

BILL 10734

ORDINANCE 10577

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL FUEL GAS CODE, WITH MODIFICATIONS, AS THE FUEL GAS 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 FUEL GAS 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 Fuel Gas Code" with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to adopt the International Fuel Gas 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(a) as follows:

"Section 5-4(b) Fuel Gas Code: The provisions of the "2015 International Fuel Gas Code" as modified, is hereby adopted as the City of Kirkwood Fuel Gas 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 International Fuel Gas Code", as published by the International Code Council, Inc., be and is hereby adopted as the Fuel Gas Code of the City of Kirkwood, Missouri, and all of the regulations, provisions, penalties, conditions, and terms of the "2015 International Fuel Gas 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 Fuel Gas 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 Fuel Gas 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

Chapter 1 Scope and Administration.

Section 101.1 – Amended to read as follows, Title: These regulations shall be known as the Fuel Gas Code of the City of Kirkwood, hereinafter referred to as “this Code”

106.1.1 Annual permit. Delete in its entirety and add: Integrated Permits. The code official may issue integrated building, plumbing, electrical and/or mechanical permits on a single permit application.

106.1.2 Annual permit records- Delete in its entirety and 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 as specified

Section 106.6.2 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

106.6.3 – Delete in its entirety

108.4 – Amend to read as follows; 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 s 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”.

Section 109.1 is 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 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.

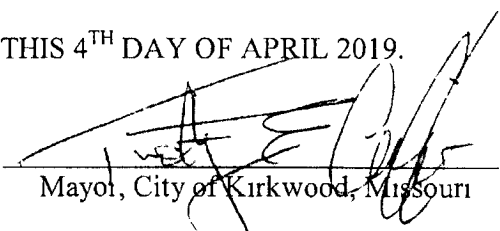
109.2 – through - 109.6.2 - Delete in their entirety

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 Fuel Gas 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