

BILL 10136

ORDINANCE 10003

AN ORDINANCE AMENDING THE KIRKWOOD CODE OF ORDINANCES, CHAPTER 5, SECTION 5-6 AND ADOPTING THE 2009 INTERNATIONAL PLUMBING CODE, WITH MODIFICATIONS, AS THE PLUMBING CODE OF THE CITY OF KIRKWOOD, REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITIONS TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING THE EXISTING PLUMBING CODE.

WHEREAS, the ISO has recommended the City update its Building Codes to the latest codes, and

WHEREAS, the Building Commissioner's Office reviewed the latest Building Codes and recommends adoption of the 2009 International Plumbing Code with modification, and

WHEREAS, the Chief of Administrative Officer has approved the recommendation of the Public Works Department to update the Plumbing Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, as follows:

SECTION 1. That Section 5.6 of the Kirkwood Code of Ordinances is hereby deleted and the following inserted in lieu thereof:

SECTION 5.6 PLUMBING CODE: The provisions of the "2009 International Plumbing Code" as modified, is hereby adopted as the City's Plumbing Code. See separate publication and adopting modification ordinance on file in the office of the city clerk.

SECTION 2. That a certain document, which is on file in the office of the City Clerk of the City of Kirkwood, Missouri, being marked and designated as "2009 International Plumbing Code", as published by the Building Officials and Code Administrators International, and the International Conference of Building Officials be and is hereby adopted as the Plumbing Code of the City of Kirkwood, Missouri. For the control of buildings and structures as herein provided; and each and all of the regulations of the 2009 International Plumbing Code are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance.

SECTION 3. That throughout the 2009 International Plumbing Code, wherever the term "jurisdiction" is used, it is deemed to mean City of Kirkwood, and wherever the expression "Code Official" is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the 2009 International Plumbing Code is amended by additions, deletions and changes including of articles, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the Code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the Code is hereby enacted and added thereto.

101.1 – Title: These regulations shall be known as the Plumbing Code of the City of Kirkwood, hereinafter referred to the “this Code”.

101.2 – Delete exception in its entirety

106.1.1 – Add: Permits to be issued only to licensed plumbers and drain layers: Permits to do plumbing or drain laying work shall be issued only to plumbers or drain layers who have been licensed in accordance with Section 110 of this Code.

106.1.2 – Add: Integrated Permits: The Code official shall issue integrated building; plumbing, electrical and/or mechanical permits on a single permit application.

106.1.3 – Add: Applicant Responsibility: The integrated permit applicant shall be responsible for the return to the Code official of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit must be by special application and shall result in the assessment of a transfer fee.

106.6.1.4 – Add: Investigation Fee for Work Without Permit: Whenever any work for which a permit required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit is issued. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this Code. Payment of the investigation fee shall not exempt any person from compliance with all the provisions of this Code nor from any penalty prescribed by law.

106.6.2 – Delete in its entirety and add: Fee Schedule: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

107.1.2 – Add: Supplemental Inspections: In addition to the required inspections herein before specified, the Code official may make other inspections which are reasonably necessary due to the unusual construction or circumstances. The Code official shall have the authority to inspect any construction work in order to ascertain whether compliance with this Code is being met and in order that the Code official may properly enforce the rules promulgated under this Code.

107.2.2 – Add: Extra Inspections: In addition the inspections otherwise required, the Code official is authorized to perform extra inspections and re-inspections which due to noncompliance with the requirements of this Code, or work not ready or accessible for inspection when requested.

108.4 – Delete in its entirety and add: Violations Penalties: Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served a stop work order, except for such work which that person, firm or corporation has been directed

to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this Code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

108.5 - Amend last sentence of Stop Work Orders to read “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 guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood”.

109.1 – Delete in its entirety and add: Appeals: The Board of Appeals appointed under the provisions of the building Code shall have jurisdiction to hear all appeals under this Code.

Delete in their entirety **109.2** through **109.2.6**

Add: SECTION 111 - LICENSING OF PLUMBING CONTRACTORS

111.1 – Add: St. Louis City or County Plumbing or Drainlaying License Required: Any person or contractor wishing to enter into the plumbing or drainlaying contracting business within the City of Kirkwood, Missouri, shall first be duly examined and successfully licensed as a plumber or drainlayer in St. Louis City or County, Missouri.

111.2 – Add: City of Kirkwood Contractors License Required: All Contractors shall obtain a license under the provisions of Chapter 13, Division 2 of the Kirkwood Code of Ordinances.

111.3 – Add: Any firm or corporation in the business of plumbing or drainlaying work shall employ a duly licensed supervisor, under the provisions of this Code, who shall be responsible for installations made by said firm or corporation.

111.4 – Add: No persons having obtained a license under the provision of this Code shall allow his/her name to be used by another person either for the purpose of obtaining permits, or for doing business or work under the license. Every person licensed shall notify the office of plumbing inspection of the address of his/her place of business and the name under which such business is carried on, and shall give immediate notice to the office of plumbing inspection of any change in either.

111.5 – Add: A license or registration issued under this ordinance is assigned to the person named in said license. No license or registration certification or the rights, duties and privileges attendant thereto, shall be assigned or transferred to another person, company or partnership. When the duties and privileges of a license are to be exercised within a company or partnership, all of the principals or partners of that company or partnership must be registered with the Board thirty (30) days prior to exercising the rights and privileges of the license.

305.6 – Freezing: Delete 12 inches and insert 36 inches below finish grade

305.6.1 – Sewer Depth: Building sewers that connect to private sewage disposal systems shall be a minimum of three feet below finished grade at the point of septic tank connection. Building sewers that connect to public sewers shall be a minimum of three feet below grade.

412.5 – Add: Floor drains in a garage shall not connect to a sanitary sewer line

603.1 – Delete in its entirety and add: Size of water service pipe: The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this Code. The minimum diameter of water service pipe shall be one (1) inch.

604.9 – Delete in its entirety and add: A water-hammer arrestor shall be installed where quick-closing valves are utilized. Water-hammer arresters shall be required for dishwashers, clothes washers and for each bathroom group, unless otherwise approved.

701.2.1 – Add: New Building Sewer Required for New Building or Structure: A new primary structure or building shall be provided with a new building sewer from the building to the public sewer, if available, or to the septic tank connection.

701.2.2 – Add: Public Sewer Systems Available: A public sewer system shall be considered available to a structure or building when a public sewer main is located with 300 feet of the property line of the building or structure.

701.2.3 – Add: Individual Sewage Disposal Systems prohibited: Individual sewage disposal systems shall be prohibited except for single family residents which are located on lots greater than one acre in area and such lot is greater than 300 feet from a public sewer.

701.2.4 – Individual Sewage Disposal System: Individual sewage disposal systems shall be permitted only under the following conditions:

1. Single family dwellings on lots one acre or larger and,
2. Property is not within 300 feet of a public sanitary sewer and,
3. The plans and construction documents for the individual disposal system shall be sealed by a professional engineer,
4. The soil absorption system shall be at least 10 feet from all property lines and,
5. The system satisfies the requirements of the 2009 International Private Sewage Disposal Code.

701.2.5 – Add: International Private Sewage Disposal Code: The IPSD (2009 edition) as referenced in section 701.2.4 of this code shall be known as the International Private Sewage Disposal Code of the City of Kirkwood, and shall be cited as such.

703.6 – Add: Minimum size building sewer: The gravity building sewer shall not be less than six (6) inches in size.

705.8.2 – Delete “purple” (except on sewer lateral in ground)

708.3.2 – Add to last sentence: (1) Full size 6-inch tee clean out shall be installed between the building exterior wall and the MSD connection.

901.2.2 – A yard vent/cleanout shall be installed in other than commercial installations, including repair and replacement.

917.5.1 – Add to last sentence: The valve shall not be within a wall cavity.

SECTION 5. That nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed, as cited herein; nor shall any just or legal right or remedy or any character be lost, impaired, or affected by this ordinance.

SECTION 6. If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the 2009 International Plumbing Code is for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said Code, and the City of Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

SECTION 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 21ST DAY OF APRIL 2011.

Mayor, City of Kirkwood

ATTEST:

City Clerk

1st Reading: April 7, 2011

2nd Reading: April 21, 2011