requirements after installed by the contractor. The cap threads shall be field lubricated with approved food-grade grease as approved by the Fire Marshal and the public water district. The paint must be a good grade and applied with either a brush or sprayer.

C107.2 Barrels Add a new sub-section:

All fire hydrant barrels are to be painted chrome yellow when installed within the fire district.

C107.3 Color Coding of fire hydrants Add a new sub-section:

All fire hydrant bonnets (top flange of the fire hydrant) are to be painted as follows;

Color	Water Main Size
Blue	Larger than ten 10 inches
Green	Ten (10) inches
Orange	Eight (8) inches
Red	Six (6) inches or smaller

C107.4 Color Coding of Private Fire Hydrants. Add a new sub-section:

All private fire hydrants shall be marked by the caps being painted the same color as the bonnet as stated in C-107.2

Appendix D Fire Apparatus Roads:

D103.2 Grade (Page 375) Delete and add the following:

Fire apparatus access roads shall not fifteen (15) percent in grade.

Exception: Grades steeper than 15 percent as approved by the Board of Directors.

D103.5 Fire apparatus access road gates. (Page 375) Delete in its entirety.

D103.6.1 Roads 20 to 26 feet in width (Page 376) Delete in its entirety.

Refer to F-503.0

D103.6.2 Roads more than 26 feet in width (Page 376) Delete in its entirety.

D106.1 Projects having more than 100 dwelling units (Page 376) Delete and add the following:

Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

D106.2 Projects having more than 200 dwelling units (Page 376) Delete in its entirety.

One-or two -family residential developments (Page 376) Delete and add the following.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 100 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Eureka Fire Prevention Code
Article II
2003 International Building Code

BILL 1-2004

ORDINANCE #28

AN ORDINANCE ADOPTING THE
FIRE PREVENTION CODE
OF THE
EUREKA FIRE PROTECTION DISTRICT
OF
ST. LOUIS and JEFFERSON COUNTIES, MISSOURI

BE IT ORDAINED by the **Board of Directors** of the **Eureka Fire Protection District** of St. Louis and Jefferson Counties, Missouri, as follows:

An **ordinance** governing the design, construction, alteration, enlargement, equipment repair, demolition, removal, conservation, use and maintenance of all buildings and structures, prescribing minimum requirements and conditions to safeguard life, property and public welfare from the hazard of fire and explosion, adopting basic fire control measures and regulations conditions which could impede or interfere with emergency duties, **known as the Fire Prevention Code**, providing penalties for the violation thereof; declaring and establishing fire limits; repealing existing and conflicting ordinances of the **Eureka Fire Protection District** of St. Louis and Jefferson Counties, Missouri and providing for the effective date of the ordinance.

SECTION 1. ADOPTION OF THE FIRE PREVENTION CODE.

That certain documents, copies of which are on file in the office of the Fire Marshal of the **Eureka Fire Protection District**, being marked and designed as "**The International Fire Code**", as published by The International Code Council, Inc., and the National Fire Protection Association; "**The International Residential Building Code**", first edition, 2003, and its appendices, published by The International Code Council, Inc., and "**The International Building Code**", first edition, 2003, and its appendices, published by, The International Code Council, Inc., as amended herein, are all hereby **ADOPTED AND DECLARED** to be the **Fire Prevention Building Code of the Eureka Fire Protection**

District of St. Louis and Jefferson Counties, Missouri, for the control of buildings and structures and each and all of the regulations, provisions, penalties, conditions and terms of “**The International Fire Code**”, as published by The International Code Council, Inc., and the National Fire Protection Association; “**The International Residential Building Code**, first edition, 2003, and its appendices, published by The International Code Council, Inc., and “**The International Building Code**”, first edition, 2003, and its appendices, published by The International Code Council, Inc., are hereby adopted and incorporated hereto by reference, as if fully set out in this ordinance, with all insertions, deletions, and changes, if any, prescribed in the following sections of this ordinance and furthermore, the foregoing are hereby **ADOPTED AND DECLARED** to be the **Fire Prevention Code of the Eureka Fire Protection District of St. Louis and Jefferson Counties, Missouri**, for the control of buildings and structures, including any and all regulations, provisions, penalties, conditions and terms included therein.

SECTION 2. All previous ordinances of the Eureka Fire Protection District of St. Louis and Jefferson Counties, Missouri, which are in conflict with or contradict this ordinance are hereby expressly repealed and held for naught.

SECTION 3. It is hereby adopted by the **Board of Directors** of the **Eureka Fire Protection District** of St. Louis and Jefferson Counties, Missouri as the **Fire Prevention Code of the Eureka Fire Protection District of St. Louis and Jefferson Counties, Missouri**, as follows:

Article II. The International Building Code

(b) Article II. The International Building Code: The following shall be added to, inserted, deleted, or changed in the **International Building Code, 2003**, first edition, as follows.

B-101.1 **Title.** (Page 1) Delete and add the following:
These regulations shall be known as the Building Code of **Eureka Fire Protection District**, hereinafter referred to as “this code.”

B-101.2.1 **Appendices.** (Page 1) Delete in its entirety.

B-101.3 **Intent.** (Page 1) Delete and add the following:
The purpose of this code is to establish the minimum requirements to safeguard the public safety and general welfare through means of egress facilities, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

B-101.4.1 **Electrical.** (Page 1) Delete and add the following:

The provisions of the 2002 National Electrical Code, and its appendices, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures and fittings and appurtenances thereto. Wherever it states "ICC Electrical Code" it shall be understood to mean the "2002 National Electrical Code."

B-101.4.3 Mechanical. (Page 1) Delete and add the following:
The provisions of the International Mechanical Code shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and /or appurtenances, including ventilating, heating, air-conditioning and incinerators.

B-101.4.4 Plumbing. (Page 1) Delete in its entirety.

B-101.4.5 Property Maintenance. (Page 1). Delete in its entirety.

B-101.4.7 Energy. (Page 1) Delete in its entirety.

B-103.1 Creation of enforcement agency. (Page 2) Delete and add the following:

The department of fire prevention is hereby created and the official in charge thereof shall be known as the Fire Marshal.

B-103.2 Appointment. (Page 2) Delete and add the following:

The **Board of Directors of Eureka Fire Protection District** shall appoint the Fire Marshal.

B-103.3 Deputies. (Page 2) Delete and add the following:

In accordance with the prescribed procedures of **Eureka Fire Protection District**, and with the concurrence of the appointing authority, the **Board of Directors** shall have the authority to appoint an assistant to the Fire Marshal or other persons as may be needed to enforce the ordinances of the district. Such employees shall have powers as delegated by the Fire Marshal.

B-103.4 Fire Marshal. (Page 2) Add a new paragraph:

Anywhere the text states building official or code official it shall be understood to mean the Fire Marshal or his designate, unless specifically otherwise stated.

B-103.5 Authority to engage engineer (Page 2) Add a new paragraph:

The **Board of Directors** may avail itself of such services of an engineer, consultant or technician or such others, as it may deem necessary.

B-104.2 Applications and permits. (Page 2) Delete and add the following:

The Fire Marshal shall receive applications, review construction documents and issue permits for the erection, alteration of a structure, demolition and moving of buildings or structures, for the installation of mobile home, modular homes or mobile home pads, sale of fireworks, installation of underground or above ground

tanks, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

B-104.10 Modifications. (Page2) Delete and add the following:

Wherever there are practical difficulties involved in carrying out the provisions of this code, the Fire Marshal shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Fire Marshal shall first find that one or more special individual reasons makes the strict letter of this code impractical and that the modification is in compliance with the intent and purpose of this code and that such modification does not lessen accessibility and life and fire safety requirements. The details of an action granting a modification shall be recorded and entered in the files of the department of building safety.

B-105.1 Required Permits. Delete and add the following:

Any owner or authorized agent who intends to erect, construct, enlarge, alter, repair, occupy, or change the occupancy of any building or structure which is new, existing, temporary, or mobile and of which is to be regulated by the adopted code of the Eureka Fire Protection District, or to cause any such work to be done, shall first make application to the Eureka Fire Protection District and obtain the required permit.

B-105.1.1 Annual permit. (Page 3) Delete in its entirety.

B-105.1.2 Annual permit records. (Page 3) Delete in its entirety.

B-105.5 Expiration. (Page 4) Delete and add the following:

A permit for any proposed work shall expire twelve (12) months after the date of issuance, except otherwise stated in section 105.5.1 or 108.0. If an approved framing inspection has been made within the first (1) year after the issuance of a Fire Prevention Building Permit the permit will be allowed to be renewed after renewal fee has been paid. After the permit has been extended for 1 year, any additional permits will be issued only after re-application and payment of the renewed permit fee has been complete. All proposed work to be completed on the renewed permit must meet the requirements of the current code.

B-105.5.1 Site Plan Expiration

A site plan review permit shall expire two (2) years from the date of the issuance of the permit. If no construction or grading has begun then a new permit must be re-applied for and permit fee paid.

B-105.7 Placement of permit. (Page 5) Delete and add the following:

The Fire Prevention Building Authorization Card shall be kept on the site of operation and open to public inspection during the entire period of prosecution of work and until the completion of the same. The card shall be posted in a location which is readily accessible and visible throughout the construction project. An

inspection may not be conducted in the event that a permit is not properly placed on the construction site.

B-108.2.1 Permit Fees. Add a new subsection:

All fees for permits shall be calculated as set forth in sections B-108.2.1.1 thru B-108.2.1.4.

B-108.2.1.1 Calculation of Estimated Cost of Construction. Add a new subsection:

This estimated cost of construction shall be based on the recommended formula and figures obtained from the quarterly magazine received from the Building Safety Journal issued by the International Code Council (ICC).

B-108.2.1.2 Residential Permit Fee Schedule. Add a new subsection:

In every case there shall be a minimum of fifty dollars (\$50.00), for every residential building permit with an estimated construction cost of ten thousand dollars (\$10,000.00) or less, then an additional two dollars (\$2.00) per thousand for each one thousand (\$1,000.00) in excess of ten thousand dollars (\$10,000.00).

B-108.2.1.3 Commercial Permit Fee Schedule. Add a new

subsection: The fee for commercial construction permit shall be \$.60 (sixty cents) per one thousand dollars (\$1,000.00) estimated construction cost.

B-108.2.1.4 Miscellaneous Permit Fee Schedule. Add a new subsection:

In all other instances where permits are to be issued a minimum permit fee shall be collected for, but not limited to, the following items:

Site Plan Review and Approval:	\$100.00 per site devolvement plan which consists of 6 or more sites to conform single family residential subdivisions, any site to conform multi-residential development, or any site to conform commercial development.
Above or Below Ground Storage Tanks:	\$50.00 per tank
Dry Hydrant Installation Inspections:	\$50.00 per hydrant
Commercial Use Permit	\$50.00 per occupant or tenant space. Permit voided after

	occupant or tenant space has been vacated.
Mobile Home Units	\$50.00 per unit
Temporary or Mobile Structures (excluding firework stands)	\$50.00 per 6 month period
Air Curtain Destructor Burn Permit	\$50.00 per 60 day period per Site Development
Residential Re-Inspection Fee	\$40.00 per re-inspection
Permit Renewal Application Fee application	\$50.00 per renewal
Fireworks Sales and Stands	\$200.00 for the first 100 square feet then \$0.50 for each additional square foot thereafter.
Automatic Commercial Fire Alarm System Plan Review and Inspections:	\$100.00 minimum per system up to the first 200 projected devices and \$1.00 per device thereafter. Devices include, but not limited to, individual fire alarm panels, individual smoke or heat detectors, individual audible or visual indicating units, tamper or flow switches.
Automatic Fire Suppression System and or Standpipe Systems Plan Review and Inspections:	\$100.00 minimum per system up to the first 200 projected sprinkler heads and \$0.50 per sprinkler head thereafter.
Fixed Fire Protection Systems including, but not limited to, Wet Chemical, Dry Chemical, CO2, Halon/FM, and or 200/Intergen Plan Review and Inspections:	\$100.00 per system

B-108.4 Work commencing before permit issuance. Delete and add the following:

Any person who commences any work on a building, structure, or the placing of other materials, including lumber, for the purpose of erecting, altering, repairing or adding, for new or existing structures shall be subject to a fee of \$50.00 in addition to the required permit fees as stated in Section 108.2.1. The payment of this fee shall not relieve any person from fully complying with all provisions regulating such construction.

B-108.6 Refunds. Delete and add the following:

Any person requesting to withdraw a building permit application and requesting reimbursement of a building permit fee which has not been voided or has expired as described in section B-105.5, and prior to commencement of construction, shall be reimbursed fifty percent (50%) of the amount previously paid.

B-108.7 Additional costs: Add a new subsection:

In addition to the permit fees and inspections fees provided for herein, all reasonable costs and fees charged to the Eureka Fire Protection District, such as a professional's site and building plan review, inspection and permit fees, testing fees, and all other district expenses substantially related to the application review, when deemed necessary by the Eureka Fire Protection District shall be paid by the applicant before issuance of any permit or approval requested by the applicant.

B-108.7.1 Escrow Accounts: Add a new subsection:

The **Board of Directors of Eureka Fire Protection District** may adopt an escrow procedure to help ensure that all such costs charged to the District are recovered from applicants.

B-108.7.2 Insufficient Payment Refusal: Add a new subsection:

In the event the District receives an application, petition, or other request for any administrative or legislative consideration, and the applicant, petitioner or requestor owes the District any amount from previous District consideration, including third party expenses the District has incurred, the District has the right to refuse to give any consideration to such application, petition, or request until such time that the District has received payment in full or payment terms acceptable to the District.

B-109.3.1 Footing or foundation inspection. (Page7) Delete in its entirety.

B-109.3.2 Concrete slab or under-floor inspection. (Page 7) Delete and add the following:

Concrete slab and under-floor inspections shall be made, as required by the Fire Marshal, after in-slab or under-floor service equipment, conduit, sprinkler piping, or any other equipment is installed, as required by the Fire Marshal, but before any concrete is placed or floor sheathing installed, including the sub-floor.

B-109.3.5 Lath or gypsum board inspection. (Page 7) Delete and add the following:

All gypsum board that is used for a rated assembly shall be inspected before each additional layer is installed or as directed by the Fire Marshal.

B-109.3.7 Energy efficiency inspections. (Page 7) Delete in its entirety.

B-109.3.10 Final inspection. (Page 7) Delete and add the following:

The final inspection shall be made after all work required on the Fire Prevention Building Permit has been completed.

B-109.7 Number of inspections: Add a new Sub-section:

Three (3) inspections will be allowed for each residential permit A \$40.00 re-inspection fee shall be charged for any required inspection thereafter. All re-inspection fees shall be paid prior to the scheduling and completion of additional needed inspections.

B-110.2 Certificate issued. (Page 7) Delete and add the following:

After The Fire Marshal inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the fire prevention office, the Fire Marshal shall issue a certificate of occupancy.

Section B-112 Appeals. (Page 8) Delete in its entirety and add the following:

An owner, agent, operator or occupant aggrieved by an order by the Fire Marshal may present an appeal to the **Board of Directors**. The **Board of Directors** shall fix a time and place when and where such appeal may be heard. Such 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 hearing may affirm, modify, revoke, or vacate such order. Unless revoked or vacated, such order shall then be enforced. Nothing herein contained shall be deemed to deny the right of any person, firm, corporation or voluntary association to appeal from an order or a decision of the **Board of Directors** to a court of competent jurisdiction. Such appeal shall stay the execution of such order until it has been heard and reviewed, vacated or confirmed.

B-113.4 Violation penalties. (Page 8.) Delete and add the following:

Any person who shall violate a provision of the code or shall fail to comply with any of the requirements thereof or shall erect, construct, install, alter or repair a building or structure in violation of an approved plan or directive of the Fire Marshal or of a permit or certificate issued under the provision of the code shall be deemed guilty of a misdemeanor punishable by a fine of no more than five hundred dollars (\$500.00), or imprisonment in the county jail for a period not to exceed ninety days (90), or both such fine and imprisonment. Each day that the condition exists shall be considered a separate violation. The imposition of any such penalty for any

violation shall not excuse the same, nor prevent the District or the Fire Marshal from taking such other action as may be appropriate.

B-115.1 Conditions. (Page 9) Delete and add the following:

Structures or existing equipment that are or hereafter become unsafe, or deficient because of inadequate means of egress facilities, or which constitute a fire hazard or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be removed or made safe, as the Fire Marshal deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

B-406.1.4 Separations (Page 45) Delete and add the following:

Private garages and carports shall be separated from the residence and its attic area by means of minimum 5/8-inch fire rated drywall applied to the garage side. Drywall seams in walls must be taped and covered with joint compound, and nail heads covered with joint compound. Garage door supports and brackets must be installed over the drywall. Door openings between the garage and the residence shall be equipped with either solid wood door not less than 1 3/4 inches thick or steel doors with a minimum fire rating of 20 minutes. This type of door must bear a UL label stating the hourly rating. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Exposed ductwork and plumbing are not allowed, and must be covered with 5/8-inch fire rated drywall. Floor surfaces shall be of an approved noncombustible material. The area of floor used for parking of automobiles or other vehicles shall be sloped to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway.

B-501.2 Premises identification. (Page 73) Delete and add the following:

Approved numbers or addresses shall be provided for new and existing buildings in such a position as to be clearly visible and legible from the street or roadway fronting the property.

B-501.2.1 Residential Property (Page 73) Add a new sub-section:

Residential Buildings shall be clearly marked with the Numerical Address. Minimum height is four (4) inches. Written and or script type numbers shall not be accepted. The color of address numbers must contrast to the exterior of the building. No gold, silver or brass numbers accepted. Numbers must be permanently affixed, no stick-on or Velcro numbers will be accepted. If 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 Marshal.

B-501.2.2 Commercial Property (Page 73) Add a new sub-section:

Commercial Buildings shall be clearly marked with the Numerical Address. Location and type of numbers shall be approved by the Fire Marshal. Minimum height of numbers shall be four (4) inches or larger. All Commercial buildings

access doors shall also be clearly marked with the Address Numbers or Letters on the front and rear doors.

Script and or written type numbers shall not be accepted. No gold, silver or brass numbers accepted. Stick-on numbers are allowed only when installed on glass.

B-717.2.5.1 Fire stopping of Type III, IV and V Construction (Page 107) Add a new sub-section:

All openings around vents, pipes copper and plastic, wiring or conduit and at each penetration of the top or bottom plate of wood frame construction. Materials used must resist the free passage of flame and products of combustion. When metal flashing is used it must be tight to the pipe or caulked with approved fire caulk. When caulk is used it must be placed in the annular space around the pipe, duct or wire. Materials approved are metal flashing and a fire rated caulk designed to stop the spread of flame and smoke as stated in the UL design manual.

B-903.3.7.2 (Page 169) Add a new sub-section: **Fire Department Connection**

Signs

A white reflective sign with the minimum of 6" red lettering that shall read "FDC" will be placed above all fire department connections in a location approved by the Fire Marshal.

B-903.4.1 Signals. (Page 170) Delete and add the following:

All alarms, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station as defined in NFPA 72.

B-907.2.6.2.3 Smoke detectors (Page 175) Delete and add the following:

An approved automatic smoke detection system shall be installed throughout resident housing areas, including sleeping areas and contiguous day rooms, group activity spaces and other common spaces normally accessible to residents.

Exceptions: Delete in there entirety

B-907.2.10.1.1 Group R-1 (Page 176) Delete and add the following:

Single-or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the guestroom or suite.
3. In each story (including basements) with a guestroom or suite.

B-907.2.10.1.2 Groups R-2, R-3, R-4 and I-1 (Page 176) Delete locations and add the following:

Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4, and I-1, regardless of occupant load at all of the following locations:

1. Outside each sleeping area on the ceiling or wall and within ten (10) feet of each sleeping area door;
2. Within each room used for sleeping purposes. Where sleeping rooms ceilings slope is greater than one (1) foot rise in eight (8) foot rise horizontal, the upper edge of the smoke detector shall be located within 3 feet of the highest point of the ceiling;
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics;
4. Additional smoke alarms may be required by the Fire Marshal where necessary for adequate safety due to additional walls or ventilation system.

When more than one smoke alarm is required to be installed within an individual dwelling unit, the alarm devices shall be interconnected in such a manner that actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

All smoke alarms shall be listed and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.

B-907.2.10.2 Power Source. Delete the exception.

B-1004.3 Posting of occupant load (Page 196) Delete and add the following: Every room or space that is used for an assembly or educational occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

B-1008.1.8.3 Locks and latches (Page 202) Delete and add the following: Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.
2. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware. The unlatching of any leaf shall not require more than one operation;

R
permitted to be
security chain, provided such
the inside without the use of a key or tool;

3. Doors from individual dwelling units and guestrooms of Group occupancies having an occupant load of 10 or less are equipped with a night latch, dead bolt or devices are open-able from the inside without the use of a key or tool;

4. Existing occupancies with double cylinder dead bolts may be permitted with the approval of the Fire Marshal.

Exception:

1. Residential occupancies are not allowed to have a double cylinder dead bolt.

B-1025.1 **General.** (Page 223) Delete and add the following:

In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue in Group R occupancies as applicable in Section 101.2 and Group I-1 occupancies. Basements below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Such opening shall open directly into a public street, public alley, yard or court.

Exceptions:

1. In other than Group R-3 occupancies as applicable in Section 101.2 buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2;
2. In other than Group R-3 occupancies as applicable in Section 101.2, sleeping rooms provided with a door to a fire-resistance rated corridor-having access to two remote exits in opposite directions;
3. The emergency escape and rescue opening is permitted to open onto a balcony within an atrium in accordance with the requirements of Section 404, provided the balcony provides access to an exit and the dwelling unit or sleeping unit has a means of egress that is not open to the atrium;
4. High-rise buildings in accordance with Section 403;

5. Emergency escape and rescue openings are not required from basement or sleeping rooms which have an exit door or exit access door that opens directly into a public street, public alley, yard, egress court or to an exterior exit balcony that opens to a public street, public alley, yard or egress court.

B-1025.4 Operational constraints (Page 223) Delete and add the following: Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. The removal of a window or parts of a window does not meet this requirement.

Chapter 12 Interior **Environment** (Page 239) Delete all except the following.

B-1205.4 Stairway Illumination (Page 240) Delete and add the following: Where lighting outlets are installed in interior stairways, there shall be a wall switch at each floor level to control the lighting outlet where the difference between floor levels is six steps or more. (Per the NEC section 210-70 lighting outlets required.)

B-1205.4.1 Controls (Page 241)

B-1205.5 Emergency egress lighting (Page 241)

B-1209.1 Crawl Spaces (Page 242)

B-1209.2 Attic Spaces (Page 242) Delete and add the following: An opening not less than 22 ½ inches by 30 inches shall be provided to any attic area having a clear height of over 30 inches. A 30-inch minimum clear headroom in the attic space shall be provided at or above the access opening. Where complete access is not obtained throughout the attic, additional attic accesses shall be required as approved by the Fire Marshal.

B-1209.2.1 Closets (Page 242) Add a new sub-section: 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.

B-1209.2.2 Garage Attic Access (Page 242) Add a new sub-section: Attic access is allowed to be 1 layer of 5/8 inch Type X Drywall supported by 2X4 construction.

B-1209.3 Mechanical Appliances (Page 242)

Chapter 13 **Energy Efficiency** (Page 243) Delete in its entirety.

Chapter 14 **Exterior Walls** (Page 245) Delete all except the following:

Section 1401 **General** (Page 245)

Section B-1402 **Definitions** (Page 245)

Section B-1403. **Fire resistance** (Page 246)

Section B-1405.10.4 **Grounding** (Page 249)

Section 1406 **Combustible Materials on the Exterior side of exterior walls**
(Page 250)

Section 1407 **Metal Composite Materials (MCM)** (Page 251) Delete the following:

B-1407.2 **Exterior wall finish** (Page 251)

B-1407.4 **Structural Design** (Page 251)

B-1407.5 **Approval** (Page 251)

B-1407.6 **Weather resistance.** (Page 251)

B-1407.7 **Durability.** (Page 251)

Chapter 15 **Roof Assemblies and Rooftop Structures** (Page 253) Delete all except the following.

Section 1501 **General** (Page 253)

Section 1502 **Definitions** (Page 253)

Section 1505 **Fire Classification** (Page 254)

Section 1506 **Materials** (Page 255)

Section 1509 **Rooftop Structures** (Page 264)

Section 1510 **Re-roofing** (Page 265) Delete and add the following:

B-1510.1 **Attic space:** (Page 265)

When an existing roof is being covered with materials forming a new attic, the old roof covering materials and plywood or steel decking must be removed.

B-1510.2 **Attic access:** (Page 265)

Access to the attic area must meet the requirements found in 1209.2.

B-1510.3 Sprinkler system (Page 265)

In lieu of removing the existing roof covering materials and plywood or steel decking, this area may be protected with an approved NFPA 13 sprinkler system.

Chapter 16 **Structural Design** (Page 267) Delete in its entirety.

Chapter 17 **Structural Tests and Special Inspections** (Page 345) Delete except the following:

Sections 1702 **Definitions** (Page 345)

B-1704.11 **Sprayed fire resistant materials** (Page 350)

B-1704.11.1 **Structural member surface conditions.** (Page 350)

B-1704.11.2 **Application** (Page 350)

B-1704.11.3 **Thickness** (Page 352)

B-1704.11.3.1 **Floor, roof and wall assemblies** (Page 352)

B-1704.11.3.2 **Structural framing members** (Page 352)

B-1704.11.4 **Density** (Page 353)

B-1704.11.5 **Bond strength** (Page 353)

B-1704.11.5.1 **Floor, roof and wall assemblies** (Page 353)

B-1704.11.5.2 **Structural framing members** (Page 353)

B-1704.13 **Special cases** (Page 353)

B-1704.14 **Special inspection for smoke control** (Page 353)

B-1704.14.1 **Testing scope** (Page 353)

B-1704.14.2 **Qualifications** (Page 353)

Chapter 18 **Soils and Foundations** (Page 361) Delete in its entirety.

Chapter 19 **Concrete** (Page 387) Delete in its entirety.

Chapter 20 **Aluminum** (Page 405) Delete in its entirety.

Chapter 21 **Masonry** (Page 407) Delete all except the following:

B-2101.1 **Scope** (Page 407)

B-2101.3.1 **Fireplace drawings** (Page 407)

-2102 **Definitions and notations** (Page 407)

B-2110.1.1 **Limitations** (Page 425)

B-2111 **Masonry Fireplaces** (Page 427)

B-2112 **Masonry Heaters** (Page 431)

Section 2113 **Masonry Chimneys** (Page 431)

Chapter 22 **Steel** (Page 437) Delete in its entirety.

Chapter 23 **Wood** (Page 445) Delete all except the following:

Section 2302 **Definitions** (Page 445)

B-2303.2 **Fire-retardant-treated wood.** (Page 447)

B-2303.2.1 **Labeling** (Page 447)

B-2303.2.2 **Strength adjustments** (Page 448)

B-2304.5 **Framing around flues and chimneys** (Page 449)

B-2304.9.5 **Fasteners in preservative-treated and fire-retardant-treated wood** (Page 456)

Chapter 24 **Glass and Glazing** (Page 515) Delete all except the following:

Section 2402 **Definitions** (Page 515)

B-2406.4 **Fire department access panels** (Page 526)

Chapter 25 **Gypsum Board and Plaster** (Page 529) Delete all except the following:

Section 2502 **Definitions** (Page 529)

Section 2506 **Gypsum Board Materials** (Page 530)

Chapter 26 **Plastic** (Page 535) Delete all except the following:

Section 2601 **General** (Page 535)

Section 2602 **Definitions** (Page 535)

Section 2603 **Foam Plastic Insulation** (Page 535)

B-2603.4.1.6 **Attics and crawl spaces.** (Page 536) Delete and add the following:

Within an attic or crawl space where entry is made, foam plastic insulation shall be protected against ignition by 1.5 inch thick mineral fiber insulation, 0.25 inch thick wood structural panel, particle board or hardboard, 0.375 inch gypsum wallboard, corrosion-resistant steel having a base metal thickness of 0.016 inch or the foam plastic insulation shall not be left exposed. The protective covering shall be consistent with the requirements for the type of construction.

B-2603.4.1.9 **Garage doors.** (Page 536) Delete and add the following:

Foam plastic in garage doors whether residential or commercial shall be protected with a metal of having a minimum thickness of 0.032-inch aluminum or 0.010-inch steel or the facing shall be minimum 0.125-inch-thick wood. Garage doors having facings other than those described above shall be tested in accordance with, and meet the acceptance criteria of, DASMA 107.

Section 2604 **Interior Finish and Trim** (Page 538)

Section 2605 **Plastic Veneer** (Page 538)

B-2606.7.4 **Fire suppression system** (Page 539)

B-2606.7.5 **Electrical lighting fixtures** (Page 539)

B-2607.5 **Automatic sprinkler system** (Page 540)

Section 2608 **Light-Transmitting Plastic Glazing** (Page 540)

Section 2609 **Light-Transmitting Plastic Roof Panels** (Page 540)

Section 2610 **Light-Transmitting Plastic Skylight Glazing** (Page 541)

Chapter 29 **Plumbing Systems** (Page 547) Delete in its entirety.

Section 3107 **Signs** (Page 558) Delete in its entirety.

Section 3108 **Radio and Television Towers** (Page 558) Delete in its entirety.

Section B-3109 **Swimming Pool Enclosures** (Page 558) Delete in its entirety.

Chapter B-32 **Encroachments into the Public Right-Of-Way** (Page 561) Delete in its entirety.

Chapter B-33 **Safeguards During Construction** (Page 563) Delete all except the following:

Section B-3301 **General** (Page 563)

Section B-3302 **Construction Safeguards** (Page 563)

Section B-3308 **Temporary Use of Streets, Alleys and Public Property.** (Page 565)

Section B-3309 **Fire Extinguishers** (Page 565)

Section B-3310 **Exits** (Page 565)

Section B-3311 **Standpipes** (Page 565)

Section B-3312 **Automatic Sprinkler System** (Page 566)

Chapter B-34 **Existing Structures** (Page 567) Delete in its entirety

Appendix A (Page 597) Delete in its entirety.

Appendix B (Page 599) Delete in its entirety.

Appendix D (Page 603) Delete in its entirety.

Appendix E (Page 607) Delete in its entirety.

Appendix F (Page 613) Delete in its entirety.

Appendix G (Page 615) Delete in its entirety.

Appendix H (Page 621) Delete in its entirety.

Appendix I (Page 625) Delete in its entirety.

Appendix J (Page 627) Delete in its entirety.

SECTION 4. CONFLICTING AND INCONSISTENT PORTIONS OF THE ORDINANCE.

In case of conflict between any section of the designated **Fire Prevention Code of the EUREKA FIRE PROTECTION DISTRICT of St. Louis and Jefferson Counties, Missouri**, this ordinance, or any other ordinance of the **EUREKA FIRE PROTECTION DISTRICT of St. Louis and Jefferson Counties, Missouri**, the most stringent requirement(s) shall apply. Where portions of the code are inconsistent with one another, those prior portions are hereby revoked and repealed as of no effect.

SECTION 5. SAVINGS CLAUSE.

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

SECTION 6. SEVERABILITY.

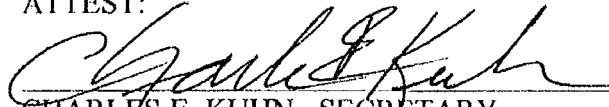
If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or portion of this ordinance shall be deemed a separate, distinct, and independent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

SECTION 7. EMERGENCY ENACTMENTS.

It being deemed that the situation intended to be met by such ordinance constitutes an emergency directly affecting the lives, safety, and health of the inhabitants of the areas encompassed by this ordinance, and the protection of property within those areas, this **ordinance shall take effect and be in full force and effect immediately from and after the enactment of same.** 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**, the ordinance is enacted as an ordinance of the **EUREKA FIRE PROTECTION DISTRICT** of this ____ day of _____, 2004



FRANCIS B. OBERKRAMER, CHAIRMAN
BOARD OF DIRECTORS

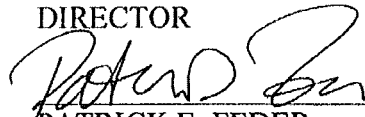
ATTEST:


CHARLES E. KUHN, SECRETARY
BOARD OF DIRECTORS

(SEAL)

APPROVED:
 12-28-04
FRANCIS B. OBERKRAMER Date
DIRECTOR

 12/28/04
CHARLES E. KUHN Date
DIRECTOR

 12/28/04
PATRICK E. FEDER Date
DIRECTOR

Appendix D (Page 603) Delete in its entirety.

Appendix E (Page 607) Delete in its entirety.

Appendix F (Page 613) Delete in its entirety.

Appendix G (Page 615) Delete in its entirety.

Appendix H (Page 621) Delete in its entirety.

Appendix I (Page 625) Delete in its entirety.

Appendix J (Page 627) Delete in its entirety.

Article III. International Residential Code

(c) **Article III. INTERNATIONAL RESIDENTIAL CODE:** The following shall be added to, inserted, deleted, or changed in the **International Residential Code 2003 edition**;

R-101.1 **Title** (Page 1) Delete and add the following:

These provisions shall be known as the Residential Code for One-Two-Family Dwellings of **Eureka Fire Protection District**, and shall be cited as such and will be referred to herein as “**this code**”.

R-101.3 **Purpose** (Page 1) Delete and add the following:

The purpose of this code is to provide minimum requirements to safeguard life or limb, health, public safety, and general welfare, through affordability, means of egress facilities, and safety to life and property from fire and other hazards attributed to the built environment.

R-103.1 **Creation of enforcement agency** (Page 1) Delete in its entirety and refer to B-103.1.

R-103.2 **Appointment** (Page 1) Delete in its entirety and refer to B-103.2.

R-103.3 **Deputies** (Page 1) Delete in its entirety and refer to B-103.3.

R-104.10 **Modifications** (Page 2) Delete in its entirety and refer to B-104.10.

R-104.10.1 **Areas prone to flooding** (Page 2) Delete in its entirety.

R-105 **Permits** (Page 2) Delete in its entirety and refer to Section B-105.

R-106.1.3 **Information for construction in areas prone to flooding** (Page 5) Delete in its entirety.

R-106.3.1 **Approval of construction documents** (Page 5) Delete in its entirety and refer to B-106.3.1

R-106.5 **Retention of construction documents** (Page 5) Delete in its entirety.

R-107.2 **Conformance** (Page 5) Delete in its entirety and refer to B-107.2.

R-108 **Fees** (Page 5) Delete in its entirety and refer to B-108.2

R-109.1.1 **Foundation inspection** (Page 6) Delete in its entirety.

R-109.1.2 **Plumbing, mechanical, gas and electrical systems inspections** (Page 6) Delete in its entirety and add the following:

Mechanical, gas and electrical systems inspections

Rough inspection of mechanical, gas, and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed.

R-109.1.3 **Flood plain inspections** (Page 6) Delete in its entirety.

R-109.1.4 **Frame and masonry inspection** (Page 6) Delete and add the following:

Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, fire stopping, draft stopping are in place along with all mechanical and electrical rough in.

R-110.2 **Change in use** (Page 6) Delete in its entirety.

R-110.4 **Temporary occupancy** (Page 7) Delete and add the following:

Temporary occupancy is not allowed at any time for new construction unless approved by the Fire Marshal.

R-112 **Board of Appeals** (Page 7) Delete in its entirety and refer to B-112..

R-113 **Violations** (Page 8) Delete in its entirety and refer to B-113.4.

R114 **Stop Work Order** (Page 8) Delete in its entirety and refer to Section B-114.

R-301 **Design Criteria** (Page 23) Delete in its entirety including all tables and figures.

R-303.1 **Habitable rooms** (Page 44) Delete in its entirety.

R-303.2 **Adjoining rooms** (Page 45) Delete in its entirety.

R-303.3 **Bathrooms** (Page 45) Delete in its entirety.

R-303.7 **Required glazed openings** (Page 45) Delete in its entirety.

R-303.8 **Required heating** (Page 45) Delete in its entirety.

R-304 **Minimum Room Areas** (Page 46) Delete in its entirety.

R-305 **Ceiling Height** (Page 46) Delete in its entirety.

R-306 **Sanitation** (Page 46) Delete in its entirety.

R-307 **Toilet, Bath and Shower Spaces** (Page 46) Delete in its entirety.

R-308 **Glazing** (Page 46) Delete in its entirety.

R-309.1 **Opening protection** (Page 49) Delete and add the following:

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid core wood doors no less than 1 3/4 in thickness or a twenty (20) minute labeled fire-rated door.

R-309.1.1 **Duct Penetration** (Page 49) Delete and add the following:

Ducts in the garage and ducts penetrating the walls or ceilings are not allowed to be left exposed. They must be covered with the same material covering the walls and ceiling. Opening from the duct work into the garage is not allowed.

R-309.1.1.2 **Vacuum System** (Page 49) Add a new sub-section:

Vacuum system piping passing through a separation wall between the house and garage must be a steel pipe and fire caulked in the annular space at the pipe penetration. If a plastic pipe is used a UL approved fire collar with the annular space at the pipe penetration caulked must be installed in accordance with the manufactures recommendations on the garage side.

R-309.2 **Separation required** (Page 49) Delete and add the following:

The garage shall be separated from the residence and its attic area by not less than 1 layer of 5/8's type x gypsum board applied to the garage side. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8's inch type x gypsum board or equivalent.

A minimum of a four (4) inch rise constructed of non-combustible materials is required between the garage floor and any habitable area of the home, with the garage floor being lower.

R-309.4 **Carpports** (Page 49) Delete and add the following:

Carpports must be separated from the residence and attic by one (1) layer of 5/8s inch type x gypsum board or equivalent. This is allowed to be installed under the siding if inspected by the Fire Marshal. The floor must slope away from the residence to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway.

Windows are not allowed in the separation wall. Doors in this wall must be 1 3/4 solid core wood door or twenty (20) minute labeled steel door. Glass panels cannot be in the door.

R-309.5 **Flood hazard areas** (Page 49) Delete in its entirety.

R-310.4 **Bars, grills, covers and screens** (Page 50) Delete and add the following:
Bars, grills, covers or similar devices are not permitted to be placed over emergency escape and rescue windows.

R-311.2.2 **Under stair protection** (Page 50) Delete and add the following:
The enclosed accessible space under a stair or stairs shall be protected on the enclosed side with 5/8-inch type x drywall. This includes the under stair surface and any wall surface. When mechanical equipment is installed in this area the underneath side of the stairs shall be required to be covered with 5/8-inch type x drywall.

R-311.4.3 **Landings at doors** (Page 50) Delete and add the following:
There shall be a floor or landing on each side of each exterior door.

Exception:

- 1) Where a stairway of four risers, which equals three (3) steps, is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door. These steps must set on a three (3) foot by three (3) foot pad.
- 2) A landing shall not be required when an exterior door has been made inoperable.

The floor or landing at the exit door required by Section R311.4.1 shall not be more than 1.5 inches (38 mm) lower than the top of the threshold.

The floor or landing at exterior doors other than the exit door required by Section R311.4.1 shall not be required to comply with this requirement but shall have a rise no greater than that permitted in Section R311.5.3.

Exception:

The landing at an exterior doorway shall not be more than 7 ¾ inches (196 mm) below the top of the threshold, provided the door, other than an exterior storm or screen door does not swing over the landing.

The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of thirty six (36) inches (914 mm) measured in the direction of travel.

R-311.5.3.1 **Stair treads and risers** (Page 51) Delete and add the following:
The maximum riser height shall be 8 1/4 inches. The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

R-311.5.3.2 **Tread depth** (Page 51) Delete and add the following:

The minimum tread depth shall be nine (9) inches. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch. Winder treads shall have a minimum tread depth of ten (10) inches measured as above at a point twelve (12) inches from the side where the treads are narrower. Winder treads shall have a minimum tread depth of six (6) inches at any point. Within any flight of stairs, the greatest winder tread depth at the twelve (12) inch walk line shall not exceed the smallest by more than 3/8 inch.

R-313.1 Single-and multiple-station smoke alarms (Page 52) Delete in its entirety and refer to B-907.2.10.1.1

R-314.5 Termite damage (Page 54) Delete in its entirety.

R-316.1.2 Exposed Insulation (Page 54) Add a new sub-section:
Insulation that is left exposed not meeting the flame spread and smoke density of R-316.1 must be covered with a minimum of ½ inch drywall or as approved by the Fire Marshal.

R-317.2.4 Structural independence (Page 55) Delete in its entirety.

R-318 Moisture Vapor Re-tarders (Page 56) Delete in its entirety.

R-319 Protection Against Decay (Page 56) Delete in its entirety.

R-320 Protection Against Termites (Page 57) Delete in its entirety.

R-321.1 Premises identification (Page 58) Delete in its entirety and refer to B-501.2.

R-322 Accessibility (Page 58) Delete in its entirety.

Section R-323 Flood-Resistant Construction (Page 58) Delete in its entirety.

Chapter 4 Foundations (Page 61) Delete in its entirety.

R-501.1 Application (Page 87) Delete and add the following:
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 and other equipment.

R-501.2 Requirements (Page 87) Delete in its entirety.

R-502.1 Identification (Page 87) Delete in its entirety.

R-502.1.1 Preservatively treated lumber (Page 87) Delete in its entirety.

R-502.1.2 Blocking and sub-flooring (Page 87) Delete in its entirety.

- R-502.1.3 **End-jointed lumber** (Page 87) Delete in its entirety.
- R-502.1.4 **Prefabricated wood I-joists** (Page 87) Delete in its entirety.
- R-502.1.5 **Structural glued laminated timbers** (Page 87) Delete in its entirety.
- R-502.2 **Design and construction** (Page 87) Delete in its entirety.
 - R-502.2.1 **Decks** (Page 87) Delete in its entirety.
- R-502.3 **Allowable joist spans** (Page 87) Delete in its entirety.
 - R-502.3.1 **Sleeping areas and attic joists** (Page 87) Delete in its entirety.
 - R-502.3.2 **Other floor joists** (Page 87) Delete in its entirety.
 - R-502.3.3 **Floor cantilevers** (Page 87) Delete in its entirety.
- R-502.4 **Joists under bearing partitions** (Page 87) Delete in its entirety.
- R-502.5 **Allowable girder spans** (Page 87) Delete in its entirety.
- R-502.6 **Bearing** (Page 94) Delete in its entirety.
 - R-502.6.1 **Floor systems** (Page 94) Delete in its entirety.
 - R-502.6.2 **Joist Framing** (Page 94) Delete in its entirety.
- R-502.7 **Lateral restraint at supports** (Page 94) Delete in its entirety.
 - R-502.7.1 **Bridging** (Page 94) Delete in its entirety.
- R-502.8 **Drilling and notching** (Page 94) Delete in its entirety.
 - R-502.8.1 **Sawn lumber** (Page 94) Delete in its entirety.
 - R-502.8.2 **Engineered wood products** (Page 94) Delete in its entirety.
- R-502.9 **Fastening** (Page 94) Delete in its entirety.
- R-502.10 **Framing of openings** (Page 94) Delete in its entirety.
- R-502.11 **Wood Trusses** (Page 94) Delete in its entirety.
- R-502.12.1 **Materials** (Page 96) Delete in its entirety and refer to B-717.3.1
- R-503 **Floor Sheathing** (Page 96) Delete in its entirety.

R-504 Pressure Preservatively Treated Wood Floors (On Ground) (Page 97) Delete in its entirety.

R-505 Steel Floor Framing (Page 98) Delete in its entirety.

R-506 Concrete Floors (On Ground) (Page 108) Delete in its entirety.

Chapter 6 **Wall Construction** (Page 111) Delete all except the following:

Section R-602.8 Fireblocking Required,

Section R-611.1 General,

Section R-611.2 Applicability Limits.

Chapter 7 **Wall Covering** (Page 203) Delete all except the following:

R-702.1 General (Page 203) Delete and add the following:

Interior finishes and materials shall conform to the flame spread and smoke-density requirements of Section R315.

R-702.6 Wood shakes and shingles (Page 206) Delete and add the following:

Wood shakes and shingles are not allowed installed on the interior of a structure unless they are treated to meet the requirements having a flame spread of twenty five (25) or less. Shingles that are installed on the exterior of the structure shall be pressure treated fire retardant.

Chapter 8 **Roof-Ceiling Construction** (Page 215) Delete in its entirety except the following:

R-807.1 Attic access (Page 252) Delete in its entirety and refer to B-1209.2, B-1209.2.1 and B-1209.2.3. (Page12)

R-808.1 Combustible insulation (Page 252)

Chapter 9 **Roof Assemblies** (Page 253) Delete all except the following:

Section R-902 Roof Classification (Page 253)

R-1003.3 Seismic reinforcing. (Page 267) Delete in its entirety.

R-1003.3.1 Vertical reinforcing (Page 267) Delete in its entirety.

R-1003.3.2 Horizontal reinforcing (Page 270) Delete in its entirety.

R-1003.4 Seismic anchorage (Page 270) Delete in its entirety.

R-1004.1 General (Page 271) Delete and add the following:

All pre-fabricated fireplaces shall be approved and listed by U.L. or any other nationally recognized testing agency, installed in accordance with the manufacturers instructions and in addition thereto:

1. All pre-fabricated fire places shall be set on approved non-combustible material which shall extend from the back of the unit to the outer edge of the hearth before any finished materials are installed. Materials acceptable are masonry or 5/8 type x drywall with sheet metal, or equivalent, as approved by the Fire Marshal;
2. All pre-fabricated fireplace chases shall be protected on the inside of the chase walls and ceilings with one layer of 5/8 inch type x drywall or equivalent, all as approved by the Fire Marshal. Drywall shall extend to the ceiling level except when chase extends more than one (1) story or floor then drywall shall be installed in addition to the above to the chase wall next to the building unit until the chase extends past the attic area to the roof line;
3. All chimney chases shall be fire stopped at each floor/ceiling line and all of the chimney chase shall be closed off to the attic areas or concealed spaces;
4. The mentioned shall be inspected at the time of the required framing inspection and new construction or installations and before applying any facing material to the fireplace area. All backing material are to be approved and inspected by the Fire Marshal before facing or finish material, such as brick, stone, etc., is applied so as to prevent combustible materials from being installed where they will be exposed to high heat;
5. The manufacturer's installation instruction booklet shall be with the fireplace until after the final inspection is approved by the Fire Marshal.

R-1004.2 Hearth extensions (Page 271) Delete and add the following:
Hearth extensions of approved factory-built fireplaces shall be installed in accordance with the listing of the fireplace. They shall set on 5/8ths inch type x drywall and sheet metal. The hearth extension shall be readily distinguishable from the surrounding floor area.

Chapter 11 **Energy Efficiency** (Page 273) Delete in its entirety.

RM-1401.3 **Sizing** (Page 297) Delete in its entirety.

Section RM-1403 **Heat Pump Equipment** (Page 297) Delete in its entirety.

Section RM-1404 **Refrigeration Cooling Equipment** (Page 297) Delete in its entirety.

Section RM-1411 **Refrigeration Cooling Equipment** (Page 299) Delete in its entirety.

Section RM-1412 **Absorption Cooling Equipment** (Page 300) Delete in its entirety.

Section RM-1413 **Evaporative Cooling Equipment** (Page 300) Delete in its entirety.

M-1506 **Mechanical Ventilation** (Page 302) Delete in its entirety.

Chapter RM-16 **Duct Systems** (Page 301) Delete in its entirety.

Chapter RM-20 **Boilers/Water Heaters** (Page 321) Delete in its entirety except the following:

Section RM-2005 **Water Heaters** (Page 321)

Chapter RM-21 **Hydronic Piping** (Page 323) Delete in its entirety.

Chapter RM-23 **Solar Systems** (Page 329) Delete in its entirety.

RG-2404.4 (301.8) **Vibration Isolation** (Page 336) Delete in its entirety.

RG-2404.6 (301.10) **Wind resistance** (Page 337) Delete in its entirety.

RG-2404.7 (301.11) **Flood hazard** (Page 337) Delete in its entirety.

RG-2404.8 (301.12) **Seismic resistance** (Page 337) Delete in its entirety.

Section RG-2405 (302) **Structural Safety** (Page 337) Delete in its entirety.

RG-2402.9 (301.14) **Rodent proofing** (Page 337) Delete in its entirety.

RG-2407.11 (304.11) **Combustion air ducts** (Page 341) Delete in its entirety.

RG-2433.1 (603.1) **Log Lighters** (Page 381) Delete and add the following:
Gas log lighters are not allowed.

Section RG-2440 (615) **Sauna Heaters** (Page 383) Delete in its entirety.

Section RG-2441 (617.1) **Pool and Spa Heaters** (Page 383) Delete in its entirety.

Section RG-2450 (628.1) **Illuminating Appliances** (Page 385) Delete in its entirety

Section RG-2452 (631) **Boilers** (Page 386) Delete in its entirety

Chapter 25 **Plumbing Administration** (Page 387) Delete in its entirety.

Chapter 26 **General Plumbing Requirements** (Page 389) Delete in its entirety.

Chapter 27 **Plumbing Fixtures** (Page 393) Delete in its entirety.

Chapter 28 **Water Heaters** (Page 399) Delete in its entirety except the following:

RP-2803.6.1 **Requirements of Discharge Pipe** (Page 400)

Chapter 29 **Water Supply and Distribution** (Page 401) Delete in its entirety. except for the following:

RP-2902.4.4 **Connections to Automatic Fire Systems** (Page 403)

RP-2902.4.4.1 **Additives or non-potable Source** (Page 403)

RP-2902.5 **Access** (Page 403)

Chapter 30 **Sanitary Drainage** (Page 413) Delete in its entirety.

Chapter 31 **Vents** (Page 421) Delete in its entirety.

Chapter 32 **Traps** (Page 433) Delete in its entirety.

Chapter 41 **Swimming Pools** (Page 495) Delete in its entirety.

Chapter 42 **Class 2 Remote-Control, Signaling and Power-Limited Circuits** (Page 505) Delete in its entirety.

Chapter 43 **Mobile Homes** (Page 495) Add a new chapter:

R-4201.1 **Mobile and Manufactured used as Dwelling Units:** (Page 495) Add a new sub-section:

New and existing mobile homes, trailers, trailer courts, modular units, mobile home camps and courts shall be installed meeting the following requirements.

R-4202.1 **Definitions:** (Page 495) Add a new sub-section:

Modular Unit:

A factory fabricated transportable building unit designed to be used by itself or to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational, or industrial purposes.

Permanent Foundation:

As related to mobile homes and modular units structure shall mean a poured concrete footing bonded together with mortar.

Location:

A location shall be considered to be a trailer camp, court or mobile unit or modular home location if two or more concrete pads or gravel beds or

other emplacements intended for occupancy by mobile units, or other structures, mentioned, are located therein or thereon.

R-4202.2 New Trailer Spacing Requirements: (Page 495) Add a new sub-section:

Every trailer, mobile home or similar unit shall be installed so there is a clear space of not less than fifteen (15) between it and any other such trailer, mobile home, deck, patio/ auto covers or similar building or structure, except decks less than 4 feet by 4 feet. Storage sheds not exceeding 100 square feet in dimension is allowed within 15 feet of the owners mobile home but 15 feet must be maintained from other mobile homes Sheds over 100 square feet must maintain 15 feet from all homes.

R-4202.2.1 Existing Trailer Spacing Requirements: (Page 495) Add a new sub-section:

Every trailer, mobile home or similar unit, deck, patio/auto cover or similar building or structure shall be installed so there is a clear space of not less than what was allowed when the home was originally installed. Any new covers, sheds or patios installed after the home is set must meet the requirements of R-4202.2.

R-4202.3 Electrical Connections: (Page 495) Add a new sub-section:

All electrical connections shall be installed as per the **National Electric Code, 2002 Edition**, as published by the **National Fire Protection Association**.

R-4202.4 Skirting: (Page 495) Add a new sub-section:

In order to properly inspect the trailer, mobile home, or similar unit, no skirting shall be installed until the final inspection has been made and approved.

R-4202.5 Trailer and Mobile Home Camps and Courts: (Page 495) Add a new sub-section:

1. No owner or operator of any trailer court, mobile home development or other location wherein or whereon are placed or located trailers or mobile homes or similar structures shall permit any changed, or new or replacement trailer or mobile home or similar structure to be placed or located upon any pad or any space within such trailer court or mobile development unless such owner or operator shall first, in writing and in such form as may be approved by the Fire Marshal, notify the Fire Marshal of the exact place for the location of such new or changed unit, either by delivering such written notice to the Fire Marshal personally or by causing the same to be delivered to the Fire Marshal by the United States Mail.

2. No owner or occupant of any trailer or mobile home or structure which is brought or placed or is located within the district shall be deemed to have an Certificate of Occupancy or Use Permit under the Fire Code for such trailer or mobile home or similar structure when the same is located elsewhere within the district than in a trailer park or camp or mobile home development or similar location; nor for any new or changed unit mentioned in paragraph "A" above until an inspection has been made, and approved (as to the unit, its location, and installation) according to the Fire Code, by the Fire Marshal, within the meaning of the ordinance. A location shall be considered to be a trailer, mobile home or other development if there are two (2) or more concrete pads or gravel beds or other emplacements intended for occupancy by trailer, mobile home or other similar structures.

3. The owner or operator of any trailer court, mobile home development or other location wherein or whereon are placed or located trailers or mobile homes or similar structures shall notify each owner or occupant, in writing, of their responsibility to obtain the necessary permit and inspections as required by the Fire Code.

R-4202.6 Requirements for Occupancy of New and Existing Mobile Homes, Trailers or similar Units or Structures: (Page 495) Add a new sub-section:

1. Permit

The required permit must have been obtained from the Fire Marshal and the permit fee paid as required by the Fire Code.

2. Electrical

The mobile home, trailer or similar unit or structure must have the electrical service and other electrical system installed according to the **National Electrical Code, 2002 Edition**. Wiring in existing mobile homes if found to be minimum code compliant can be approved.

3. Smoke Detector

The mobile home, trailer, or similar unit or structure must have operating smoke detectors installed in each bedroom and in hallway outside of each bedroom. Single station smoke alarms shall be battery operated or shall receive their primary power from the building wiring provided that such wiring is served from a commercial source. When power is provided by the building wiring, the wiring shall be permanent and without a disconnecting switch other than those required for over current protection. If an AC smoke alarm is replaced it must be replaced with an AC-DC smoke alarm. An AC-DC smoke alarm may only be replaced with another AC-DC smoke alarm.

5. Ground Fault Interrupter

Ground fault interrupter (GFI) receptacles, if required, must be in good working order in all bathrooms, kitchens, unfinished basements, garages, and all outside receptacles.

6. Address

The Address must be on the street side of the trailer, mobile or modular home, or other home and visible numbers must be a minimum of three (3) inches in height, no script, written, or stick on numbers must be permanently fixed. The color of numbers cannot be gold, brass, or silver.

7. Egress

Steps must be approved for all exits, permanently anchored. Handrails are required with two (2) or more steps. Risers shall be no higher than eight (8) inches. Steps must be maintained in good condition. All steps that have three (3) or more risers must have a landing with a dimension of thirty (30) inches by thirty (30) inches. The top of the landing shall not be more than eight (8) inches below the sill plate of the door. On existing porches and steps if the inspector deems them to be safe as is then they can be approved.

R-4202.7 Notice of occupancy (Page 495) Add a new sub-section:

No person shall be deemed to have any occupancy or use permit under the Fire Code for any such new or changed unit mentioned until (if the service connection is made by the owner or operator mentioned) notice is given to the Fire Marshal as approved hereinbefore, or until (if service connection is made by any utility supplier or other person than the owner or operator) such utility supplier or other person has given the Fire Marshal a notice in the same manner as approved.

R-4202.8 New homes within district (Page 495) Add a new sub-section:

No owner or occupant of any trailer or mobile unit, as aforesaid, which is brought or placed or is located within the district shall be deemed to have an occupancy or use permit under the Fire Code for such trailer or mobile home or other structure, aforesaid, when the mobile unit located elsewhere within the district than in a trailer camp, mobile home development, or similar location, unless it has been inspected by the Fire Marshal.

Appendix E Manufactured Housing Used As Dwellings (Page 549) Delete in its entirety.

Appendix F Radon Control Methods (Page 559) Delete in its entirety.

Appendix G Swimming Pools, Spas and Hot Tubs (Page 567) Delete in its entirety.

Appendix H Patio Covers (Page 571) Delete in its entirety.

Appendix I Private Sewage Disposal (Page 573) Delete in its entirety.

Appendix J **Existing Buildings and Structures** (Page 575) Delete in its entirety.

Appendix K **Sound Transmission** (Page 579) Delete in its entirety.

SECTION 4. CONFLICTING AND INCONSISTENT PORTIONS OF THE ORDINANCE.

In case of conflict between any section of the designated **Fire Prevention Code of the EUREKA FIRE PROTECTION DISTRICT of St. Louis and Jefferson Counties, Missouri**, this ordinance, or any other ordinance of the **EUREKA FIRE PROTECTION DISTRICT of St. Louis and Jefferson Counties, Missouri**, the most stringent requirement(s) shall apply. Where portions of the code are inconsistent with one another, those prior portions are hereby revoked and repealed as of no effect.

SECTION 5. SAVINGS CLAUSE.

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

SECTION 6. 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 of this ordinance shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining section, subsection, sentence, clause, phrase, or portion of this ordinance.

SECTION 7. EMERGENCY ENACTMENTS.

It being deemed that the situation intended to be met by such ordinance constitutes an emergency directly affecting the lives, safety, and health of the inhabitants of the areas encompassed by this ordinance, and the protection of property within those areas, this ordinance shall take effect and be in full force and effect immediately from and after the enactment of same. 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**, the ordinance is enacted as an ordinance of the **EUREKA FIRE PROTECTION DISTRICT** of this 28 day of DEC. 2004, 2004



FRANCIS B. OBERKRAMER, CHAIRMAN
BOARD OF DIRECTORS

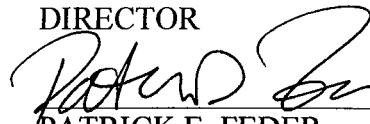
ATTEST:


CHARLES E. KUHN, SECRETARY
BOARD OF DIRECTORS

(SEAL)

APPROVED:
 12-28-04
FRANCIS B. OBERKRAMER Date
DIRECTOR

 12/28/04
CHARLES E. KUHN Date
DIRECTOR

 12/28/04
PATRICK E. FEDER Date
DIRECTOR