



BILL NO. 6105  
ORDINANCE NO. 6004

AN ORDINANCE PROVIDING FOR THE REPEAL OF CHAPTER 5, ARTICLE I OF THE CODE OF ORDINANCES OF THE CITY OF CLAYTON, MISSOURI, AS AMENDED RELATING TO BUILDINGS AND STRUCTURES AND ENACTING IN LIEU THEREOF A NEW CHAPTER 5, ARTICLE I OF THE MUNICIPAL CODE OF THE CITY OF CLAYTON, MISSOURI ON THE SAME SUBJECT WITH CERTAIN MODIFICATIONS AS HEREINAFTER SET FORTH.

WHEREAS, three (3) copies of the referenced code(s) and adopted in this ordinance, have been filed in the office of the city clerk and kept available for public use, inspection, and examination for a period of at least ninety (90) days prior to the adoption of this ordinance and will, following the adoption of this ordinance, be similarly filed and kept available in the office of the city clerk.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI AS FOLLOWS:

**SECTION 1.** Chapter 5, Article I, of the Code of Ordinances of the City of Clayton, Missouri, (the "City") is hereby repealed and a new Chapter 5 of the Municipal Code of the City is hereby enacted in lieu, thereof, so as to adopt the 2006 International Building Code, the 2006 International Mechanical Code, the 2006 International Plumbing Code, the 2006 International Residential Code, the 2006 International Fuel Gas Code and the 2006 International Energy Conservation Code, so that said Chapter 5 shall read as follows:

## **CHAPTER 5 BUILDINGS AND STRUCTURES**

**Section 5-1 BUILDING CODE ADOPTION** The Building Code of the City shall consist of Part I, the 2006 International Building Code, Part II, the 2006 International Mechanical Code, Part III, the 2006 International Plumbing Code, Part IV, the 2006 International Residential Code, Part V, the 2006 International Fuel Gas Code, Part VI, the 2006 International Energy Conservation Code and all appendices to each Code.

**Section 5-2 ADDITIONS, INSERTIONS DELETIONS AND CHANGES.** The following numbered sections and subsections are hereby amended by addition, insertions, deletions, and changes. Each section or subsection contained herein is part of Chapter Five (5) and should be considered as such. The amended sections and subsections shall read as follows:

### **PART I 2006 INTERNATIONAL BUILDING CODE**

**Section 101.1 is amended to read as follows:**

**Section 101.1 Title:** These regulations shall be known as the Building Code of the City of Clayton, Missouri, hereinafter referred to as "this Code."

**Section 101.4.1 is amended to read as follows:**

**Section 101.4.1 Electrical.** The provisions of the 2005 National Electric Code, as amended by Saint Louis County, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

**Section 105.1.1 Deleted without substitution**

**Section 105.1.2 Deleted without substitution**

**Section 105.2 is amended to read as follows:**

**Section 105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code, the zoning ordinance, or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the gross floor area does not exceed 50 square feet.
2. Retaining walls which 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.
3. Sidewalks and driveways that are not within the public right-of-way and are not more than thirty (30) inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
4. Painting, papering, tiling, carpeting, cabinets, counter-tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.
6. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18925 L) and are installed entirely above ground.
7. Swings and other playground equipment located in the rear yard and that are accessory to detached one and two family dwellings.
8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.
9. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet, 9 inches (1753 mm) in height.

**Electrical:**

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but does apply to equipment and wiring for power supply, the installation of towers and antennas.

3. **Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pound (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, 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 as new work and a permit shall be obtained and inspection made as provided in this code.
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.

**Section 108.4 is amended to read as follows:**

**Section 108.4. Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to 100 percent of the usual total permit fee in addition to the required permit fees.

**Section 112 through Section 112.3 is amended as follows:**

**SECTION 112 BOARD OF APPEALS**

**Section 112.1. Application for appeal.** Any person shall have the right to appeal to the Board of Appeals from a decision of the Code Official. An application and fee must be filed with the City Clerk. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of

construction is to be used. Decision of the Board of Appeals shall be binding on the Code or other Official involved in the appeal.

**Section 112.2.1 Qualification.** The Board of Appeals shall consist of five individuals from the following professions or disciplines listed below. One member should be from each of the professions or disciplines.

1. Registered design professional who is a registered architect; or a builder or a superintendent of building construction with at least ten years' experience, five of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.
3. Registered design professional with mechanical or plumbing engineering experience; or a mechanical or plumbing contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience; or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience; or a fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.

**Section 403.12 is amended to read as follows:**

**Section 403.12 Stairway door operation.** Stairway doors other than the exit discharge doors shall be permitted to be locked from stairway side. Stairway doors that are locked from the stairway side shall comply with all of the following criteria:

1. The doors shall be capable of being unlocked simultaneously without unlatching upon a signal from the fire command center.
2. Loss of power shall automatically unlock the doors without unlatching them.
3. Activation of the building fire alarm system shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.
4. Activation of the building automatic sprinkler system shall automatically unlock the doors. The doors shall remain unlocked until the fire alarm system has been reset.

**Section 504.4 and Section 504.4.1 is added to read as follows:**

**Section 504.4 Fences, walls and screens.** It shall be unlawful to erect any division, fence or screen, in whole or in part, of cloth, canvas or similar material, nor shall any solid division fence or screen of approved material exceeding six (6) feet be erected except a solid fence of up to eight (8) feet may be erected in a residential rear yard which is immediately adjacent to a commercial district; provided, however, a wooden or metal fence or screen not exceeding ten (10) feet in height may be erected in nonresidential areas and eight (8) feet in residential areas if such fence or screen is penetrated with openings at regular intervals or latticed so that the combined area of the openings shall be at least fifty percent (50%) of the actual surface of such fence or screen. No division fence, fence wall or screen, no matter how built or of what material constructed, shall exceed ten (10) feet in height unless approved by the Architectural Review Board.

**Section 504.4.1. Fences general.** The finished side of fences shall face all neighboring properties including streets and alleys so as to prohibit the view of fence posts and support rails from adjoining properties, unless written approval from all effected property owners is submitted waiving this requirement.

**Section [F] 903.3.1.1.2 is added to read as follows:**

**[F] 903.3.1.1.2 Sprinklers required.** Clean agent, halogenated or carbon dioxide extinguishing systems shall not be considered as an alternative to an automatic sprinkler system in computer rooms, vaults or other rooms where an automatic sprinkler system is required.

**Section [F] 907.1.3 is added to read as follows:**

**[F] 907.1.3 Smoke detectors.** Smoke detectors or duct detectors located above a ceiling or behind a wall must be provided with a remote indicating device at the ceiling or wall to show the location of the device.

**Exception:** Where approved by the code official.

**Section 1612.3 is amended to read as follows:**

**Section 1612.3 Establishment of flood hazard areas.** To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Clayton", dated August 2, 1995, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be a part of this section.

**Section 2703.1 is added to read as follows:**

**Section 2703.1 Underground electric service.** The following shall be supplied electricity by means of underground service from the utility distribution system to the premises wiring system:

1. Where an existing service lateral provides underground electrical service to the building or structure.
2. All buildings and structures hereafter erected.
3. Any building or structure where an addition and/or alteration would interfere with the existing service and would require any part of the electric service including the service point or service entrance conductors be relocated.
4. Any building or structure to which a new electrical service is added.
5. All buildings and structures that are provided electricity by means of an underground electrical distribution system.

**Exceptions:**

1. An existing overhead service may be repaired, upgraded or replaced if the service point and/or service entrance conductors are not moved from their present location on the building or structure.
2. When, in the opinion of the code official, a modification is necessary to abate a safety hazard and there is no other related construction activity involved, the code official may deem such a modification as minor in nature and allow said service to be modified and remain overhead.

**Section 3001.2 is amended to read as follows:**

**Section 3001.2. Referenced standards.** Except as otherwise provided for in this code, the design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall conform to ASME A17.1 2004 with A17.1a addendum and A17.1s supplement, ASME A18.1 2005, ASMS A117.1 2003, ASME A17.2 2004, ANSI A90.1 Manlifts 2003, ANSI A10.4 Personal Hoists 2004, ASME B20.1, ALI ALCTV, and ASCE 24 for construction in flood hazard areas established in Section 1612.3.

**Section 3107.2 through 3107.2.1 is added to read as follows:**

**Section 3107.2. Permits required.** A sign shall not be erected, constructed or altered except as herein provided and not until any applicable fees are paid by the applicant and the sign permit has been issued by the Code Official.

**Section 3107.2.1. Exempt signs.** The following signs are exempt from permit requirements and fees:

- (1) For-sale or for-lease signs not exceeding six (6) square feet.
- (2) Temporary display window signs.
- (3) Temporary signs announcing civic events approved by the Director of Housing and Planning.
- (4) Product identification cards used in conjunction with window displays.
- (5) Construction regulatory signs required for public safety.
- (6) Temporary political signs in residential areas.

## **SITE WORK, DEMOLITION AND CONSTRUCTION**

**Section 3301.3 is added to read as follows:**

**Section 3301.3 Regulation of Construction Dumpster(s)**

**Section 3301.3.1** As used in this Section the following term shall mean as follows:

*Construction Dumpster* – a large container designed to receive, transport and dump construction debris.

**Section 3301.3.2** No dumpster or construction storage unit may be placed on any street or alley in Clayton or public right-of-way without first receiving a Right-of-Way permit from the City's Public Works Department.

**Section 3301.3.3** A dumpster or construction storage unit may be placed upon a property in a residentially zoned district if said dumpster is part of a redevelopment project including, but not limited to new construction of a residential or mixed-use project, major addition to an existing structure or other project as approved by the City's Plan Commission/Architectural Review Board. The placement of such dumpster shall be approved by the Building Official or his/her designee and must be placed behind the proscribed construction fence. The dumpster(s) may remain on the construction site for the duration of the permit, provided that it is contained behind the construction fence, is emptied regularly and is covered at the conclusion of each work day.

**Section 3301.3.4** Except as stated above, no dumpster may be placed in the driveway or upon any property in a residentially zoned district without first securing a Dumpster Permit from the Planning & Development Services Department. Said permit shall be in effect for a period not to exceed one hundred twenty (120) days. Dumpsters must be emptied so as to not overflow and must be covered at the end of each work day and/or when not in use. The City reserves the right to cancel a permit if these regulations are not adhered to. Any extension beyond 120 days will require a review to assure satisfactory progress toward completion of the project. Extensions to the 120 day period are subject to a daily fee and may be denied for cause. A denial may be appealed to the City Manager.

**Section 3301.3.5** Cost of the permit and any extensions shall be in accordance with the fee schedule approved by the Board of Aldermen.

**Section 3303.1.1 is added to read as follows:**

**Section 3303.1.1 Notice of Intent.** The person intending to cause a demolition or an excavation shall deliver written notice of such intent to the owner of each potentially affected adjoining lot, building or structure and the owner(s) of each property located within the Clayton city limits within two hundred feet (200') of a proposed residential demolition, calculated by measuring a distance of two hundred feet from the property lines around the entire perimeter of the subject property, at least one week prior to the commencement of work. The notice to adjoining property owners shall request license to enter the potentially affected lot, building or structure prior to the commencement of work and at reasonable intervals during the work to inspect and preserve the lot, building or structure from damage. The notice to owners of property located within the Clayton city limits within two hundred feet (200') of a residential demolition will identify the property to be demolished and approximate date of demolition.

**Section 3303.6.1 and Section 3303.6.2 is added to read as follows:**

**Section 3303.6.1 Water and Sewer.** All abandoned sewers, or parts thereof, shall be capped or plugged within five (5) feet of the property line, and all abandoned building (house) water services shall be disconnected at the corporation cock adjacent to the water main.

**Section 3303.6.2 Permit requirement.** An excavation and plumbing permit, as provided in the code of ordinances of the City, shall be required to disconnect any abandoned sewer or water service, and no excavation shall be backfilled until all work is inspected by the Plumbing Inspector.

Permits for this work shall be issued only to a Master Plumber licensed by the City.

## **SECTION 3306.0 PROTECTION OF PUBLIC**

**Section 3306.1 is amended to read as follows:**

**Section 3306.1 Temporary Construction Fences.** No construction fence may be erected until the Code Official approves a site plan depicting the materials, location and access gates.

All buildings undergoing construction, substantial rehabilitation, removal or demolition or any and all excavations (except sewer and utility trenches) exceeding five (5) feet in depth, shall be enclosed on all sides with a solid wood construction fence and pedestrian protection as required in Table 3306.1.

All building materials, sheds, equipment, trailers, dumpsters and portable toilets shall be located and stored within the boundaries of the fence at all times.

**Section 3306.1.1 is added to read as follows:**

**Section 306.1.1 Duration and Removal of Temporary Construction Fences.** Construction fences may not be erected more than ten (10) calendar days prior to demolition or the commencement of construction

and must be approved by the Code Official prior to the construction of the fence. If demolition or construction does not commence within ten (10) days of installation, the fence must be removed and the site restored as required by the *International Property Maintenance Code*. Construction fences must be maintained throughout the project.

**Section 3306.5 is amended to read as follows:**

**Section 3306.5 Barriers.** Barriers shall be a minimum of 6 feet in height and shall be placed on the side of the walkway nearest the construction. Barriers shall extend the entire length of the construction site. Openings in such barriers shall be protected by doors or gates which are normally kept closed. Doors and gates must be kept locked at time of construction inactivity on the site.

**Section 3306.6 is amended to read as follows:**

**Section 3306.6 Fence Construction.** Required temporary construction fences shall comply with the following requirements:

1. Temporary construction fence panels shall be no less than six (6) feet in height and constructed with approved pre-manufactured fence panels that are no less than ½" thick finished boards. Site constructed fence panels using other materials may be permitted when the design, materials and finishes are approved by the Code Official.
2. Fence posts shall be a minimum of 4" X 4" treated lumber and spaced no more than eight (8) feet on center. Posts shall be set with at least one-third of their length below grade and set in concrete.
3. Gates must be of metal chain link material with approved vision panels to obscure sight. Gates must be chained and locked with a lock substantial enough to ensure closure and security. The space between gates, posts or hardware shall be no greater than four (4) inches.
4. No temporary construction fence may encroach beyond the subject property line. Furthermore, no fence may encroach upon the public right-of-way without the written approval of the Public Works Department.

**Section 3306.10 is added to read as follows:**

**Section 3306.10 Failure to Comply.** Failure to comply with the regulations of this Section can result in the issuance of a Stop Work Order and/or legal action which could result in court imposed fines.

## **PART II 2006 INTERNATIONAL MECHANICAL CODE**

**Section 101.1 is amended to read as follows:**

**Section 101.1 Title.** These regulations shall be known as the Mechanical Code of the City of Clayton, Missouri, hereinafter referred to as "this code."



**Section 106.5.2 is amended to read as follows:**

**Section 106.5.2. Permit fees.** The permit fees for the installation, extension, repair or alteration of heating and refrigeration equipment shall be in accordance with the fee schedule as established by the City of Clayton, Missouri.

**Section 106.5.3. Deleted without substitution**

**Section 108.4. is amended to read as follows:**

**Section 108.4. Violation penalties.** Persons who shall violate a provision of this code shall be liable to punishment as provided in Section 1-8 of the Code of Ordinances as follows.

Section 1-8 of the Municipal Code of Ordinances - Violations - General penalty; limitations; continuing violations;

**Exceptions:**

(a) Whenever in any section of this Code of Ordinances or in any ordinance the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation of any such provision of this codification or of any such ordinance shall, for each offense, be fined not more than one thousand dollars (\$1,000.00) or be punished by imprisonment in jail not to exceed three (3) months or be punished by both fine and imprisonment.

(b) Each day's violation of, or failure, refusal or neglect to comply with, any provision of this Code or of any ordinance shall constitute a separate and distinct offense.

(c) This section shall not apply to any section of this Code or to any ordinance in which there is expressly provided a penalty for its violation, or for any offense the penalty for the violation of which is fixed by statute.

**Section 108.5. is amended to read as follows:**

**Section 108.5. Stop work order.** Any person who shall continue any work in or about the building after having been served with a stop work order, except such work as is directed by the Code Official to remove a violation or unsafe conditions, shall be liable to punishment as provided in section 1-8 of the Code of Ordinances as defined in Section 108.4.

**SECTION 109 MEANS OF APPEAL**

**Section 109.1. is amended to read as follows:**

**Section 109.1. Application for appeal.** The owner of a building or structure or any other person may appeal from a decision of the Mechanical Official to the Board of Appeals provided for in the Building Code.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of installation or construction can be used.

**Sections 109.2 through 109.7 Are deleted without substitution**

**SECTION 303 EQUIPMENT AND APPLIANCE LOCATION**

**Section 303.6.1. is amended to read as follows:**

**Section 303.6.1. Location.** Mechanical equipment, air conditioning condensing units and other appliances located outdoors shall be a minimum of 5'-0" from any side or rear yard property line. Equipment shall be properly screened as required by the Architectural Review Board or the code official.

## **SECTION 806 FACTORY-BUILT CHIMNEYS**

**Section 805.6.1 is added to read as follows:**

**Section 805.6.1 Enclosure.** Every factory-built chimney or vent installed on the exterior of a building shall be enclosed with brick or other architectural material compatible with the design of the exterior of the building, or in a manner approved by the Architectural Review Board.

## **BOILERS AND PRESSURE VESSELS**

**Section 1011.3 is added to read as follows:**

**Section 1011.3 Periodic inspections.** Periodic inspections of boilers and pressure vessels will be conducted by the State of Missouri, Department of Public Safety as provided for in Chapter 650 Revised Statutes of the State of Missouri 1986.

# **PART III 2006 INTERNATIONAL PLUMBING CODE**

**Section 101.1 is amended to read as follows:**

**Section 101.1 Title.** These regulations shall be known as the Plumbing Code of the City of Clayton, Missouri, hereinafter referred to as "this Code."

**Sections 101.5 through 101.5.4 is added to read as follows:**

**Section 101.5. Licenses required.** No person who is not a licensed Master Plumber or a licensed Journeyman Plumber or a Registered Plumber or a Registered Plumber Apprentice working under the direction of a licensed Master Plumber shall engage in or perform the work of installing, altering, or repairing facilities in a building for the supply and distribution of water for ordinary drinking, culinary and domestic purposes of facilities or for the removal therefrom of waterborne wastes. The provisions of this section shall not include or apply to the installation, maintenance, extension or repair of process drains, process drain facilities, process drainage systems, or piping drains, drainage systems or facilities for mechanical, manufacturing, industrial processing, refrigeration, heating, air conditioning, sprinkler or sprinkling system purposes, or parts, materials, devices or appurtenances in connection therewith or for the utilization or operation thereof. Unless provided, however, the final connection of any such process drain facilities, process drainage systems, piping drain, drainage system or facility for mechanical, manufacturing or industrial process line to be connected to a drainage line containing fecal matter or any other form of human waste shall be done by a licensed person as defined herein. No person who is not a licensed Master or Journeyman Drainlayer shall engage in or perform the work of installing sanitary or storm sewer.

**Exception:** The provisions contained herein shall not prohibit the owner of a building or structure from obtaining a permit and installing the plumbing system in said owner's place of residence.

**Section 101.5.1. Qualifications.**

(1) **Master Plumber qualifications.** The applicant for a Master Plumber's License shall be at least twenty-one (21) years of age and shall have at least three (3) years experience as a licensed Journeyman Plumber theretofore licensed in accordance with the requirements of this article or under laws and regulations requiring similar qualifications, or in lieu thereof, possess such experience or training as is deemed equivalent thereto. Equivalent training and experience shall mean (1) a degree in engineering from an accredited college or university and two (2) years of experience in the design, planning and installation of plumbing systems, house drainage and house ventilation; or (2) the satisfactory completion of a two-year course in practical plumbing, house drainage and house ventilation at a recognized trade or technical school, and four (3) years experience in the design, planning and installation of plumbing systems, house drainage and house ventilation. The applicant shall also possess the ability to direct other persons in the performance of plumbing work, and shall be skilled in planning, designing and installing plumbing fixtures and facilities and shall have a thorough knowledge of the arts of plumbing necessary for the protection of the public health.

(2) **Journeyman Plumber qualifications.** The applicant for a Journeyman Plumber shall be at least twenty-one (21) years of age and shall have at least five (5) years experience as an apprentice under the direction and supervision of a Master Plumber licensed under the provisions of this article or under laws or regulations requiring similar qualifications, or, in lieu thereof, the applicant shall possess such experience or training as is the equivalent thereto. Equivalent training and experience shall mean a degree in engineering from an accredited college or university or two (2) years of experience in the design, planning and installation of plumbing systems, house drainage and house ventilation, and the satisfactory completion of a two-year course in practical plumbing, house drainage and house ventilation at a recognized trade or technical school.

(3) **Plumber Apprentice.** A Plumber Apprentice, as that term is used in this article, means a person undergoing training or instruction in plumbing and who has registered with the Department of Housing and Planning, as a Plumber Apprentice, setting forth in such registration name, age and address.

(4) **Master Drainlayer qualifications.** The applicant for a Master Drainlayer License shall be at least twenty-one (21) years of age and shall have three (3) years experience in drainlaying, or, in lieu thereof, such experience or training as is the equivalent. Equivalent training and experience shall mean a degree in engineering from an accredited college or university and two (2) years experience in the design, installation and planning of private and public sewers. The person shall also possess the ability to direct other persons in the installation of drains and sewers and shall be skilled in the planning, designing and installing of sewer and drain facilities and shall have a thorough knowledge of the art of drainlaying necessary for the protection of public health.

**Section 101.5.2. Examination.** All persons desiring to engage in the business of a Master Plumber, a Master Drainlayer or a Journeyman Plumber shall file an application with the Code Official on the form prescribed by the City, and shall specify thereon which of the following examinations is being requested. The Code Official shall, within thirty (30) days thereafter, examine all applicants who have met the qualifications above specified, or may issue licenses to applicants who are duly licensed by St. Louis County, Missouri.

- (a) Examination for a Master Plumber's license. The examination for a Master Plumber's license shall be an oral, written and manual demonstration of the applicant's ability, experience and skill in the field of practical plumbing to meet the qualifications as required for examination.
- (b) Examination for a Master Drainlayer's License. The examination for a Master Drainlayer shall be an oral and written examination for a Master Drainlayer demonstrating ability, experience and skill in the installation of house sewers and sewer lines beyond a point five

(5) feet outside a Building, and the planning, designing, direction, supervision and installation of public and private sewers.

- (c) Examination for a Journeyman Plumber. The examination for a Journeyman Plumber shall be an oral, written and manual demonstration of the applicant's ability, experience and skill in the installation, alteration, repair, dismantling and maintaining of plumbing and drainage systems or parts thereof.

Each applicant, after successfully completing the examination, shall be issued a license certifying the applicant's fitness to engage in the business of a Master Plumber, Master Drainlayer or Journeyman Plumber, as the case may be.

**Section 101.5.3. Bonding of Master Plumbers and Master Drainlayers.** Before a license shall be issued to a Master Plumber or Master Drainlayer, that person shall be required to file with the Code Official a surety bond in the amount of five thousand dollars (\$5,000). The bond shall be conditioned upon and shall be given for the faithful observance of all ordinances, laws, rules and regulations adopted for the protection of the public health and safety pertaining to plumbing and shall indemnify the City or any other person from any damage or injury sustained through the negligence of such Master Plumber or Master Drainlayer, their servants, agents or employees, in performing plumbing or drainlaying work and shall indemnify the City or any of its employees or agent for any damage or injury sustained resulting from the failure to perform plumbing and drainlaying work in a careful and workmanlike manner in conformity with this code. The Code Official may waive this bond if the applicant has placed such bond on file with the Board of Building Commissioners of St. Louis County, Missouri.

**Section 101.5.4. Fees, terms of licenses and re-examination.** An applicant for a Master Plumber's, Master Drainlayer's or a Journeyman Plumber's License shall deposit with the application a fee not to exceed forty dollars (\$40.00); the aforesaid fees shall be received by the Code Official, and be remitted to the Director of Finance. The terms of all licenses shall be for one (1) year and such licenses may be renewed by application to the Code Official prior to the expiration date and upon the payment of the license fee not to exceed forty dollars (\$40.00) for Master Plumber or Master Drainlayer.

An applicant failing to pass an examination for a license may submit a new application for examination ninety (90) days after the date of the original application, accompanied by the examination fee provided herein. The examination fee shall not be returned due to failure of the applicant to pass the required examination.

## **SECTION 106 PERMITS**

**Section 106.6.2. is amended to read as follows:**

**Section 106.6.2.** The fees for all plumbing work shall be paid in accordance with the fee schedule as established by the City of Clayton, Missouri.

**Section 106.6.3. Deleted without substitution**

## **SECTION 108 VIOLATIONS**

**Section 108.4. is amended to read as follows:**

**Section 108.4. Violation Penalties.** Any person who shall violate a provision of this Code shall be liable to a fine as provided for in Section 1-8 of the Code of Ordinances as follows:

Section 1-8 of the Municipal Code of Ordinances - Violations - General penalty; limitations; continuing violations;

**Exceptions:**

(a) Whenever in any section of this Code of Ordinances or in any ordinance the doing of any act in required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation of any such provision of this codification or of any such ordinance shall, for each offense, be fined not more than one thousand dollars (\$1,00.00) or be punished by imprisonment in jail not to exceed three (3) months or be punished by both fine and imprisonment.

(b) Each day's violation of, or failure, refusal or neglect to comply with, any provision of this Code or of any ordinance shall constitute a separate and distinct offense.

(c) This section shall not apply to any section of this Code or to any ordinance in which there is expressly provided a penalty for its violation, or for any offense the penalty for the violation of which is fixed by statute.

**Section 108.5 is amended to read as follows:**

**Section 108.5 Stop Work Order.** Any person who shall continue any work in or about the building after having been served with a stop work order, except such work as is directed by the Code Official to remove a violation or unsafe condition, shall be liable to punishment as provided in Section 1-8 of the Code of Ordinances as defined in Section 108.4.

**SECTION 109 MEANS OF APPEAL**

**Section 109.1. is amended to read as follows:**

**Section 109.1. Application for Appeal.** The owner of a building or structure or any other person may appeal from a decision of the code official to the Board of Appeals provided for in the Building Code.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of installation or construction can be used.

**Sections 109.2 through 109.7 are deleted without substitution**

**SECTION 305 PROTECTION OF PIPES**

**Section 305.6.1. Deleted without substitution**

**SECTION 904 VENTS**

**Section 904.1 is amended to read as follows:**

**Section 904.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any other purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

## PART IV 2006 INTERNATIONAL RESIDENTIAL CODE

**Section R101.1 is amended to read as follows:**

**Section R101.1 Title.** These provisions shall be known as the *Residential Code for One and Two-Family Dwellings* of the City of Clayton, and shall be cited as such and will be referred to herein as “this code”.

**Section R102.2.1 is added to read as follows:**

**Section R102.2.1 Amendments to International Building Code:** The following sections of the 2006 International Building Code, as amended by the City of Clayton, shall be considered part of this Code: 504.4, 504.4.1, 2703.1, 3301.3, 3303.1.1 & 3306.0.

**Section R105.2 is amended to read as follows:**

**Section R105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code, the zoning ordinance, or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the gross floor area does not exceed 50 square feet.
2. Retaining walls which 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. ALL front yard retaining walls are required to be approved by the City’s Architectural Review Board.
3. Sidewalks and driveways that are not within the public right-of-way and are not more than thirty (30) inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.
4. Painting, papering, tiling, carpeting, cabinets, counter-tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.
6. Prefabricated swimming pools that are less than 24” (610 mml) deep.
7. Swings and other playground equipment located in the rear yard and that are accessory to detached one and two family dwellings.
8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.

**Electrical:**

1. **Repairs and maintenance:** A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved

permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part which does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pound (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, 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 as new work and a permit shall be obtained and inspection made as provided in this code.
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.

**SECTION R112 MEANS OF APPEAL**

**Section R112.1. is amended to read as follows:**

**Section R112.1. Application for Appeal.** The owner of a building or structure or any other person may appeal from a decision of the code official to the Board of Appeals provided for in the Building Code.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply; or an equally good or better form of installation or construction can be used.

**Sections R112.2 through R112.4 are deleted without substitution**

**Table R301.2(1) is amended to read as follows:**

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

| Ground Snow Load | Wind Speed <sup>d</sup> (mph) | Seismic Design Category <sup>f</sup> | SUBJECT TO DAMAGE FROM  |                               |                       | Winter Design Temp. <sup>e</sup> | Ice Barrier Under-layment Required <sup>h</sup> | Flood Hazards <sup>g</sup> | Air Freezing Index <sup>i</sup> | Mean Annual Temp <sup>j</sup> |
|------------------|-------------------------------|--------------------------------------|-------------------------|-------------------------------|-----------------------|----------------------------------|---|----------------------------|---------------------------------|-------------------------------|
|                  |                               |                                      | Weathering <sup>a</sup> | Frost Line Depth <sup>b</sup> | Termites <sup>c</sup> |                                  |   |                            |                                 |                               |
| 20               | 90                            | D1                                   | Severe                  | 30"                           | Mod-Heavy             | 8                                | Yes   | Ord. 5738 (2/11/03)        | 963                             | 55                            |

For SI: 1 pound per square foot = 0.0479kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. This weathering column shall be filled in with the weathering index (i.e. "negligible", "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 OR C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 ½ percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO".
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center date table "Air Freezing Index-USD Method (Base 32 degrees Fahrenheit)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USD Method (Base 32 degrees Fahrenheit)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).

**RESIDENTIAL PLUMBING**

**Section P2603.6.1 is deleted without substitution**

**Section P3103.1 is amended to read as follows:**

**Section P3103.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any other purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

**PART V**



## 2006 INTERNATIONAL FUEL GAS CODE

**Section 101.1 is amended to read as follows:**

**Section 101.1 Title.** These regulations shall be known as the Fuel Gas Code of the City of Clayton, Missouri, hereinafter referred to as “this code.”

**Section 106.5.2 is amended to read as follows:**

**Section 106.5.2. Permit fees.** The permit fees for the installation, extension, repair or alteration of heating and refrigeration equipment shall be in accordance with the fee schedule as established by the City of Clayton, Missouri.

### SECTION 108 VIOLATIONS

**Section 108.4. is amended to read as follows:**

**Section 108.4. Violation Penalties.** Any person who shall violate a provision of this Code shall be liable to a fine as provided for in Section 1-8 of the Code of Ordinances as follows:

Section 1-8 of the Municipal Code of Ordinances - Violations - General penalty; limitations; continuing violations;

**Exceptions:**

(a) Whenever in any section of this Code of Ordinances or in any ordinance the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation of any such provision of this codification or of any such ordinance shall, for each offense, be fined not more than one thousand dollars (\$1,00.00) or be punished by imprisonment in jail not to exceed three (3) months or be punished by both fine and imprisonment.

(b) Each day’s violation of, or failure, refusal or neglect to comply with, any provision of this Code or of any ordinance shall constitute a separate and distinct offense.

(c) This section shall not apply to any section of this Code or to any ordinance in which there is expressly provided a penalty for its violation, or for any offense the penalty for the violation of which is fixed by statute.

**Section 108.5. is amended to read as follows:**

**Section 108.5. Stop work order.** Any person who shall continue any work in or about the building after having been served with a stop work order, except such work as is directed by the Code Official to remove a violation or unsafe conditions, shall be liable to punishment as provided in section 1-8 of the Code of Ordinances as defined in Section 108.4.

## PART VI 2006 INTERNATIONAL ENERGY CONSERVATION CODE

**Section 101.1 is amended to read as follows :**

**Section 101.1 Title.** This Code shall be known as the International Energy Conservation Code of the City of Clayton, Missouri and shall be cited as such. It is referred to herein as “this Code”.

**SECTION 2.** Article II, Section 5 of the Code of Ordinances of the City of Clayton is added to read: In accordance with Ordinance No. 5029 (sign regulation) passed January 11, 1994, as the same may be amended or revised by duly adopted ordinance.

**SECTION 3.** Penalty for Violation. The violation of any of the provisions of this Chapter, or any of the provisions of the Codes adopted by reference, or the failure to comply with any of the provisions of this Chapter or the Codes adopted by reference, or the failure to comply with any order or regulation made hereunder, or the building in violation of any detailed statement of specifications or plans submitted and approved hereunder or any certificate or permit issued hereunder, is hereby declared to be unlawful for each such act, violation or non-compliance and upon conviction shall be punishable as provided in Section 1-8 of the Code of Ordinances of the City of Clayton. The imposition of one penalty for any violation of this chapter or the codes adopted by reference shall not excuse any subsequent violation or permit said subsequent violation to continue.

**SECTION 4.** Saving clause. That nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any right acquired, or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**SECTION 5.** This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen.

Passed by the Board of Aldermen this 18th day of December, 2007

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk