

AN ORDINANCE OF THE CITY OF AURORA, MISSOURI, REPEALING TITLE V “BUILDING CODE” CHAPTER 500 “BUILDING REGULATIONS” BY REPLACING IT WITH A NEW CHAPTER 500 “BUILDING REGULATIONS”

WHEREAS, the City of Aurora, Missouri (the “City”), is a city of the third class and political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the constitution and laws of the State of Missouri; and

WHEREAS, the building regulations currently in use are the 2006 International Building Code (IBC) building codes; and

WHEREAS, the IBC is updated every 3 years; and

WHEREAS, there has been five (5) updates to the IBC since 2006; and

WHEREAS, it is strongly recommended by the Insurance Service Office (ISO) that the City of Aurora update its Building Regulations to the 2018 IBC in order to maintain an acceptable ISO rating within the City of Aurora; and

WHEREAS, the current fees that are charged by the City were set in the 1990’s, necessitating an updating of fees; and

WHEREAS, the Building Inspector, the Fire Chief and the City Council having reviewed the current ordinance and the basis for the proposed changes, determined the need to repeal Title V: “Building Code” Chapter 500: “Building Regulations” by replacing it with a new Chapter 500: “Building Regulations” to the Municipal Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF AND FOR THE CITY OF AURORA, MISSOURI, AS FOLLOWS:

Section One. The City Council hereby amends Title V: “Building Code” Chapter 500: “Building Regulations” by replacing it with a new Chapter 500: “Building Regulations” to read as follows:

ARTICLE I. GENERAL PROVISIONS

SECTION 500.010: APPOINTMENT OF BUILDING OFFICIAL

The City Manager is the chief appointing authority of the Building Official of the City and is hereby granted full and complete authority to determine the qualifications of the Building Official. (Code 1972, §6-2; Ord. No. 85-1891, 7-8-85; CC 1988 §5-2; Ord. No. 2000-2433 §3, 5-9-00)

Cross References--The building official is hereby designated the electrical inspector, §500.060; officers and employees, Ch. 105; personnel, Ch. 130.

ARTICLE II. BUILDING CODE AND BUILDING STANDARDS

SECTION 500.020: INTERNATIONAL BUILDING CODE -- ADOPTION

The City hereby adopts the "International Building Code **2018** Edition", as published by the International Code Council, Inc., one (1) copy of which Code is on file in the office of the City Clerk and marked "Official Copy". (Code 1972, §6-3; CC 1988 §5-21; Ord. No. 95-2195 §§1-3, 9-12-95; Ord. No. 2004-2581 §§1--3, 1-27-04)

SECTION 500.030: INTERNATIONAL BUILDING CODE -- AMENDED

A. The following Sections of the International Building Code, **2018** Edition adopted in Section 500.030 are amended as follows:

Section 101.1 Title. These regulations shall be known as the Building Code of the City of Aurora hereinafter referred to as "this Code".

Section 101.2 Scope. The provisions of this code 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.

Exceptions: 1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.

2. Existing buildings may be repaired, altered, added to, or have a change of occupancy in accordance with the provisions of the International Existing Building Code **2018** Edition.

Section 108.2 Fee schedule. A fee for each plan examination, building permit, rezoning, Board of Adjustment, plat review, excavation, land disturbance, paving and inspection shall be paid in accordance with Subsection (B) of this Section.

Section 112 Board of Appeals. Section 112 of the International Building Code shall be revised to read as follows:

SECTION 112 BUILDING BOARD OF APPEALS ESTABLISHED

Section 112.1 General. A Building Board of Appeals is hereby established for the City for the purpose of hearing and deciding appeals of decisions or determinations made by the building official relative to this code or any other building codes that may be adopted by the City.

112.1.1 Scope of Board. Applicants for a building permit, the holder of a building permit, or the owner and/or agent of a building or structure wherein permit work is to be completed may appeal, within ten (10) days exclusive of weekends and holidays, to the Building Board of Appeals from a decision of the building official when it is claimed that:

- a. the true intent of code or rules legally adopted there under have been incorrectly interpreted.
- b. the provisions of the code do not fully apply, or
- c. an equally good or better form of construction is proposed.

112.1.2 Membership of the Board. The Building Board of Appeals shall consist of five

(5) members appointed by the Mayor with City Council approval. One (1) member shall be appointed for a term of one (1) year, two (2) members shall be appointed for terms of two (2) years, and two (2) members shall be appointed for terms of three (3) years. Thereafter, all members shall be appointed for terms of three (3) years. All members shall serve until their terms have expired or they have been replaced. The building official shall be an ex officio member but shall have no vote. Members may not be employees of the City and need not be residents of the City.

112.1.3 Alternate members. Two (2) alternate members shall be appointed for terms of three (3) years who shall be called by the chairperson to hear appeals during the absence or disqualification of a member. Alternate member shall possess the same qualifications required for board membership and shall serve until their terms expire or they are replaced.

112.1.4 Qualifications of board members. The building board of appeals shall consist of individuals who are design professionals or who are qualified, by education, experience, or training in the various disciplines or professions associated with the building industry, to decide appeals of the building official's interpretation or application of the provisions of the International Building Code.

112.1.5 Rules and procedures. The board is authorized to establish policies and procedures necessary to carry out its duties.

112.1.6 Chairperson. The board shall annually select one of its members to serve as chairperson.

112.1.7 Conflict of interest (disqualification). A member or alternate member shall not hear an appeal in which he or a member of his family has a personal, professional, or financial interest.

112.1.8 Secretary. The secretary of the Planning and Zoning Commission shall serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the Planning and Zoning office, the building official's office, and the office of the City Clerk.

112.1.9 Compensation. Board members shall not be compensated for their service.

112.1.10 Notice of meetings. The board shall meet, upon notice from the chairperson, within ten (10) days of the filing of an appeal and at such other times as deemed necessary.

112.1.11 Open hearings. All hearings before the Building Board of Appeals shall be open to the public. The appellant, the appellant's representative, the building official, and any person whose interests are affected by the matter on appeal shall be given an opportunity to be heard.

112.1.12 Procedures. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The proceedings shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

112.1.13 Board decisions. A concurring vote of four or more of its members is required for the Building Board of Appeals to modify or reverse the decision of the building official. Failure to receive four (4) concurring votes shall be deemed a confirmation of the building official's

decision.

112.1.14 Postponed hearings. At least four (4) members must be present to conduct a hearing. When less than five (5) members are present to hear an appeal; either the appellant or the appellant's representative shall have the right to request and receive a postponement of the hearing.

112.1.15 Resolution. The decision of the board shall be by resolution. Copies certified by the chairperson shall be furnished to the appellant and the building official.

112.1.16 Administration. Decisions of the board arrived at during hearings of permissible appeals are final. The building official shall take immediate action in accordance with the decision of the board.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or that an equally good or better form of construction is proposed. The board shall have no authority to set aside the technical requirements of this code, however, it is allowed to consider and approve alternative methods of compliance with the technical requirements.

112.2.1 Recommendations. The board may, in conducting its hearings, discover situations that do not fit the strict guidelines for permissible appeals. In those cases, the board may make recommendations to the building official for his consideration.

112.2.2 Application Fee Required. The application fee for filing an appeal with the Building Board of Appeals will be \$100.00 per application.

Section 113.4 Violation penalties. Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a City ordinance violation, punishable by a fine of not more than five hundred dollars (\$500.00), or by a sentence to the City Jail not exceeding ninety (90) days, or by both such fine and jail time. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The City Council by this ordinance ratifies any prior orders of the Building Inspector concerning provisions of the International Building Code or the BOCA Code as applies to any conduct in the past.

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 Aurora," most current addition dated August 2, 2012; Panel numbers 29109C0435D, 2919C0451D, 29109C0452D, 29109C0453D and 29109C0460D, 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 part of this section.

Section 3403.1 Existing buildings or structures. Additions or alterations to any building

or structure may be made in accordance with the provisions of the International Existing Building Code **2018** Edition. Additions or alterations shall not be made to an existing building or structure, which will cause the existing building, or structure to be in violation of any provisions of this code. An existing building plus additions shall comply with the height and area provisions of Chapter 5. Portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure.

Section 3410.2 Applicability. Structures existing prior to the passage of the adopting ordinance for the International Building Code, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this Section or the provisions of Sections 3403 through 3407. (The remainder of Section 3410.2 is not amended.)

B. Building Permit Fee System.

1. Permit fees.

Residential Construction (new or remodel)	\$.15 per square foot
<u>Garage/Accessory Building</u>	<u>\$.07 per square foot</u> <u>(separate and/or attached)</u>
<u>Carport/Portable Building</u>	<u>\$20.00</u>
Commercial/Industrial	\$4.00/\$1,000.00 of project valuation (new or remodel)
Basic Electrical	\$20.00
Meter loop replacement	\$25.00
<u>Plumbing (Basic)</u>	<u>\$20.00</u>
Residential Re-Roofing	\$25.00
Demolition	No Fee
Fencing	\$20.00
Mobile home placement	\$25.00
Signs	\$5.00/\$1,000.00 of project valuation
Land disturbance	\$50.00
Plan Review (Commercial)	\$100 + \$50/hour
Plan Review (Residential)	\$25.00
Plat review fees	\$150.00 plus \$10.00 per lot
<u>Minor Subdivision/Lot Split</u>	<u>\$100.00 fee (per application)</u>
Annexation/Zoning Fees	\$100.00 fee (per application)
<u>Vacate Request</u>	<u>\$100.00 fee (per application)</u>
Special Use Permit Fee	\$100.00 fee (per application)
<u>Variance</u>	<u>\$100.00 fee (per application)</u>
Board of Adjustment	\$100.00 fee (per application)
Building Board of Appeals	\$100.00 fee (per appeal)

All fees listed above shall be subject to a minimum fee of twenty dollars (\$20.00). Any construction items not specifically listed shall fall under the minimum permit fee.

2.

Driveways (when not in conjunction with sidewalk new or replacement)	\$25.00
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Excavation (Street/Alley Cuts)	\$150.00 up to 48 square feet \$3.50/ sq ft over 48 sq ft
Sidewalk	\$25.00

- C. For the purposes of requiring a permit, "remodeling" shall be defined as follows: The cutting away of any wall, partition or portion there, the removal or cutting of any structural beam or load bearing support, or the removal or change of any means of egress, or rearrangement of parts of a structure affecting the egress requirements, the 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. (Code 1972 §6-4; CC 1988 §5-22; Ord. No. 95-2195 §§1--3, 9-12-95; Ord. No. 95-2196, 9-12-95; Ord. No. 97-2261, 1-28-97; Ord. No. 2003-2561 §I, 9-23-03; Ord. No. 2003-2572 §I, 12-23-03; Ord. No. 2004-2581 §§1--3, 1-27-04; Ord. No. 2004-2605 §I, 8-24-04; Ord. No. 2004-2628 §3, 11-9-04; Ord. No. 2004-2632 §1, 12-14-04; Ord. No. 2004-2636 §1, 12-14-04; Ord. No. 2005-2660 §1, 3-22-05; Ord. No. 2005-2665 §1, 4-12-05)

**SECTION 500.040: STANDARDS FOR PREFABRICATED, ETC., BUILDINGS -
- INSPECTOR'S CERTIFICATION OF ASSEMBLY**

A. All modules, prefabricated or manufactured buildings or dwellings constructed or assembled, or partially constructed or assembled, at a location other than the building site stated on the approved building permit, to be placed upon a permanent foundation or piers, shall be constructed so as to comply with all the requirements of the City's Building Code and ordinances applying to such building or dwelling.

B. Prior to any construction or placing of any structure on the building site, the fabricator of such building shall be required to submit to the Building Official a certification from an Inspector appointed by the Building Official that the building or dwelling was assembled as per the approved plans and specifications. (Code 1972, §6-7; CC 1988 §5-23)
Cross Reference--Mobile homes and trailers, Ch. 525.

**SECTION 500.050: CERTAIN ACCESSORY BUILDINGS REQUIRE REVIEW
AND APPROVAL**

A. All accessory buildings proposed to be constructed in residential districts in excess of nine hundred (900) square feet of floor space shall first be reviewed by the Planning Commission. Prior to review the Planning and Zoning Commission shall notify all owners of property within 100 ft. (exclusive of alleys and streets), of the property on which the proposed building is to be built that a request to build an accessory building of stated number of sq. ft. has been submitted to the Planning and Zoning Commission for approval. A hearing on such request will be held at a stated place, date and time. The notification shall state that affected property owners may submit their comments as to the appropriateness of an accessory building of such size either in a signed statement prior to or during the hearing or in person at the hearing following favorable review by the Planning Commission, the City Council shall review the proposed construction.

B. Review of accessory building requirements shall be conducted on all applicable rules and regulations posed by the City.

C. No building permit shall be issued until the Planning Commission and City Council have favorably approved the proposed accessory building. (Ord. No. 79-1755 §§1-3, 7-23-79; CC 1988 §5-24; Ord. No. 2004-2587 §I, 3-9-04)

Cross Reference--Zoning, Ch. 400.

SECTION 500.060: INTERNATIONAL RESIDENTIAL CODE -- ADOPTION

The City hereby adopts the "International Residential Code 2018 Edition", as published by the International Code Council, Inc., one (1) copy of which Code is on file in the office of the City Clerk and marked "Official Copy".

SECTION 500.070: INTERNATIONAL RESIDENTIAL CODE -- AMENDED

A. **The following Sections of the International Residential Code, 2018 Edition adopted in Section 500.060 are amended as follows:**

1. **Chapter 1 of the International Residential Code, 2018 Edition shall be deleted in its entirety and replaced with Chapter 1 of the International Building Code, 2018 Edition, as adopted in Section 500.020**

2. **Table R301.2(1) insert the following: Ground Snow Load=15, Wind Speed = 115, Topographic Effects = No, Special Wind Region = No, Windborne Debris Zone = No, Seismic Design Category = B, Weathering = Severe, Frost Line Depth = 24", Termite = Moderate to Heavy, Winter Design Temp = 9° F, Ice Barrier Underlayment Required = Yes, Flood Hazards = See Floodplain Management; Entry into the National Flood Insurance Program May 10, 1974. Flood Insurance Rate Map dated August 2, 2012. Panel Numbers 29109C0435D, 2919C0451D, 29109C0452D, 29109C0453D, 29109C0460D., Air freezing index = 1000, Mean Annual Temp 56.1°F**

ARTICLE III. ELECTRICITY

Cross Reference--Electrical installations in mobile home parks, §525.250.

SECTION 500.080: ELECTRICAL INSPECTOR DESIGNATED

The Building Official is hereby designated the Electrical Inspector. (Code 1972, §11-1; CC 1988 §5-91)

Cross Reference--Appointment of building official, §**500.010**.

SECTION 500.090: NATIONAL ELECTRICAL CODE -- ADOPTION

The City hereby adopts the National Electric Code, **2017** Edition, as published by the National Fire Protection Association, one (1) copy of which code is on file in the office of the City Clerk and marked "Official Copy". (Code 1972, §11-2; CC 1988 §5-92; Ord. No. 95-2195 §§1--3, 9-12-95; Ord. No. 2004-2581 §§1--3, 1-27-04; Ord. No. 2004-2628 §§1--3, 11-9-04)

SECTION 500.100: ADDITIONAL REGULATIONS

A. The minimum electrical service entrance to any habitable structure shall be one hundred (100) amperes. Any service less than one hundred (100) amperes must receive the approval of the Building Official.

B. All electrical wiring systems must be grounded throughout the system. (Code 1972, §11-3; CC 1988 §5-93)

ARTICLE IV. PLUMBING

SECTION 500.110: PLUMBING CODE -- ADOPTION

The City hereby adopts the "International Plumbing Code **2018** Edition" as published by the International Code Council, Inc., one (1) copy of which code is on file in the office of the City Clerk and marked "Official Copy".

The following amendments shall be made to the International Plumbing Code:

Section 101.1 Title. These regulations shall be known as the International Plumbing Code of the City of Aurora hereinafter referred to as "this code."

Section 106.6.2 Fee schedule. The fees for all plumbing work shall be as indicated in the following schedule: See City Ordinances 500.030, 705.390 and 705.410.

Section 106.6.3 Fee refunds. The building official shall authorize the refunding of fees as follows:

- 1. The full amount of any fee paid hereunder that was erroneously paid or collected.**
- 2. Not more than eighty (80) percent of the permit fee paid where work has been done under a permit issued in accordance with this code.**
- 3. Not more than eighty (80) percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.**

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 108.4 Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a City of Aurora ordinance violation, punishable by a fine of not more than five hundred dollars or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the

property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure 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, shall be liable to a fine of not less than \$50.00 dollars or more than \$500.00 dollars.

Section 109 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served. All appeals shall be deferred to the Building Board of Appeals for the City of Aurora. See Section 500.030: International Building Code – Amended

Section 305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of eighteen (18) inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of eighteen (18) inches below grade.

Section 602.3 Water supply. A public water system shall be considered available to a structure where the property line is located within one hundred (100) feet of the public water main.

Section 701.2 Sewer required. A public sewer system shall be considered available to a structure where the property line is located within one hundred (100) feet of the public sewer main. (Code 1972, §26-1; CC 1988 §5-106; Ord. No. 95-2195 §§1--3, 9-12-95; Ord. No. 2004-2581 §§1--3, 1-27-04; Ord. No. 2004-2628 §§1--3, 11-9-04

SECTION 500.120: DEPTH OF PIPES

Water service piping and sewers shall be installed below recorded frost penetration, but not less below grade than thirty (30) inches for water piping and eighteen (18) inches for sewers. Plumbing piping in exterior building walls shall be adequately protected against freezing by insulation or heat or both. (Code 1972, §26-2; CC 1988 §5-107)

Cross Reference--Standards and specifications for sanitary sewers, §705.080.

ARTICLE V. MECHANICAL

SECTION 500.130: MECHANICAL CODE--ADOPTION

The City hereby adopts the International Mechanical Code, **2018** Edition, as published by the International Code Council, Inc., one (1) copy of which code is on file in the office of the City Clerk and marked "Official Copy". (Code 1972, §18-1; CC 1988 §5-126; Ord. No. 95-2195 §§1--3, 9-12-95; Ord. No. 2004-2581 §§1--3, 1-27-04; Ord. No. 2004-2628 §§1--3, 11-9-04)

The following amendments shall be made to the International Mechanical Code:

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

Section 106. 5.2 The fees for all mechanical work shall be as indicated in the following schedule: See City Ordinances 500.030.

Section 106.5.3 Fee refunds. The building official shall authorize the refunding of fees as follows:

1. **The full amount of any fee paid hereunder that was erroneously paid or collected.**
2. **Not more than eighty (80) percent of the permit fee paid where work has been done under a permit issued in accordance with this code.**
3. **Not more than eighty (80) percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.**

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a City ordinance violation, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure 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, shall be liable to a fine of not less than \$50.00 dollars or more than \$500.00 dollars.

Section 109 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served. All appeals shall be deferred to the Building Board of Appeals for the City of Aurora. See Section 500.030: International Building Code – Amended

ARTICLE VI. NUMBERING SYSTEM FOR BUILDINGS

Cross references--Housing, ch. 515; streets, sidewalks, and other public places, ch. 535.

SECTION 500.140: HOUSING FRONTING STREETS -- ASSIGNMENT OF EVEN OR ODD NUMBERS -- MULTIPLE STORIES

All houses fronting on streets of the City shall be numbered. The houses on the north and west sides of the streets shall bear odd numbers, and the even numbers shall be on the houses on the south and east sides of the streets, and every story above the first shall be numbered

alphabetically, beginning with the letter "A". (Code 1972, §32-30; CC 1988 §5-146)

SECTION 500.150: LINES OF DIVISION

The division of the City for the purpose of numbering shall be north and south from the Burlington Northern Santa Fe Railroad, Et Al, and east and west from McNatt Avenue on the north side of the railroad and east and west from Madison Avenue on the south side of the railroad, and the first (1st) house on each street from the lines of division shall be numbered as 1 or 2 as the case may be as provided in Section **500.140**, and the odd numbers shall continue on the one side of the street and the even numbers shall continue on the other side of the street until the end of the block is reached. Each block, except the first (1st) from the lines of division, shall be numbered as a hundred running from such line of division. (Code 1972, §32-31; CC 1988 §5-147)

~~SECTION 500.140: DISTANCE ALLOCATED FOR EACH NUMBER~~

~~A distance of sixty (60) feet shall be allowed for each number, and all persons owning houses are hereby required to number their houses in accordance with the provisions of this Article. (Code 1972, §32-32; CC 1988 §5-148)~~

SECTION 500.160: NUMBERING OF HOUSES--REQUIRED

- A. The owner of each dwelling house, multi-family building or business establishment in Aurora, Missouri, shall affix to the front of it, or attach to a permanent structure in its yard, numerals designating the street number of said building located to be visible from the street.
- B. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.**
- ~~B. The numbers shall be displayed in numerical form, and not in script form, large enough to be legible and of a color which contrasts with the background on which they are placed.~~
- ~~C. Failure to comply with this Section shall result in a fine, upon conviction, of not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00). (Ord. No. 93-2105 §§1-3, 4-26-93)~~

See Section 304.3 of the International Property Maintenance Code (See Article VIII Property Maintenance Code).

ARTICLE VII. FUEL GAS

SECTION 500.170: FUEL GAS CODE--ADOPTION

The City hereby adopts the International Fuel Gas Code, **2018** Edition, as published by the International Code Council, Inc., one (1) copy of which code is on file in the office of the City Clerk and marked "Official Copy".

The following amendments shall be made to the International Fuel Gas Code:

Section 101.1 These regulations shall be known as the Fuel Gas Code of the City of Aurora, hereinafter referred to as "this code."

Section 106. 6.2 The fees for all mechanical work shall be as indicated in the following schedule: See City Ordinances 500.030.

Section 106.6.3 Fee refunds. The building official shall authorize the refunding of fees as follows:

1. **The full amount of any fee paid hereunder that was erroneously paid or collected.**
2. **Not more than eighty (80) percent of the permit fee paid where work has been done under a permit issued in accordance with this code.**
3. **Not more than eighty (80) percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.**

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a City ordinance violation, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure 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, shall be liable to a fine of not less than \$50.00 dollars or more than \$500.00 dollars.

Section 109 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served. All appeals shall be deferred to the Building Board of Appeals for the City of Aurora. See Section 500.030: International Building Code – Amended

ARTICLE VIII. PROPERTY MAINTENANCE CODE

SECTION 500.180: ADOPTION OF PROPERTY MAINTENANCE CODE

A certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Aurora of the State of Missouri, being marked and designated as the International Property Maintenance Code, **2018**, as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the City of Aurora in the State of Missouri for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions and changes, if any, prescribed in Section

500.180 of this Article. (Ord. No. 96-2217 §1, 2-27-96; Ord. No. 2004-2581 §§1--3, 1-27-04; Ord. No. 2004-2628 §§1--3, 11-9-04)

SECTION 500.190: ADDITIONS, INSERTIONS AND CHANGES

The International Property Maintenance Code is amended and revised in the following respects:

Section 101.1 These regulations shall be known as the International Property Maintenance Code of the City of Aurora hereinafter referred to as “this code.”

Section 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule: See City Ordinances 500.030.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense and the person shall be guilty of a City ordinance violation, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Any action taken by the City Attorney on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or municipal ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In addition to the penalties set forth herein the City shall have all the remedies as set forth in Chapter 220 of the City Code.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the City Attorney of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

Section 111 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals. 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 equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served. All appeals shall be deferred to the Building Board of Appeals for the City of Aurora. See Section 500.030: International Building Code – Amended

Section 302.4 Premises and exterior property shall be maintained free from weeds or plant growth in excess of seven (7) inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Section 304.3 Premises Identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.

Section 304.14 Insect screens. During the period from January 1 to December 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from January 1 to December 31 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

Section 602.4 Occupiable work spaces.—Indoor occupiable work spaces shall be supplied with heat during the period from January 1 to December 31 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

The City of Aurora shall certify to the adoption of this Article and cause the same to be published as required by law and this Article shall take effect and be in force from and after its approval as required by law. (Ord. No. 96-2217 §1, 2-27-96; Ord. No. 96-2235 §3, 5-14-96; Ord. No. 2002-2518 §1, 8-27-02; Ord. No. 2004-2581 §§1--3, 1-27-04; Ord. No. 2628 §§1--3, 11-9-04)

ARTICLE IX. INTERNATIONAL EXISTING BUILDING CODE

SECTION 500.200: INTERNATIONAL EXISTING BUILDING CODE -- ADOPTION

The City hereby adopts the "International Existing Building Code 2018 Edition" as published by the International Code Council, Inc., one (1) copy of which code is on file in the office of the City Clerk and marked "Official Copy". (Ord. No. 2005-2658 §3, 3-22-05)

SECTION 500.210: INTERNATIONAL EXISTING BUILDING CODE-- AMENDED

The following Sections of the International Existing Building Code 2018 Edition adopted in Section 500.190 is hereby amended as follows:

Section 101.1 These regulations shall be known as the Existing Building Code of City of Aurora., hereinafter referred to as "this code."

Section 112 Means of Appeal Insert the following: All appeals shall be deferred to the Building Board of Appeals for the City of Aurora. See Section 500.030: International Building Code -- Amended

~~Section 202 Insert the following definition for Historic Buildings: HISTORIC BUILDINGS. A building or structure that is listed in the State or National Register of Historic Places, designated as historic under states designation, law or survey or so designated by the Aurora Missouri Historical Society and listed on the Society's Register of Historic Buildings.~~

Section 202 Any building or structure that is one or more of the following:

- 1. Listed, or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.**
- 2. Designated as historic under an applicable state or local law.**
- 3. Certified as a contributing resource within a National Register, state designated or locally designated historic district.**

Section 1301.2 Applicability. Structures existing prior to January 1, 2021, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I. (Ord. No. 2005-2658 §, 3-22-05; Ord. No. 2005-2664 §1, 4-12-05)

ARTICLE X. SWIMMING POOLS, HOT TUBS, SPAS

SECTION 500.220: ADOPTION OF APPENDIX "G" SWIMMING POOLS, HOT

TUBS AND SPAS -- PENALTY

A. A certain document, one (1) copy of which is on file, for a period in excess of ninety (90) days, in the office of the City Clerk of the City of Aurora of the State of Missouri, being marked and designated as "The International Residential Building Code, **2018** Edition" as published by the International Code Council, Inc., including "Appendix G" Swimming Pools, Hot Tubs and Spas as same was amended by the City of Aurora is hereby adopted and is to be included as part of the Building Code of the City of Aurora in the State of Missouri for the control of buildings and structures as herein provided; and each and all regulations, provisions, penalties, conditions and terms of said International Building Code are hereby referred to, adopted and made a part hereof as if fully set out in this Section with the additions, insertions, deletions and changes, if any, found on file in the City offices.

B. Inconsistent Ordinances Repealed. That Title V. Building Code of the Municipal Code, City of Aurora and all other ordinances or parts of the Chapter in conflict herewith are hereby repealed.

C. Penalty. Any person, firm or entity who shall violate any of the provisions of the code adopted in Subsection (A) of this Section shall upon conviction be fined and punished as set out in **Section 500.230** of the Municipal Code of the City of Aurora, Missouri. (Ord. No. 2006-2726 §§1--3, 9-12-06)

ARTICLE XI. VIOLATION AND PENALTY

SECTION 500.230: VIOLATION AND PENALTY

Any person, firm or business entity who shall violate any of the provisions of this Chapter shall, upon conviction be fined an amount not to exceed five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment for each violation. Each day such violation exists shall be a separate offense.

Section Two: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section Three: This ordinance shall be in full force and effect upon passage by the City Council.

NOTE: Language that is **bold and underlined** has been added. Language struck through shall be deleted.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AURORA, MISSOURI ON THIS 9th DAY OF FEBRUARY, 2021.

APPROVED:

Doyle Ferguson, Mayor

ATTEST:

Kimberly Breedlove, City Clerk