

Chapter 500

BUILDING CODES AND BUILDING REGULATIONS

ARTICLE I Building Code

Section 500.010. Building and Mechanical Code Adopted. [R.O. 2013 §500.010; CC 1991 §500.010; CC §44.010; Ord. No. 30-05, 6-14-2005; Ord. No. 122-12, 3-13-2012]

- A. A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the "2012 ICC International Building Code® (IBC)", is hereby designated as the Building Code of the City of Tarkio for regulating the construction, alteration, repair, erection, enlargement, removal, demolition, conversion, equipment use, occupancy and maintenance of all buildings in the City of Tarkio; and each and all of the regulations, terms and conditions of said "2012 ICC International Building Code® (IBC)" are hereby referred to, adopted and made a part hereof as if fully set out in this Section, except that any part of said code that is conflict with any part of this Chapter or that deals with administration and enforcement or that deals with fire districts is hereby deleted.
- B. A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the "2012 ICC International Mechanical Code® (IMC)", is hereby designated as an additional part of the aforementioned Building Code of the City of Tarkio; and each and all of the regulations, terms and conditions of said "2012 ICC International Mechanical Code® (IMC)" are hereby referred to, adopted and made a part hereof as if fully set out in this Section, except that any part of said code that is conflict with any part of this Chapter or that deals with administration and enforcement or that deals with fire districts is hereby deleted.

ARTICLE II Plumbing Code

Section 500.020. Plumbing Code. [R.O. 2013 §500.020; CC 1991 §500.020; CC §44.020; Ord. No. 30-05, 6-14-2005; Ord. No. 122-12, 3-13-2012]

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the "2012 ICC International Plumbing Code® (IPC)", is hereby designated as the Plumbing Code of the City of Tarkio; and each and all of the regulations, terms and conditions of said "2012 ICC International Plumbing Code® (IPC)" are hereby referred to, adopted and made a part hereof as if fully set out in this Section.

ARTICLE III Electrical Code

Section 500.030. Electrical Code. [R.O. 2013 §500.030; CC 1991 §500.030; CC §44.030; Ord. No.

30-05, 6-14-2005; Ord. No. 122-12, 3-13-2012]

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the "2011 NEC — National Electrical Code Softbound Edition (NFPA 70)", is hereby designated as the Electrical Code of the City of Tarkio; and each and all of the regulations, terms and conditions of said "2011 NEC — National Electrical Code Softbound Edition (NFPA 70)" are hereby referred to, adopted and made a part hereof as if fully set out in this Section.

ARTICLE IV Fire Prevention Code

Section 500.040. Adoption of Fire Prevention Code. [R.O. 2013 §500.040; CC 1991 §510.010; CC §46.010; Ord. No. 30-05, 6-14-2005]

There is hereby adopted by the Board of Aldermen for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, a certain code known as the "BOCA National Fire Prevention Code 1996" Tenth Edition, published by the Building Officials Conference of America, Inc., save and except such portions as are hereinafter deleted, modified or amended by Section 500.040 of this Chapter, of which code not less than two (2) have been and now are filed in the office of the City Clerk of the City of Tarkio and the same are herein, and from June 14, 2005, the provisions thereof shall be controlling within the limits of the City of Tarkio.

Section 500.050. Enforcement. [R.O. 2013 §500.050; CC 1991 §510.020; CC §46.020]

The code hereby adopted shall be enforced by the Building Inspector and Chief of the Fire Department.

Section 500.060. Definition. [R.O. 2013 §500.060; CC 1991 §510.030; CC §46.030]

Wherever the word "*municipality*" is used in the code hereby adopted, it shall be held to mean the City of Tarkio.

Section 500.070. Establishment of Limits of Districts in Which Storage of Flammable Liquids in Outside Aboveground Tanks, Bulk Storage of Liquefied Petroleum Gases and Storage of Explosives and Blasting Agents Is to Be Restricted. [R.O. 2013 §500.070; CC 1991 §510.040; CC §46.040]

The limits referred to in Section 73 of the code hereby adopted by reference, in which the storage of flammable liquids in outside aboveground tanks is prohibited, and the limits referred to in Section 103 of the code hereby adopted by reference, in which the bulk storage of liquefied petroleum gas is restricted, and the limits referred to in Section 53b of the code hereby adopted by reference, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: The south half of Block Numbers 6, 7, 8, 9 and 10 and the north half of Block Numbers 13, 14, 15, 16 and 17, and including therein Lot Numbers 13 and 14 in the south half of Block Number 14; and also including Lot Numbers 8, 9, 10, 11 and 12 in Block Number 9; Lot Numbers 1, 2 and 3 in Block Number 8, Lot Numbers 17 and 18 in Block Number 15; Lot Numbers 9, 10, 11 and 12 in Block Number 8, Lot Numbers 1, 2, 3 and 4 in Block Number 7, all in the original plat of the City of Tarkio in Atchison County, State of Missouri. Provided that

explosives and blasting agents are prohibited from being stored at any place within the City limits.

Section 500.080. Modifications. [R.O. 2013 §500.080; CC 1991 §510.050; CC §46.050]

The Chief of the Fire Department shall have the power to modify any of the provisions of the code hereby adopted upon application in writing by the owner or lessee, or his/her duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

Section 500.090. Appeals. [R.O. 2013 §500.090; CC 1991 §510.060; CC §46.060]

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief of the Fire Department to the Board of Aldermen within thirty (30) days from the date of the decision appealed.

Section 500.100. (Reserved)

ARTICLE V
Property Maintenance Code

Section 500.110. Property Maintenance Code Adopted. [Ord. No. 137.13 §1, 3-19-2013]

A certain document, a copy of which is on file in the office of the City Clerk, being marked and designated as the International Property Maintenance Code, 2012 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Tarkio in the State of Missouri regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of Tarkio, Missouri; providing for the issuances of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 500.120 of this Chapter.

Section 500.120. Revisions. [Ord. No. 137.13 §2, 3-19-2013]

The following Sections are hereby revised:

Section 101.1. Insert: "City of Tarkio, Missouri".

Section 103.5. Insert: "No fees associated with this service".

Section 112.4. Insert: "\$50.00 and \$500.00".

Section 304.14. Insert: "April 1st to August 31st".

Section 602.3. Insert: "October 1st to March 31st".

Section 602.4 Insert: "October 1st to March 31st, replace "65 with 50".

Section 500.130. Modifications. [Ord. No. 137.13 §3, 3-19-2013; Ord. No. 172.16 §1, 4-12-2016]

The following Sections are hereby modified:

Section 101.3. This Section is modified to read as follows:

This code shall be construed to secure in its express intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Repairs, alterations and additions to and change of occupancy in existing buildings shall comply with the International Building Code as adopted by the City of Tarkio.

Section 104.1. This Section is modified to read as follows:

The Code Official shall have authority as necessary in the interest of public health, safety and welfare to interpret and implement the provisions of this code; and to secure the intent thereof. Such rule shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering methods involving public safety.

Section 104.7. The reference to "Code Official" within this Section is deleted and the term "City of Tarkio, Missouri" inserted therefore.

Section 201.3. This Section shall be modified to read as follows:

Where terms are not defined in this code and are defined by codes accepted by the City of Tarkio including the International Building Code, International Fire Code, International Plumbing Code, International Mechanical Code or the National Electrical Code, such terms shall have the meanings ascribed to them as in those codes as accepted by the City of Tarkio.

Section 302.7. Accessory Structures. This Section shall be modified to read as follows:

All accessory structures, including detached garages, shall be maintained structurally sound and in good repair.

302.7.1. All wood fences shall be constructed and maintained in such a manner as to protect the structural integrity of the wood. All wood fences shall be maintained in an aesthetically pleasing manner as determined by the Building Commissioner.

302.7.2. All metal fences shall be constructed of a rust proof metal that is no more than eight (8) gauge in diameter. All metal fences shall be maintained in an aesthetically pleasing manner as determined by the Building Commissioner.

302.7.3. Barbed wire and electrically charged fences shall not be constructed or maintained in areas zoned for residential use, with the exception of underground fences used for animal

restraint. Barbed wire and electrically charged fences may be built in industrial zoned areas around industrial buildings for security purposes, and in agricultural zoned areas for agriculture purposes.

302.7.4. If the property line is contested or unknown, fences shall be built three (3) feet back from the contested line or from the approximated area. In the event the property line is known and is uncontested, a fence may be built on the property line with the adjoining properties owner's consent. Application for a variance may be made to the Building Commissioner.

Section 304.3. The requirement that numbers shall be a minimum of four (4) inches (102 mm) high is deleted and the requirement that numbers be a minimum of three (3) inches (77 mm) high is inserted therefore.

Section 304.18.1. This Section is modified to read as follows:

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with an operable lock. Such lock shall be installed according to manufacturer's specifications and maintained in good working order.

Section 403.2. The last sentence of this Section beginning with the phrase "Air exhausted by a mechanical ventilation system ." is deleted in its entirety.

Section 500.140. Deletions. [Ord. No. 137.13 §4, 3-19-2013]

The following Sections are hereby deleted:

Section 102.6: Historic Buildings

Section 103: Department of Property Maintenance Inspection

Section 104.6: Notices and Orders

Section 106: Violations

Section 107: Notices and Order

Section 108: Unsafe Structures and Equipment

Section 109: Emergency Measures

Section 110: Means of Appeals

Section 111: Means of Appeals

Section 302.4: Weeds

Section 302.9: Defacement of Property

Section 308: Rubbish and Garbage.

ARTICLE VI
Building Inspector

Section 500.150. Position Established. [R.O. 2013 §500.110; CC 1991 §515.010; CC §47.010]

The Board of Aldermen of the City of Tarkio hereby creates the position of Building Inspector.

Section 500.160. Appointment. [R.O. 2013 §500.120; CC 1991 §515.020; CC §47.020]

The Building Inspector shall be appointed by the Mayor with the approval of the Board of Aldermen and shall continue to serve at the pleasure of the Mayor and Board.

Section 500.170. Authority. [R.O. 2013 §500.130; CC 1991 §515.030; CC §47.030]

The Building Inspector shall be authorized and directed to administer the Building Code, Plumbing Code, Electrical Code, Housing Code, Fire Prevention Code, and such other codes and ordinances as the Board of Aldermen may from time to time specify. The Building Inspector shall have power as may be necessary in the interests of public health, safety and general welfare to interpret and implement the provisions of said codes and ordinances and shall have the authority to enter any building or premises within the City of Tarkio for the purpose of inspection or for prevention of violations of the provisions of said codes and ordinances.

Section 500.180. Liability. [R.O. 2013 §500.140; CC 1991 §515.040; CC §47.040]

The Building Inspector shall not be personally liable while acting for the City of Tarkio, and he/she is hereby relieved from all personal liability for any damage that may accrue to persons as a result of any act required or permitted in the discharge of his/her official duties.

ARTICLE VII
Building Regulations

Section 500.190. Earthquake and Seismic Design Requirements. [R.O. 2013 §500.150]

All construction in the City shall comply with the requirements of Sections 319.200 through 319.207, RSMo., and any amendments thereto, relating to earthquakes and seismic construction requirements.

Section 500.200. Building Permit Required. [R.O. 2013 §500.160; CC 1991 §500.040; CC §44.040]

No building or structure or part thereof shall hereafter be constructed, altered, repaired, erected, enlarged, converted, moved or demolished until a building permit has been obtained by the owner or his/her agent. Application for a permit shall be made on a form provided by the City of Tarkio and shall be accompanied by complete, dimensioned plans showing all habitable floors, basement, cellar, and foundations; by specifications describing the kind, size, quality and grade of all construction materials and service equipment; and by a dimensioned plot diagram showing the size and location of all new construction and all existing structures on the site, distance from lot lines, established street grades, and existing sewers, gas, water, and other public utilities in the street. In the case of demolitions, there shall be a diagram showing all construction to be demolished and all construction that is to remain on the site.

ARTICLE VIII
Building Fees

Section 500.205. Fees. [R.O. 2013 §510.080; CC 1991 §505.080; CC §45.080]

Before receiving a building permit, the owner or his/her agent shall pay the fees specified in Table I. In applying the provisions of this code, the physical value shall be determined by the Building Inspector.

Table I. Schedule of Permit Fees

Valuation of Work Fee

Under \$50	\$2.50
\$50 to \$500	\$5.00
\$501 to \$1,000	\$7.50
\$1,001 and over	\$10.00 plus \$1.00 for each additional thousand or major part thereof
\$10,001 and over	\$21.00 plus \$1.00 for each additional thousand or major part thereof

\$50.00 limit for religious, eleemosynary and educational institutions.

**ARTICLE IX
Penalties**

Section 500.210. Penalties. [R.O. 2013 §500.100; CC 1991 §510.070; CC §46.070]

- A. Any person who shall violate any of the provisions of the codes adopted in this Chapter or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate of permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Aldermen or by a court of competent jurisdiction within the time fixed herein shall severally for each and every such violation and non-compliance respectively be guilty of an ordinance violation punishable by a fine of not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00) or by imprisonment for not less than one (1) day nor more than thirty (30) days, or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.