

BILL 10735

ORDINANCE 10578

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE, WITH MODIFICATIONS, AS THE ENERGY CONSERVATION CODE OF THE CITY OF KIRKWOOD, REGULATING AND GOVERNING ENERGY-EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY-EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF KIRKWOOD, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES.

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

WHEREAS, the Building Commissioner's Office reviewed the latest Building Codes and recommends adoption of the 2015 International Energy Conservation Code with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to adopt the Energy Conservation Code.

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

SECTION 1 That Kirkwood Code of Ordinances is hereby amended by inserting Section 5-6(e) as follows

“Section 5-6(e) Energy Conservation Code: The provisions of the “2015 Energy Conservation Code” as modified, is hereby adopted as the City of Kirkwood Energy Conservation 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, being marked and designated as the 2015 Energy Conservation Code, as published by the International Code Council, Inc, be and is hereby adopted as the Energy Conservation Code of the City of Kirkwood, Missouri, and all of the regulations, provisions, penalties, conditions, and terms of the 2015 Energy Conservation Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the 2015 International Energy Conservation 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 2015 International Energy Conservation Code is amended by additions, deletions and changes including articles, chapters, 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.

Section C101.1 – Amended to read as follows, Title: These regulations shall be known as the Energy Conservation Code of the City of Kirkwood, hereinafter referred to as “this Code”

Section C101.5 is amended to read as follows, Compliance. Residential buildings shall meet the provisions of the Kirkwood residential code, chapter 11. Energy Efficiency

Section C101.5.1 Delete in its entirety

Section C107. 2 Amended to read as follows; Fee Schedule: Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Section C107.5 – Delete in its entirety

Section C108.4 – is amended to read as follows; Failure to comply. 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”

Section C109.1 Amended to read as follows: Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code, Chapter I- Scope and Administration, Section 113- Board of Appeals.

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 and– 109.3 - Delete in their entirety

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 2015 International Energy Conservation 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 4TH DAY OF APRIL 2019



Mayor, City of Kirkwood, Missouri

ATTEST



City Clerk

1st Reading: March 21, 2019

2nd Reading: April 4, 2019