

Request for Legislative Action

Ordinance No.: 5765
Sponsor: Jeanie Lauer
Date: July 10, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5765
Sponsor(s):	Jeanie Lauer	Legislature Meeting Date:	7/10/2023

Introduction

Action Items: ['Authorize']

Project/Title:

Repealing sections 5400. and 5410., Jackson County Code, 1984, relating to the building codes, and enacting, in lieu thereof, two new sections relating to the same.

Request Summary

The construction of safe and secure buildings is an important responsibility of County Government. The County adopted Chapter 54, Building Code, in 1992 and adopted subsequent versions with the 2009 International Building Code, with various appendices relating to electrical, plumbing, fire and other various standards and guidelines, being the most current adopted version.

Most jurisdictions within the Kansas City metropolitan area have adopted the 2018 International Building Code.

To ensure the construction of safe and secure buildings throughout the unincorporated areas of the County, it would be in best interests to bring the building codes to a level equal to that of the surrounding jurisdictions.

This request is to update reference to the current adopted version as well as correcting the fees that are not properly stated within the current code.

Contact Information

Department:	Public Works	Submitted Date:	6/9/2023
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Administrator	Phone:	816-881-4577

Budget Information

Amount authorized by this legislation this fiscal year:	\$ 0
Amount previously authorized this fiscal year:	\$ 0
Total amount authorized after this legislative action:	\$
Is it transferring fund?	No
Single Source Funding:	
Fund:	Department:
Line Item Account:	Amount:
	!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
4597	January 13, 2014
4499	February 4, 2013
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
<ul style="list-style-type: none">This legislative action does not impact the County financially and does not require Finance/Budget approval.

Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 6/9/2023. Comments:

Approved by Department Approver Kristina J. Miller on 6/15/2023 8:28:29 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 6/15/2023 9:49:16 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 6/15/2023 1:39:28 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 6/16/2023 4:14:31 PM. Comments:

Approved by Executive Office Approver Sylvia Stevenson on 6/19/2023 12:06:47 PM. Comments:

Returned for more information by Counselor's Office Approver Jamesia Manning on 6/20/2023 9:21:37 AM. Comments: Please list prior resolutions and ordinances.

Submitted by Requestor Randy D. Diehl on 6/23/2023 10:19:53 AM. Comments: Previous Ordinances entered

Approved by Department Approver Lisa Honn on 6/26/2023 8:13:48 AM. Comments: Approving for Kristin Miller due to technical issue.

Not applicable by Purchasing Office Approver Barbara J. Casamento on 6/26/2023 10:57:23 AM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 6/26/2023 11:15:27 AM. Comments:

Not applicable by Budget Office Approver Mark Lang on 6/27/2023 1:44:04 PM. Comments:

Approved by Executive Office Approver Sylvia Stevenson on 6/27/2023 1:51:27 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 7/6/2023 1:04:27 PM. Comments:

CHAPTER 54

BUILDING CODE

5400. Building Code.

Certain documents, copies of which are on file and are open for inspection by the public in the offices of the director of public works, being marked and designated as:

International Code Conference, ~~2009-2018~~ Edition, published by the International Code Council; and, International Building Codes, 2009 Edition, published by the International Code Council, as modified or amended in the International Building Code Standards referenced below:

- ~~2009-2018~~ International Building Code
- ~~2009-2018~~ International Residential Code
- ~~2008-2017~~ National Electrical Code (NFPA 70)
- ~~2009-2018~~ Uniform Plumbing Code
- ~~2009-2018~~ International Mechanical Code
- ~~2009-2018~~ International Energy Conservation Code
- ~~2009-2018~~ International Fire Code (as it relates to construction codes only)
- ~~2009-2018~~ International Existing Building Code
- APWA Single Family Erosion Control Guidelines
- ~~2008-2020~~ National Green Building Standard ICC-700-~~2008-2020~~ (Guideline only)

~~2009-2018~~ International Building Code Appendices

- C: Group U - Agricultural Buildings
- E: Supplementary Accessibility Requirements
- F: Rodent Proofing
- G: Flood Resistant Construction
- H: Signs
- I: Patio Covers
- J: Grading
- K: Administrative Provisions (NFPA 70)

Chapter 9, section 903.2.8, residential fire protection systems (optional).

~~2009-2018~~ International Residential Appendices

- E: Manufactured Housing used as a dwelling unit
- F: Radon Control Methods (Guideline only)
- G: Swimming Pools, Spas, and Hot Tubs
- H: Patio Covers
- K: Sound Transmission
- M: Home Day Care R-3 Occupancy
- N: Venting Methods
- O: Gray Water Recycling Systems
- P: Sizing of Water Piping System
- Q: ICC Residential Code Electrical Provisions/National Electrical Code

cross Reference

Chapter 3, section R313.2 One and two family dwellings automatic fire systems (optional).

~~2009-2018~~ Uniform Plumbing Code Appendices

- A: Recommended Rules for sizing the Water Supply System
- B: Explanatory Notes on Combination Waste and Vent Systems
- D: Sizing Stormwater Drainage Systems
- E: Manufactured/Mobile Home Parks and Recreational Vehicle Parks
- I: Installation Standards

~~2009-2018~~ International Mechanical Code Appendices

- A: Combustion Air Openings and Chimney Pass-Throughs

~~2009-2018~~ International Fire Code Appendices (as it relates to construction codes only)

- B: Fire Flow Requirements for Buildings
- C: Fire Hydrant Locations and Distribution
- I: Fire Protection Systems - Noncompliant Conditions

~~2009-2018~~ International Existing Building Code Appendices

- A: Reference Standards
- B: Supplementary Accessibility Requirements for Existing Buildings and Assemblies

Exemptions:

Exemptions from the ~~2009-2018~~ International Building Code:

Section 101.4.2 - Property Maintenance

Section 105.1.1 - Annual Permit

Section 105.1.2 - Annual Permit Records

Section 105.2(1) - Work Exempt from Permit

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet.

Section 105.2.3 - Public Service Agencies

Referenced Codes:

Any and all references to the International Electrical Code shall reference the National Electrical Code.

Any and all references to the International Plumbing Code shall reference the Uniform Plumbing Code.

as said publications may be amended, are adopted as the code of Jackson County for regulating the erection, construction, occupancy, equipment, use, height, area, and

maintenance of all buildings or structures in the unincorporated area of Jackson County and on all Jackson County-owned real property, without regard to its location within the County. Each and all of the regulations, provisions, conditions, and terms of such International Building Codes, 2009 Edition, and International Code Council, published by the International Code Council, and the secondary publications referenced above, as said publications may be amended, all of which are on file in the office of the director of public works, are referred to, adopted, and made a part hereof as if fully set out in this section. (Ord. 2101, Eff. 6/12/92; Ord. 3170, 08/28/01; Ord. 3620, 04/18/05; Ord. 3921, Eff. 08/29/07, Ord. 4098, Eff. 4/20/09; Ord. 4171, Eff. 11/23/09; Ord. 4186, Eff. 2/1/10; Ord. 4499, Eff. 2/4/13)

5401. Administration, General

5401.1 Scope.

The provisions of this chapter shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

5401.2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

- a. Accessory Structure. A building or use customarily incident to the primary building or use on the same lot or parcel.
- b. Agricultural Structure. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.
- c. Building Official. The person or persons who manages and enforces the provisions of this chapter, as designated by the Director of Public Works.
- d. Commercial Structure. A structure in which commercial activity occurs.
- e. Electrical Work.
 - 1. Installation, alteration, repair, and/or removal of any electrical equipment regulated by this chapter;
 - 2. Assembly, installation, wiring, and/or connection of electric lighting fixtures and extending existing circuits;
 - 3. Connection of new or replacement gas-fired heating equipment

to existing electrical circuits, extension of existing circuits, and installation of control circuits;

4. Assembly, installation, wiring, and/or connection of electric signs when such connection is limited to extension of existing circuits; and

5. Installation, alteration, repair, or removal of communication, .

f. Mechanical Work.

1. Heating and ventilating.

A. Installation, alteration, servicing, replacement, repair and/or maintenance of heating, duct, and/or ventilation systems and connection of a humidifier which is part of a heating system to an existing potable water supply system within a building;

B. Connection of gas piping from the nearest cutoff valve to the burner of a warm air heating system;

C. Connection of control wiring to an existing control box; and

D. Installation, alteration, servicing, replacement, removal, and/or repair of air conditioning units which are part of an air circulation unit.

E. Installation of steam heating plants carrying pressures not exceeding 15 pounds per square inch gauge steam pressure;

F. Installation of hot water heating plants for comfort heating.

2. Refrigeration.

A. Installation, maintenance, repair, servicing, and/or alteration of a system of mechanical refrigeration or a system where refrigerant piping must be installed or where a refrigerant-containing part must be cut into for connection or assembly;

B. Installation of pipe insulation; and

C. Installation of low-voltage wiring which does not exceed 48 volts when such wiring is not enclosed in conduit or raceway.

g. Person in Responsible Charge. A person or company required to account for the actions of others, the discharge of a duty, or the discharge of a trust.

h. Plumbing Work.

1. Installation, maintenance, repair, servicing, and/or testing of all sanitary plumbing and potable water supply piping, and appliances connected thereto, including gas piping, and the complete installation of water heaters;

2. Installation of piping for transmission of chemicals and gases;

3. Installation of gas ranges, domestic gas incinerators, gas dryers, and/or other gas-fired appliances;

4. Installation of low-voltage wiring not exceeding 48 volts for gas-fired appliances and water heaters when such wiring is not enclosed in conduit or raceway.

5. Installation of hot water heating plants for domestic purposes.

6. Installation, erection, alteration, repair, servicing, and/or resetting of gas-fired appliances other than warm air heating units, but including water heaters of not more than 100 gallons' storage capacity and installation of low-voltage wiring not exceeding 48 volts when such wiring is not enclosed in conduit or raceway.

i. Unauthorized Work. Any construction activity that has been commenced without first obtaining the necessary permit(s) as defined in this chapter.

(Ord. 4597, Eff. 01/13/14)

5401.3 Approved Materials and Equipment.

Materials, equipment, and devices approved by the building official shall be constructed and installed in accordance with such approval.

5401.4 Used Materials and Equipment.

The use of used materials which meet the requirements of this chapter for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

5401.5 Modifications.

Whenever there is a practical difficulty involved in carrying out any provision of this chapter, the building official shall have the authority to grant a modification for an individual case, upon application of the owner or owner's representative, provided the building official shall first find that specific individualized circumstances make strict compliance with this chapter impractical and that the proposed modification is in compliance with the intent and purpose of this chapter and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of any action granting a modification shall be recorded and entered in the files of the department of public works.

5401.6 Alternative Materials, Design, and Methods of Construction and Equipment.

The provisions of this chapter are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically proscribed by this chapter, provided that any such alternative has been approved. An alternative material, design, or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this chapter in quality, strength, effectiveness, fire resistance, durability, and safety.

5401.7 Research Reports.

Supporting data, when necessary to assist in the approval of materials or assemblies not specifically provided for in this chapter, shall consist of valid research reports from approved sources.

5401.8 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this chapter, or evidence that a material or method does not conform to the requirements of this chapter, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this chapter or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

5401.9 Emergency Repairs.

When equipment replacements and repairs must be performed in an emergency situation, a permit application shall be submitted the next business day to the building official.

5401.10 Permit, Application.

To obtain a permit, an applicant shall first file an application therefor with the building official. Such application shall:

- a. Identify and describe the work to be covered by the permit for which application is made;
- b. Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work;
- c. Indicate the use and occupancy for which the proposed work is intended;
- d. Be accompanied by construction documents and other information as required in construction documents;
- e. State the valuation of the proposed work, calculated in accordance with section 5410. of this chapter;
- f. Be signed by the applicant, or the applicant's authorized agent; and,
- g. Give such other data and information as may be required by the building official.

(Ord. 4597, Eff. 01/13/14)

5401.11 Application, Action on.

The building official shall examine or cause to be examined each application for permit or amendment thereto within a reasonable time after filing. If the application or the construction documents do not conform to requirements of this chapter, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this chapter, the building official shall issue a permit therefor as soon as practicable.

5401.12 Permit, Validity.

The issuance or granting of a permit shall not be construed to constitute the approval of any violation of any provision of this chapter or of any other ordinance of Jackson County. Any permit presuming to give authority to violate any provision of this chapter or other ordinance of the County shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure in violation of this chapter or of any other ordinance of Jackson County.

5401.13 Permit, Expiration.

Each permit issued shall become invalid if the work on the site authorized by such permit has not commenced within 180 days after the permit's issuance, or if, after the work authorized on the site by such permit has commenced, that work is

thereafter suspended or abandoned for a period of 180 days. The building official is authorized to grant one or more extensions of time for completion of the work. Any such extension shall be requested in writing and be based on demonstrated justifiable cause.

5401.14 Permit, Suspension or Revocation.

The building official is authorized to suspend or revoke any permit issued under the provisions of this chapter whenever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any provision of this chapter or of any other Jackson County ordinance.

5401.15 Permit and Inspection Card, Display.

The building permit and inspection card shall be displayed on the site of the work, so as to be visible from the road, until the completion of the project.

5402. Construction Documents.

5402.1 Submittal Documents.

Construction documents, statements of special inspections, and other data as specified in this section, shall be submitted in two sets with each permit application. The construction documents shall be prepared by a design professional who is a registered architect or engineer or member of another preapproved design profession. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

5402.2 Exception, Structures Accessory to Residential Structures.

The building official is authorized to waive the submission of construction documents and other data, not required to be prepared by a registered design professional, if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this chapter, with regards to the construction of accessory structures to residential structures, such as detached garages, swimming pools, pool houses, pole barns, and silos under 35 feet in height.

5402.3 Construction Documents, Information.

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents may be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that the work will conform to the provisions of this chapter and other relevant laws, ordinances, rules, and regulations, as determined by the building official.

5402.4 Fire Protection System Shop Drawings.

Shop drawings for fire protection system(s) shall be submitted to indicate conformance with this chapter and the construction documents shall be approved

prior to the start of system installation. Shop drawings shall contain all information required by the International Fire Code.

5402.5 Egress, Means.

The construction documents shall show in sufficient detail the location, construction, size, and character of all portions of the means of egress in compliance with the provisions of this chapter. In other than occupancies in Groups R-2, R-3, and I-1, as defined in the 2006 International Building Code, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

5402.6 Exterior Wall Envelope.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this chapter. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roofs, eaves, or parapets, means of drainage, water-resistive membranes, and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation demonstrating that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

5402.7 Site Plan.

The construction documents submitted with the application for permit shall be accompanied by a site plan showing the location of new construction, any and all other existing structures on the site, and, where applicable, the waste water treatment system, distances from lot lines, the proposed finished grades and, where applicable, any flood hazard area, floodways, and design flood elevations. At the discretion of the building official, the site plan shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair, or when otherwise warranted.

5402.8 Documents, Examination.

The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of this chapter and other pertinent laws or ordinances.

5402.9 Construction Documents, Approval.

When the building official issues a permit, the construction documents shall be

approved, in writing or by stamp. One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work, and shall be readily available for review/inspection by the building official or a duly authorized representative.

5402.10 Previous Approvals.

This chapter shall not require changes in construction documents, construction, or designated occupancy of a structure for which a lawful permit has heretofore been issued or which has otherwise been lawfully authorized, the construction of which has been pursued in good faith within 180 days after the effective date of this chapter and has not been abandoned.

5402.11 Phased Approval.

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this chapter. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

5402.12 Design Professional in Responsible Charge, Designation.

When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design profession in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. Where structural observation is required, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

5402.13 Deferred Submittal.

For the purposes of this section, "Deferred Submittal" is defined as any portion of a design that is not submitted at the time of the application and that is to be submitted to the building official within a specified period. Deferral of any submittal item shall have the prior approval of the building official. The registered design professional in responsible charge shall list any deferred submittal on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in

general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official.

5402.14 Amended Construction Documents.

Work shall be installed in accordance with the approved construction documents. Any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

5402.15 Construction Documents, Retention.

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work.

5403. Temporary Structures and Uses.

5403.1 General.

The building official is authorized to issue a permit for a temporary structure or temporary use. Any such permit shall be limited as to time of service and shall not have a duration of more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

5403.2 Compliance.

Temporary structures and uses shall comply with the structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements of this chapter as necessary to ensure the public health, safety, and general welfare.

5403.3 Power, Temporary.

The building official is authorized to give permission for a temporary supply of power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part of the installation covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat, and power.

5403.4 Approval, Termination.

The building official is authorized to terminate a permit for a temporary structure or use and order the temporary structure or use to be discontinued.

5404. Inspection.

5404.1 General.

Construction or work for which a permit is required shall be subject to applicable inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of any provision of this chapter or of any other ordinance of Jackson County. Any

inspection presuming to give authority to violate any provision of this chapter or of any other ordinance of Jackson County shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor Jackson County shall be liable for any expense entailed in the removal or replacement of any material required to allow inspection.

5404.2 Inspection, Preliminary.

Before issuing a permit, the building official is authorized to examine or cause to be examined any building, structure, or site for which an application has been filed.

5404.3 Inspection Request.

It shall be the duty of the holder of the building permit or the holder's duly authorized agent to notify the building official a minimum of 24 hours in advance when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for any inspection of such work that is required by this chapter.

5404.4 Inspection, Footing and Foundation.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except that, when concrete is ready mixed in accordance with ASTM C94, the concrete need not be on the job.

5404.5 Inspection, Concrete Slab and Under-floor.

Concrete slab and under-floor inspections shall be made after in slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories, and other ancillary equipment items are in place, but before any concrete is poured or floor sheathing installed, including the subfloor.

5404.6 Lowest Floor Elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the Elevation Certification, as defined in the 2006 International Building Code, required shall be submitted to the building official.

5404.7 Inspection, Frame.

Framing inspections shall be made after the roof deck or sheathing and all framing, fire-blocking, and bracing are in place and pipes, chimneys, and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes, and ducts are approved.

5404.8 Inspection, Lath and Gypsum Board.

Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, are in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

5404.9 Fire-resistant Penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

5404.10 Inspection, Energy Efficiency.

Inspections shall be made to determine compliance with the 2003 International Energy Code and shall include, but not limited to, inspections for envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

5404.11 Inspection, Other.

In addition to the specific inspections listed in this section, the building official is authorized to make or require any other inspection of any construction work necessary to ascertain compliance with the provisions of this chapter and other laws that are enforced by the Department of Public Works.

5404.12 Inspection, Special.

Special inspections may be required at the discretion of the building official.

5404.13 Inspection, Final.

A final inspection shall be made after all work required by the building permit is completed.

5404.14 Inspection Agencies.

The building official is authorized to accept reports from pre-approved inspection agencies, provided such agencies satisfy all requirements as to qualifications and reliability.

5404.15 Approval Required.

No work shall be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or the designated agent of the manner in which the construction fails to comply and must be corrected, and such portion shall not be covered or concealed until authorized by the building official.

5405. Certificate of Occupancy or Completion.

5405.1 Occupancy.

No inhabitable structure shall be occupied, and no change in the existing occupancy classification of a inhabitable structure or portion thereof shall be made until the building official has issued a Certificate of Occupancy therefor as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of any violation of any provision of this chapter or of any other ordinance of Jackson County.

5405.2 Use.

No uninhabitable structure shall be occupied, and no change in the existing occupancy classification of any uninhabitable structure or portion thereof shall be made until the building official has issued a Certificate of Completion therefore as provided herein. Issuance of a Certificate of Completion shall not be construed as an approval of any violation of any provision of this chapter or of any other ordinance of Jackson County.

5405.3 Certificate, Issuance.

After the building official inspects a building or structure and finds no violation of any provision of this chapter or other laws that are enforced by the Department of Public Works, the building official shall issue a certificate of occupancy or use, as applicable, that contains the following:

- a. The building permit number;
- b. The address of the structure;
- c. The name and address of the owner;
- d. A description of that portion of the structure for which the certificate is issued;
- e. A statement that the described portion of the structure has been inspected for compliance with the requirements of this chapter for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
- f. The name of the building official;
- g. The edition of the applicable code under which the permit was issued;
- h. The use and occupancy;
- i. The type of construction;
- j. The design occupant load;
- k. If an automatic sprinkler system is provided, whether the sprinkler system is required; and,
- l. Any special stipulations and conditions of the building permit.

5405.4 Occupancy or Use, Temporary.

The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by a permit, provided that such

portion or portions can be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

5405.5 Certificate, Revocation.

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this chapter, whenever the certificate is issued in error or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any applicable ordinance or regulation or any provision of this chapter.

5406. Service Utilities.

5406.1 Service Utilities, Connection.

No person shall make any connection from any utility or any source of energy, fuel, or power, to any building or system that is regulated by this chapter for which a permit is required, until authorized and released by the building official.

5406.2 Connection, Temporary.

The building official shall have authority to authorize the temporary connection of a building or system to a utility source of energy, fuel, or power.

5406.3 Service Utilities, Disconnection.

The building official shall have authority to require disconnection of utility service to any building, structure, or system regulated by this chapter and the referenced codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure, or service system of the disconnection prior to taking such action. If prior notice is not issue, the owner or occupant of the building, structure, or service system shall be notified in writing as soon as practicable after the action.

5407. Stop Work Order.

5407.1 Authority.

Whenever the building official finds any work regulated by this chapter being performed without proper permits or in a manner contrary to the provisions of this chapter or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order. A stop works order, once issued, may only be withdrawn by the building official or his authorized agent.

5407.2 Issuance.

The stop work order shall be posted on the property and shall be delivered to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease.

5407.3 Unlawful Continuance.

No person shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition. Any violation of this section shall be subject to penalties as provided in this chapter.

5408. Violations.

5408.1 Notice.

The building official shall possess the authority to serve a Notice of Violation and/or General Ordinance Summons (GOS), or order on any person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of any provision of this chapter, or in violation of a permit or certificate issued under the provisions of this chapter. Such notice shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

5408.2 Prosecution.

If a notice of violation is not complied with promptly, the building official is authorized to request the county counselor of Jackson County to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this chapter or of the order or direction made pursuant thereto.

5409. Penalty Provision.

It shall be unlawful for any person, firm, partnership, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure, or cause or permit the same to be done without first obtaining a valid, unrevoked permit from the director of public works, as provided in this chapter, or to violate any other provision of this chapter. A violation of this section shall be punishable by imprisonment in the county jail for a term not to exceed one (1) year or by a fine not to exceed one thousand dollars (\$1,000), or both. (Ord. 2101, Eff. 6/12/92; Ord. 3170, 08/28/01; Ord. 4098, Eff. 4/20/09)

5409.1 Premature Occupancy, Commercial Structure.

Where it is found that a commercial structure has been occupied prior to final inspection, the permittee shall be assessed a \$1,000.00 penalty and a Certificate of Use shall not be issued until payment is received.

5409.2 Premature Occupancy, Residential Structure.

Where it is found that a residential structure has been occupied prior to final inspection, the permittee shall be assessed a \$750.00 penalty and a Certificate of Occupancy shall not be issued until payment is received.

5409.3 Premature Occupancy, Agricultural Structure.

Where it is found that an agricultural structure has been occupied prior to final inspection, the permittee shall be assessed a \$500.00 penalty and a Certificate of Use shall not be issued until payment is received.

5409.4 Work Exempt From Permit.

Exceptions from permitting requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of any provision of this chapter or any other laws or ordinances of Jackson County. Permits shall not be required for the following:

a. Buildings.

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet;
2. Fences not over 6 feet (1829 mm) high;
3. Decks that do not exceed 36 inches above grade;
4. Siding replacement;
5. Residential HVAC and water heater component repair;
6. Roofing on residential or accessory buildings with not more than 2 existing layers;
7. Oil derricks;
8. Retaining walls that are not over 4 feet (1219 mm) in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class 1, 11, or 11A liquids;
9. Outside water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 1:1;
10. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below and not part of an accessible route;
11. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work;
12. Temporary motion picture, television, and theater stage sets and scenery;

13. Prefabricated swimming pools accessory to a Group R-3 occupancy, which do not exceed 5,000 gallons (18,925 L) in capacity;

14. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems;

15. Swings and other playground equipment accessory to detached one- and two-family dwellings; or

16. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.

(Ord. 4597, Eff. 01/13/14)

b. Electrical.

1. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles;

2. Electrical equipment used for radio and television transmissions; or,

3. The installation of any temporary system required for the testing

c. Mechanical.

1. Portable heating appliances;

2. Portable ventilation equipment;

3. Portable cooling units;

4. Replacement of any part that does not alter its approval or make it unsafe;

5. Portable evaporative coolers; or,

6. Self-contained refrigeration systems containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

(Ord. 4597, Eff. 01/13/14)

d. Plumbing.

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided that, if any concealed trap, drain pipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered new work and a permit shall be obtained and inspection made as provided in this chapter.

2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

e. Repairs.

Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps, or the connection of approved portable electrical equipment in permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition, or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

f. Public Service Utility Agencies.

A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or metering, or other related equipment that is under the ownership and control of public service agencies by established right.

5410. Fees.

No permit shall be issued pursuant to section 5409. of this chapter until the applicant therefor has paid the fee specified in this section, to include a plan review fee if applicable, based on the fair market value of the proposed improvement for which the permit is sought as established by the most current building valuation data as set forth in the International Conference of Building Officials Standard Publication:

5410.1 Fee Schedule.

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500.00	\$25.15
\$501.00 to \$2,000.00	\$25.15 for the first \$500.00 plus \$3.27 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$74.10 for the first \$2,000.00 plus \$14.98 for

	each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$418.64 for the first \$25,000.00 plus \$10.81 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$688.81 for the first \$50,000.00 plus \$7.49 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,063.31 for the first \$100,000.00 plus \$5.99 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,460.11 for the first \$500,000.00 plus \$5.08 for each additional \$1,000.00, or fraction thereof, up to and including \$1,000,000.00
\$1,000,000.00 and up	\$6,001.36 for the first \$1,000,000.00 plus \$3.91 for each additional \$1,000.00 or fraction thereon.

Agricultural-use pole barns valued at \$20,000.00 or less are exempt from the above valuation chart. These structures shall be assessed a flat fee of \$125.00. Agricultural-use pole barns valued at \$20,000.00 up to \$40,000.00 will be assessed a flat fee of \$300.00. All barns valued above \$40,000.00 will be assessed a fee consistent with the Building Permit Fees Schedule contained in this section. When the building official has determined that unauthorized work, as defined in the International Building Code, has been performed without first obtaining proper permits, permit fees shall be double the normal fee. (Ord. 3216, Eff. 01/15/02; Ord. 3620, Eff. 04/18/05; Ord. 3921, Eff. 08/29/07; Ord. 4098, Eff. 4/20/09; Ord. 4171, Eff. 11/23/09)

5410.2 Fees, Plan Review.

A plan review fee of 65 percent of the building permit fee shall be assessed in addition to the permit fee. The following buildings are exempt from the plan review fee, unless it is determined by the building official that the submitted documents are incomplete, changed, or are more complex than the basic design of said structures.

- a. Single Family Dwelling;
- b. Detached Garages;
- c. Utility Sheds, Pole Barns, Open Carports;
- d. Mobile, Modular, Manufactured Homes;
- e. Swimming Pools; and
- f. Decks.

(Ord. 3216, Eff. 01/15/02; Ord. 3695, Eff. 10/31/05; Ord. 3921, Eff. 08/29/07, Ord. 4098, Eff. 4/20/09; Ord. 4171, Eff. 11/23/09)

5410.3 Fees, Additional.

Additional fees, for inspections and other services, shall be due as set out below:

<u>Services</u>	<u>Fee</u>
a. Inspections outside of normal business hours (minimum charge-two hours)	\$47.00 per hour
b. Re-inspection fees	\$47.00 per hour
c. Inspections for which no fee is specifically indicated (minimum charge-one-half hour)	\$47.00 per hour
d. Additional plan review required by changes, additions or revisions to approved plans (minimum charge-one-half hour)	\$47.00 per hour
e. Use of outside consultants for plan review	Actual cost, including validation, inspections, administrative and overhead costs.

(Ord. 3170, Eff. 08/28/01; Ord. 3216, Eff. 01/15/02; Ord. 3620, Eff. 04/18/05; Ord. 3921, Eff. 08 v /29/07; Ord. 4098, Eff. 4/20/09; Ord. 4171, Eff. 11/23/09)

5410.4 Green Build Permit Program.

There is hereby established a Green Build Permit Program. Any construction for which fees are charged pursuant to this section shall be eligible to apply for certification under the Green Build Permit Program. There shall be four (4) levels of certification: Green, Silver, Gold, and Platinum. Points must be acquired in three (3) categories: Resources, Energy, and Indoor Air Quality (IAQ) / Health, within fifteen requirement areas. A minimum of ten (10) points must be acquired in each category for a project to be eligible for certification and the partial fee rebate. Any applicant who has paid fees pursuant to this section shall be eligible for a partial rebate of those fees in accordance with the schedule set forth below:

<u>Level of Certification</u>	<u>Minimum Points Required</u>	<u>Rebate Percentage</u>
Green	50+	15 %
Silver	70+	25 %
Gold	125+	35 %
Platinum	180+	50 %

The criteria used as the basis for awarding points under this program shall be found in Section 5400, 2008 National Green Building Standard

a. Rebates Authorized for Payment.

The Director of Finance and Purchasing is authorized to issue a rebate payment to an applicant upon notice of certification from the Director of Public Works. (Ord. 3695, Eff. 10/31/05; Ord. 3921, Eff. 08/29/007; Ord. 4098, Eff. 4/20/09; Ord. 4171, Eff. 11/23/09)

5410.5 Refund.

Any applicant who has paid a fee pursuant to this chapter may request in writing a refund prior to the commencement of the project for which the fee was paid and permit issued. Upon receipt of the request, the county shall issue a refund, less a 25% administrative fee and less any funds collected for and already paid to a fire protection district for inspection services. (Ord. 3695, Eff. 10/31/05; Ord. 3921, Eff. 08/29/07; Ord. 4098, Eff. 4/20/09; Ord. 4171, Eff. 11/23/09)

5411. Permit, License Required

No permit shall be issued pursuant to this chapter for any work on any building or structure, that includes electrical work, mechanical work, and/or plumbing work as defined in the chapter, unless the person performing said work shall have obtained the appropriate license(s) as specified in this section, except that this section shall not apply to any person performing work on any structure that he or she owns, provided that person signs an affidavit indicating his or her intent to occupy the structure for at least one year after the completion of the work.

5411.1 License, Type Required.

All work defined in this chapter as electrical work, mechanical work, or plumbing work must be performed by a person holding a Class A or B electrical, mechanical, or plumbing license, as applicable, or by a person holding a Class C electrical, mechanical, or plumbing license, as applicable, working under the direct supervision of a person holding a Class A or B electrical, mechanical, or plumbing license, as applicable.

5411.2 License, Classes of, Requirements.

a. Class A License.

To qualify for a Class A License a person must demonstrate that he or she possesses at least four years' experience in the applicable trade and that he or she has passed either the Prometric or ICC journeyman or master's exam with a score of 70 or better.

b. Class B License.

To qualify for a Class B License a person must demonstrate that he or she possesses at least ten years' experience in the applicable trade.

c. Class C (Unclassified) License.

To qualify for a Class C (unclassified) license, a person must be currently enrolled in a U.S. Department of Labor-approved apprenticeship program, or an accredited technical program, or be an out-of-jurisdiction worker currently performing electrical, mechanical, or plumbing work within the County. Each permit holder performing electrical, mechanical, or plumbing work shall be

required to have one Class A or Class B licensee on the job site at all times, as appropriate for the type of work being performed, for each Class C licensee on the site.

5411.3 Liability Insurance Required.

As a condition precedent to the issuance, maintenance, or renewal of any license described in this section, an applicant shall furnish to the building official a certificate of liability insurance.

a. Policy Requirements.

The liability insurance evidenced by the certificate of insurance shall meet the following requirements:

1. The policy shall provide for a minimum limit of \$1 million per occurrence.
2. The policy shall be written by an insurer having an A.M. Best Financial Strength Rating of at least B+V, licensed to do business in the State of Missouri.
3. Jackson County shall be named as an additional insured on such certificate by separate endorsement, except that no such endorsement shall be required for an applicant performing work solely on residential buildings, unless that applicant will be performing work in the public right-of-way.
4. The certificate shall bear a separate endorsement requiring the insurer to notify the County in writing of any cancellation or change to such policy at least 30 days prior to the effective date thereof, or at least 10 days prior to the date thereof in the event of a cancellation for nonpayment of premium.
5. Failure to maintain the required insurance shall be grounds for the automatic suspension of a license and for denial of further permits and inspections.

5411.4 License, Application, Fees.

a. Generally.

Each person seeking to apply for a license under this section shall complete an application on a form provided by the building official. An application for a Class C license shall list the name and bear the signature of an appropriate Class A or B license holder who shall serve as the applicant's supervisor.

b. Fee, Application.

A one-time non-refundable fee of \$25 shall be charged for each initial application.

c. Fee, License Type.

A fee for each license shall be charged at the time of the application pursuant to the following schedule:

1. Type A License. \$175.
2. Type B License. \$175.
3. Type C License. \$45.

The license fee shall be refunded if the license application is denied.

d. Application, Action On.

After review of an application, the building official shall take appropriate action thereon and advise the applicant. If the application is denied, the applicant may appeal that action to the Director of Public Works within 30 days of the date of denial, as provided in this section. If the appeal is upheld by the Director of Public Works, the applicant shall have ten days from the date of the decision to repay the applicable license fee and thereafter receive the license. If the license fee is not repaid within that time, the application shall be null and void and can only be reinstated by the filing of a new application and payment of a new application and license fee.

5411.5 License, Duration, Renewal.

a. Class A and B.

Class A and B licenses shall be valid for three years from the date of issuance and may be renewed upon the payment of the license fee established in this section and a showing by the licensee that he or she has completed a minimum of eight continuing education units annual since the license's issuance or last renewal. If a licensee seeks to renew more than three years after a license's issuance, the three-year license fee plus an additional pro-rated amount representing the period during which the license was dormant, shall be paid.

d. Class C.

Class C licenses shall be valid for one year and shall not be subject to renewal, unless the licensee is currently enrolled in a U.S. Department of Labor-approved apprenticeship program or in an accredited technical program.

5411.6 Licensees, Responsibilities.

a. Generally.

Each licensee under this chapter shall be responsible for work requiring a permit under the provisions of this chapter, and, without limitation, for the following items:

1. To provide minimum safety measures and equipment to protect the public as prescribed by this chapter;
2. To observe any other county ordinances prescribing measures for the safety of the public;
3. To observe and comply with any other county ordinances;
4. To present his or her license card when requested by the building official;
5. To obtain a building permit when a permit is required;
6. To faithfully construct without departure from or disregard of drawings and specifications, when such drawings and specifications have been filed with and reviewed for code compliance by the building official and a permit has been issued for such construction;
7. To obtain inspections required by this chapter;
8. To pay any fee assessed under the authority of this chapter;
9. To obey any order issued under the authority of this chapter;
10. To maintain satisfactory levels of competence, integrity, workmanship, and recognized practice.

5411.7 License, Suspension or Revocation.

a. Grounds.

The building official may suspend or revoke a license issued under this chapter when the licensee commits one or more of the following acts or omissions:

1. Failure to comply with any of the licensee responsibilities as outlined in this chapter.
2. Knowingly combining or conspiring with a person, firm, or corporation by permitting one's license to be used by such person, firm, or corporation.
3. Acting as agent, associate, or partner in any other capacity with persons, firms, or corporations to evade the provisions of this chapter.

4. Violation of any provision of this chapter.

b. Procedure.

When any of the acts or omissions enumerated in this section are committed by a licensee and the building official initiates suspension, revocation, or disqualification proceedings, the procedure shall be as follows:

1. The licensee be notified in writing, by certified mail or personal service, that the license will be suspended or revoked on a date not less than 15 days from the date of the mailing or service of the notification, except that in a case of failure to maintain required insurance coverage, suspension shall be automatic and immediate.

2. The notice will also inform the licensee of the basis for the action.

3. A person not licensed will be informed of the period of disqualification from obtaining a license, seeking certification, obtaining trades permits, performing tradeswork, and/or providing trades supervision.

4. The building official shall also state the length of suspension, revocation, or disqualification, according to the following restrictions: a license may be suspended, or a period of disqualification imposed, for one year. If a licensee has been convicted five times within a three-year period, of offenses punishable pursuant to this chapter, the license shall be permanently revoked. If a person was working without the required license, that person shall be permanently disqualified from obtaining the required license.

5. A hearing before the Director of Public Works may be requested by the licensee or person cited, in writing, within 30 days of the date of the mailing of the notification. A request for hearing shall stay the suspension or revocation until the director issues a decision.

6. When a hearing is conducted, the appealing party and all other interested parties may be in attendance. The Director of Public Works shall consider it all properly admitted evidence. The director shall determine, consistent with this chapter, whether a license should be suspended or revoked, or whether a person required to be licensed should be disqualified, and the length of any suspension or disqualification.

7. At the end of any period of suspension, a licensee shall be reissued the license suspended to complete its original term, unless by

its original terms it would have expired. If at the end of the suspension the original term has expired, a new application shall be filed before issuance of a license for the subsequent period, except that, where the suspension was due to failure to maintain insurance, and the account is otherwise up-to-date, the licensee shall instead provide a valid insurance certificate of insurance for reinstatement.

8. Except as otherwise provided in this chapter, a license suspended may not be reissued, nor may a new license be issued during the period of suspension. A person seeking a license following suspension must comply with all requirements for the initial issuance of a license.

9. License revocation shall be permanent and disqualification from obtaining a license may either be permanent or temporary. A license that has been revoked shall not be eligible for new licenses, certificates of qualification, regulated tradeswork, or trades supervision in future. (Ord. 4597, Eff. 01/13/14)