

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** repealing sections 5400., and 5410., Jackson County Code, 1984, relating to the building code, and enacting, in lieu thereof, two new sections relating to the same subject, with an effective date.

**ORDINANCE #4171**, November 16, 2009

**INTRODUCED BY** Bob Spence, County Legislator

WHEREAS, it is appropriate that the County's Building Code be amended to provide better defined guidelines and enforcement of the code consistent with International Building Code provisions; and,

WHEREAS, the amendments will provide more defined requirements as to what is required for permitting; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Sections 5400., and 5410., Jackson County Code, 1984, are hereby repealed, and two new sections enacted in lieu thereof, to be known as sections 5400. and 5410., to read as follows:

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, [2006] 2009 Edition, published by the International Code Council; and, International Building Codes, [2006] 2009 Edition, published by the International Code Council, as modified or amended in the [Uniform] International Building Code Standards referenced below:

- [2006 International Building Code, except Chapter 29, Plumbing
- 2006 International Residential Code, except Chapter 27, Plumbing
- 2003 International Energy Code
- 2006 Uniform Mechanical Code
- 2006 Uniform Plumbing Code
- 2005 National Electrical Code
- 2006 International [Uniform] Fire Code
- APWA Single Family Erosion Control Guidelines
- International, American National Standard; (ADA) Accessible and Usable Buildings and Facilities
  
- 2006 International Building Code Appendices
  - C- Agricultural Buildings
  - E- Accessibility Regulations (ADA)
  - F- Rodent Proofing

G -Flood Restraint

H -Signs

I - Patio Covers

J - Grading

2006 International Residential Codes Appendices

Table R 301.2 (1):

Climate and Geographic Design Criteria

Ground Snow Load – 20 psf

Wind Speed (mph) – 90 with a 3 second gust

Seismic Design Category – A

Subject to Damage

Weathering Category – Severe

Frost Line Depth -36”

Termite Category- M-H

Appendices:

E- Manufactured Housing used as Dwellings

F- Radon Control Methods

G- Swimming Pools, Spa's, Hot Tubs

H- Patio Covers

J- Existing Buildings and Structures

— Home Day Care, R-3 Occupancy

Exemptions from the 2006 International Building Code:

Section 101.4.5 - Property Maintenance

Section 105.1.1 - Annual Permit

Section 105.1.2 - Annual Permit Records

Section 105.2(1) - Work Exempt From Permit]

2009 International Building Code

2009 International Residential Code

2008 National Electrical Code (NFPA 70)

2009 International Plumbing Code

2009 International Mechanical Code

2009 International Energy Conservation Code

2009 International Fire Code (as it relates to construction codes only)

2009 International Existing Building Code

APWA Single Family Erosion Control Guidelines

2008 National Green Building Standard ICC-700-2008 (Guideline only)

2009 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 International Residential Appendices

E: Manufactured Housing used as a dwelling unit

F: Radon Control Methods

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 International Plumbing Code Appendices

C: Gray Water Recycling Systems

E: Sizing of Water Piping System

F: Structural Safety

G: Vacuum Drainage System

2009 International Mechanical Code Appendices

A: Combustion Air Openings and Chimney Pass-Throughs

2009 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 International Existing Building Code Appendices

A: Reference Standards

B: Supplementary Accessibility Requirements for Existing Buildings and Assemblies

Exemptions:

Exemptions from the 2009 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 reference to the International Plumbing Code shall reference the Uniform Plumbing Code.

Any reference to the International Mechanical Code shall reference the Uniform Mechanical 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. Each and all of the regulations, provisions, conditions, and terms of such International Building Codes, [2006] 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.

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 [BUILDING PERMIT FEES] 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 \$5,000.00 plus \$7.49 for each additional \$1,000.00, or fraction thereof, to and including \$10,000.00
\$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 \$50,000.00 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 [Chapter] 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.

5410.2 [Plan Review Fees] 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.

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.

[5410.4 Public Agencies.]

[Whenever a public agency with taxing authority is the applicant for a permit, any fee in this section may be reduced or abated by the building official with the approval of the Director of Public Works for the purpose of conserving public tax resources.]

5410.[5] 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 following criteria shall be used as basis for awarding points under this program:]

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

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Points per category	Resources	Energy	IAQ/Health
<b>A. Site</b>			
1. Recycle job site construction & demolition waste 50% recycling rate required: 65%=1; 75%=2; 80%=4	Up to 4		
2. Donate unused materials	4		
3. Protect native soil	2		
4. Minimize disruption of existing plants & trees	1		
5. Implement construction site stormwater practices	2		
6. Protect water quality with landscape design	2		
7. Design resource-efficient landscapes	4		
8. Reuse materials/use recycled content materials for landscape	2		
9. Install high-efficiency irrigation systems	2		
10. Provide for on-site water catchment/retention	2		
Available Points	25	0	0

**B. Foundation**

1. Incorporate recycled flyash in concrete 15% recycled flyash = 2; add 1 pt for every 10% increase, up to 5 pts	Up to 5		
2. Reuse form boards	1		
3. Use aluminum forms	3		
4. Use recycled content aggregate	2		

5. Insulate foundation/slab before backfill		3	
6. Install rigid foam, insulated concrete forms (ICF)		3	
Available Points	11	6	0

### C. Structural Frame

1. Substitute solid sawn lumber with engineered lumber A. Floors B. Headers (non structural) C. Structural beams and headers	1 1 1		
2. Use FSC certified wood for framing (for every 10% of FSC lumber used=2 pts, up to 10pts)	Up to 10		
3. Use wood I-joists for floors and ceilings	2		
4. Use steel interior web trusses	2		
5. Design energy heels on trusses		2	
6. Use OSB a. Subfloors b. Sheathing	1 1		
7. Use finger-jointed studs for non-structural vertical applications	2		
8. Use engineered studs for vertical applications	2		
9. Use recycled content steel studs for interior framing	2		
10. Use structural insulated panels (SIPs) a. Floors b. Walls c. Roof		3 3 3	
11. Apply advanced framing techniques	4		
12. Use reclaimed lumber for non-structural applications	3		

Available Points	32	11	0

**D. Exterior Finish**

1. Use sustainable decking materials a. Recycled content b. FSC certified wood	3 3		
2. Use non-CCA treated wood			1
3. Install house wrap under siding			1
4. Use alternative siding materials a. Recycled content b. Fiber-cement	1 3		
Available Points	10		2

**E. Plumbing**

1. Insulate all hot water pipes		2	
2. Install flow reducers a. Faucets (1 pt. each, up to 2 pts) b. Showerheads (1 pt. each, up to 2 pts)	2 2		
3. Install ultra-low flush toilets (1pt. each, up to 4 pts)	Up to 4		
4. Install chlorine filter on showerhead			4
5. Install tankless water heater		2	
6. Pre-plumb for gray-water conversion	4		
7. Install water filtration units at drinking water facets (2 pts. Each, up to 4 pts.)			Up to 4
8. Install on-demand hot water circulation pump	4		

Available Points	16	4	8
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### F. Electrical

1. Install compact fluorescent bulbs-CFL's (6 bulbs=2 pts.; 12 = 4 pts.; up to 4 pts.)		Up to 4	
2. Install air-tight, insulation-compatible recessed fixtures for CFL's (1 pt. each, up to 5 pts.)		Up to 5	
3. Install lighting controls (1 pt. per fixture; up to 4 pts)		Up to 4	
4. Install high efficiency ceiling fans with CFLs (1 pt. each, up to 4 pts.)		Up to 4	
Available Points		17	

### G. Appliances

1. Install Energy Star dishwasher		1	
2. Install horizontal axis washing machine		1	
3. Install Energy Star refrigerator		1	
4. Install built-in recycling center	3		
Available Points	3	3	

### H. Insulation

1. Upgrade insulation to exceed Title 24 requirement: a. Walls b. Ceilings		2 2	
2. Install recycled content, formaldehyde-free fiberglass installation			3
3. Use advanced infiltration reduction practices		2	
4. Use cellulose insulation a. Walls b. Ceilings	4 4		

Available Points	8	6	3

**I. Windows**

1. Install energy-efficient windows a. Double-paned b. Triple-paned c. Low-emissivity (Low-E) d. Low conductivity frames		1 3 2 2	
Available Points		8	

**J. Heating, Ventilation and Air Conditioning (HVAC)**

1. Use duct mastic on all duct joints		1	
2. Install ductwork within conditioned space		3	
3. Vent range hood to the outside			1
4. Clean all ducts before occupancy			2
5. Install attic ventilation system		2	
6. Install whole house fan		4	
7. Install sealed combustion units a. Furnaces b. Water Heaters			3 3
8. Install 14 SEER/11 EER or higher AC with a TXV		3	
9. Install AC with non-HCFC refrigerants	2		
10. Install 90% annual fuel utilization efficiency (AFUE) furnace		2	
11. Eliminate wood burning fireplaces			1
12. Install zoned, hydronic radiant heating		3	
13. Install heat recovery ventilation unit (HRV)		5	3



14. Install high efficiency particulate air (HEPA) filter			4
15. Install separate garage exhaust fan			3
Available Points	2	23	20

### K. Renewable Energy and Roofing

1. Pre-plumb for solar water heating		4	
2. Install solar water heating system		10	
3. Pre-wire for future photovoltaic (PV) installation		4	
4. Install PV panels (1.2kw=6pts; 2.4kw=12pts; 3.6kw=18pts)		Up to 18	
5. Install solar (PV) walkway lights		4	
6. Install radiant barrier roof sheathing		3	
7. Install 20-year roofing		1	
Available Points		44	

### L. Natural Heating and Cooling

1. Incorporate passive solar heating		5	
2. Install overhangs or awnings on south facing windows (24 inch. min.)		3	
3. Plant deciduous trees on the east, west, and south sides		3	
Available Points		11	

### M. Indoor Air Quality and Finishes

1. Install whole house vacuum system			3
2. Use low/no VOC paint			1

3. Use low VOC, water-based wood finishes			2
4. Use solvent-free adhesives			3
5. Substitute particleboard with formaldehyde-free materials			6
6. Use exterior grade plywood for interior uses			1
7. Use formaldehyde-free MDF and materials			4
8. Seal all exposed particleboard of MDF			4
9. Use FSC certified wood for interior finish			4
10. Use finger-jointed or recycled content trim	1		
Available Points	1		28

**N. Flooring**

1. Select FSC certified wood flooring	8		
2. Use rapidly renewable flooring materials	4		
3. Use recycled content ceramic tiles	4		
4. Install natural linoleum or cork in place of vinyl			5
5. Use exposed concrete as finished floor	4		
6. Install recycled content carpet with low VOCs	4		
Available Points	24		5

**O. Other**

1. Incorporate listing of green features into cover of blueprints	1		
2. Develop homeowner manual of green feature/benefits	1		
3. Offer coupons for compost bins to homeowners	1		

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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.

5410.[6] 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.

Section B. Severability Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter. The Legislature hereby declares that it would have adopted this Ordinance, and each section, subsection, clause and phase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section C. Effective Date. This Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted herein, shall take effect and be in full force and effect 90 days from and after the date of its final passage and adoption.

Effective Date: This Ordinance shall be effective immediately upon its signature by the

County Executive.

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy/Assistant County Counselor

\_\_\_\_\_  
Acting County Counselor

I hereby certify that the attached Ordinance, Ordinance #4171 of November 16, 2009, was duly passed on \_\_\_\_\_, 2009 by the Jackson County Legislature. In the votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for his signature.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4171.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael D. Sanders, County Executive