

AMENDED COUNCIL BILL NO. 2008-509**ORDINANCE NO. 2008-068****AN ORDINANCE**

repealing Article I, In General, and Article III, Building Code, and Article IV, Permits and Fees, and Article V, Contractors, and Article VI, Electrical, Mechanical, Plumbing, and Gasfitting Work, and Article VII, Electrical, Mechanical, Plumbing, and Gasfitting Tradesmen, and Section 26-543, Permit, of Article VIII, Moving Structures, and Section 26-591, Required, and Section 26-593, Fee, and Section 26-595, Permit;Bond, of Article IX, Demolition of Structures, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin, and enacting in lieu thereof a new Article I, In General, and Article III, Building Code, and Article IV, Permits and Fees, and Article V, Contractors, and Article VI, Electrical, Mechanical, Plumbing, and Gasfitting Work, and Article VII, Electrical, Mechanical, Plumbing, and Gasfitting Tradesmen, Section 26-543, Permit, of Article VIII, Moving Structures, and Section 26-591, Required, and Section 26-593, Fee, and Section 26-595, Permit;Bond, of Article IX, Demolition of Structures, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin to implement certain fee changes and to implement new Building Codes; and setting a date when this Ordinance shall become effective.

WHEREAS, the City is operating under the 2000 International Fire and Building Codes, and,

WHEREAS, the City has not raised fees since 1977 and the costs of services have substantially increased and exceed revenues, and,

WHEREAS, the Council of the City of Joplin desires to update to the 2006 International Fire and Building Codes and desires to increase fees to meet the reasonable expenditures of this function.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Joplin, Missouri, as follows:

Section 1. That Article I, In General, of Chapter 26, Buildings and Building Regulations, be repealed and a new Article I, In General, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

CHAPTER 26 BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. IN GENERAL

Sec. 26-1. Fire limits.

The fire limits of the city shall be as shown and indicated upon the official map thereof on file in the office of the Building Official.

Sec. 26-2. Building trades board--Established.

There is hereby established a building trades board that shall establish the examination of plumbers, electricians and mechanical craftsmen, and serve in an advisory capacity to the city staff on such other matters concerning the building trades.

Sec. 26-3. Same--Membership.

The board shall be comprised of five (5) members; all qualified voters of the City of Joplin: One (1) journeyman or master electricians, one (1) journeyman or master plumbers, one (1) journeyman or master mechanical craftsman, one building contractor, and one (1) citizen at large.

Sec. 26-4. Same--Powers and duties.

The building trades board shall have the following duties:

1. Pass on the qualifications and experience of all skilled trades people in the city coming before it for examination and to exercise all of the powers and functions defined in the Charter and ordinances of the city for such board.
2. Provide such guidance and assistance to the city staff and city council regarding the licensing and regulation of the building trades.
3. Perform all duties previously assigned to the plumbing and electrical boards.

Section 2. That Article III, Building Code, of Chapter 26, Buildings and Building Regulations, be repealed and a new Article III, Building Code, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

ARTICLE III BUILDING CODE*

Sec. 26-61. Building Code Adopted.

The 2006 Edition of the International Building Code including Appendix Chapters C, F, G, I, J, as supplemented or amended, is hereby adopted and made a part hereof by reference as the basic building code of the city. Not less than three copies of said code as supplemented or amended, duly certified, have been and now are filed in the office of the city clerk.

Sec. 26-62. Amendments to the International Building Code.

The building code adopted by Section 26-61 of this article is hereby amended, changed, and altered, as follows:

Section 101.4.1 is deleted in its entirety.

Section 101.4.7 is deleted in its entirety.

Section 105.2 Building Item 2 is deleted in its entirety.

Section 106.1 is amended by adding the following paragraph to the existing section:

Buildings exempted from these requirements are:

Buildings not over 1200 square feet in ground area, measured from the outermost perimeter walls.

Section 1301 - Chapter 13 is deleted in its entirety.

Section 1405.10 is amended by adding the following paragraph:

Material commonly known as "corrugated sheet iron"; "corrugated sheet steel", "strong barn", etc., will not be permitted to be used as an exterior (or interior) finish on any commercial or residential building. It shall also not be permitted or allowed as roofing material on any type building or structure.

Section 1608.2 - Section 1608.3 of the building code is hereby amended to provide that 30 pounds per square foot, non-reduced snow load be utilized in determining the design snow loads for roofs, in no case, shall the design snow load be less than 30 pounds per square foot.

Section 1612.3 is amended by inserting: [City of Joplin].

Section 1612.3 is amended by inserting: [December 8, 1976].

Section 1805.2.1 is amended by adding the following paragraphs to the existing section.

The depth of footings for frost protection shall be 30 inches from finish grade to bottom of footing.

Accessory - residential or commercial storage type buildings with approved treated skids or the "portable" type for moving from one location to another, are exempt from the footing requirements if under 200 square feet, but shall be required to be anchored or tied down in an approved manner to prevent possible overturning from wind.

Section 3109.3 is deleted and replaced with the following: "All public, semi-public, apartment, hotel, motel, and commercial swimming pools and spas shall comply with Section 62 Article VII of the City of Joplin Code of Laws.

Section 3109.4 is amended by adding the following paragraph:

Locations. Private swimming pools shall not encroach on any front or side yard required by the basic code, abridged code or the governing zoning law, except by specific rules of the community in which it may be located. No wall of a swimming pool shall be located less than three feet from any rear or side property line or ten feet from any street property line, except by specific rules of the community in which it may be located.

Section 3410.2 is amended by inserting: [January 17, 1955].

Sec. 26-63 Penalties.

Notwithstanding any other provision of this ordinance, a person violating any provisions of this ordinance or obstructing its enforcement shall be deemed guilty of a misdemeanor, and upon conviction thereof in municipal Court, shall be fined a sum of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00)."

Sec. 26-64 Work by homeowners.

Nothing in this ordinance shall prevent any bona fide home-owner from doing his own work in, or on, his own family residence in which he, or he and his family legally reside, providing that all materials and methods used comply with this article and other applicable codes, that the owner has a permit from the City of Joplin, that he personally purchases all materials used and personally performs all labor, and that final inspection is made and a certificate of approval issued by the Building Official or his designee."

Sec. 26-65. Work by other than homeowners.

Work on any structure, other than work by bona fide homeowners as defined under section 26-64, shall be performed by permitted, licensed contractors.

Sec. 26-66. Residential Code Adopted.

The 2006 Edition of the International Residential Code for One and Two Family Dwellings including Appendix Chapters A, B, C, D, G, H, I, J, M, N, Q, as

supplemented or amended, is hereby adopted and made a part hereof by reference as the basic residential building code of the City. Not less than three copies of said code as supplemented or amended, duly certified, have been and now are filed in the office of the city clerk and the same is incorporated as if fully set out at length in this article.

Sec. 26-67. Amendments to the International Residential Code.

The [residential] building code adopted by Section 26-66 of this article is hereby amended, changed, and altered, as follows:

R101.1 is amended by inserting: [City of Joplin].

R104.11 is amended by adding the following paragraph to the existing section:

The alternative method commonly known as "pole barn" or "laminated pole" type structures shall be limited to commercial buildings and accessory buildings only and not for residential dwelling units.

R105.2 is amended by deleting item 1 in its entirety.

R105.2 is amended by deleting item 2 in its entirety.

R105.2 is amended by deleting item 5 in its entirety.

R106 is deleted in its entirety.

R107.3 is amended by deleting "ICC Electrical Code" and replacing such text with "2008 National Electrical Code."

Table R301.2 (1) is amended by inserting: [30 lb Ground Snow Load, 90 mph Wind Speed, B Seismic Design Category, Severe Weathering, 30 inches Frost line depth, moderate to heavy termite, slight to moderate decay, 9, Dec. 8, 1976 Flood Hazards]

R403.1.1 is amended by adding wording: "All footings for residential construction are to be at least 16 inches in width and eight inches in thickness."

Section E3301.1 is amended by adding the following paragraph to the existing section:

"Chapters 33 through 42 of the International Residential Code shall be amended to include any applicable sections of the 2008 National Electrical Code as adopted and amended by section 26-74 of the Joplin Code of Ordinances.

Section E3306.10.1, Exception is amended to read: Splices shall be permitted within surface-mounted raceways that have removable covers, subject to fill requirements.

Section E3505 shall be amended by adding the following paragraph at the beginning:

Only copper wire of the correct size and type shall be permitted as service-entrance conductors, and all conductors within the structure shall also be copper of the correct size and type. Aluminum or copper-clad aluminum shall not be permitted as service-entrance conductors, or conductors within the structure under any circumstance. The wire type and size used to supply the necessary service up to the point of attachment to the structure shall be the sole responsibility of Empire District Electric Company or the Electric Utility Company of the time supplying the City of Joplin.

Section E3508 shall be amended by adding the following paragraph at the beginning:

The primary grounding electrode for all new construction shall be a concrete-encased electrode as defined by section E3508.1.2.

Sec. 26-68. Mechanical Code Adopted

The 2006 Edition of the International Mechanical Code including Appendix Chapters A, as supplemented or amended, is hereby adopted and made a part hereof by reference for the purpose of regulating and controlling the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and/or appurtenances thereto, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy related systems. Not less than three copies of said code as supplemented or amended have been and now are filed in the office of the city clerk and the same is incorporated as if fully set out at length in this division.

Sec. 26-69. Amendments to the International Mechanical Code.

The mechanical code adopted by Section 26-68 of this article is hereby amended, altered, and changed as follows:

Section 101.1 is amended by inserting the name of this jurisdiction, "City of Joplin, Missouri."

Section 106.5.2 is amended to read as follows:

106.5.2 Fee Schedule: The permit fees for all mechanical work shall be as indicated in section Article IV of Chapter 26 of the Joplin City Code.

Section 106.5.3, Fee Refunds, is deleted.

Section 108.4 is amended to read as follows:

108.4 Violation Penalties: Any person who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof, or who shall install mechanical work in violation of an approved plan or directive of the Building Official or his designee or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable as provided in section 1-5 of the Joplin City Code.

Section 108.5 is amended to read as follows:

108.5 Stop Work Orders: Any person who shall continue any mechanical work in or about the structure after having been served with a stop work order, except such work as he/she is directed to perform to remove a violation or unsafe conditions, shall be subject to punishment as provided in section 1-5 of the Joplin City Code.

Sec. 26-70. Fuel Gas Code Adopted.

The 2006 edition of the International Fuel Gas Code including Appendix Chapters A, B, C, as supplemented or amended, is hereby adopted and made a part hereof by reference for the purpose of regulating and governing fuel gas systems and gas fired appliances in the city. Not less than three copies of said code as supplemented or amended, duly certified, have been and now are filed in the office of the city clerk and the same is incorporated as if fully set out at length in this chapter.

Sec. 26-71. Amendments to the International Fuel Gas Code

The Fuel Gas Code adopted by Section 26-70 of this Article is hereby amended, changed, and altered, as follows:

Section-101.1. Insert: [City of Joplin].

Section 106.5.2. Insert: [Fee schedule from Article IV of Chapter 26 of the Joplin City Code].

Section 106.5.3. Delete provision number 2 and number 3.

Section 108.4 is hereby amended to read as follows:

108.4 Violations and Penalties: Any person who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair 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 misdemeanor, punishable as provided in Section 1-5 of the Joplin City Code.

Section 108.5 is hereby amended to read as follows:

108.5 Stop work orders: Any person who shall continue any fuel gas work in or about the structure after having been served with a stop work order, except such work as he/she is directed to perform to remove a violation or unsafe conditions, shall be subject to punishment as provided in Section 1-5 of the Joplin City Code.

Sec. 26-72. Plumbing Code Adopted.

The 2006 Edition of the International Plumbing Code including Appendix Chapters B, D, E, F, G, as supplemented or amended, is hereby adopted and made a part hereof by reference for the purpose of prescribing regulations governing plumbing. Not less than three copies of said code as supplemented or amended have been and now are filed in the office of the city clerk and the same is incorporated as if fully set out at length in this division.

Sec. 26-73. Amendments to the International Plumbing Code.

The plumbing code adopted by section 26-72 of this article is hereby amended, altered, and changed in the following respects:

Section 101.1 is amended by inserting: [City of Joplin].

Section 106.6.2 is amended to read as follows:

106.6.2 Fee Schedule. The permit fees for all plumbing work shall be as indicated in Article IV of Chapter 26 and 118-235 of the Joplin City Code.

Section 106.6.3, Fee Refunds, Paragraphs numbered 2 and 3 are deleted.

Section 108.4 is amended to read as follows:

108.4 Violation Penalties: Any person who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof or who shall install plumbing work in violation of an approved plan or directive of the plumbing official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable as provided in Section 1-5 of the Joplin City Code.

Section 108.5 is amended to read as follows:

108.5 Stop Work Orders: Any person who shall continue any plumbing work in or about the structure after having been served with a stop work order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be

subject to punishment as provided in Section 1-5 of the Joplin City Code.

Section 701.2 is added to read as follows:

701.2 Sewer Required: See Section 118-81, et seq., of the Joplin City Code pertaining to availability of sanitary sewer.

Section 904.1 is amended by inserting: [12 inches].

Sec. 26-74. Electrical Code Adopted.

The 2008 Edition of the National Electrical Code for electrical wiring and apparatus as recommended by the National Fire Protection Association, as supplemented or amended, is hereby adopted and made a part hereof by reference. Not less than three copies of said code as supplemented or amended have been and now are filed in the office of the city clerk and the same is incorporated as if fully set out at length in this division.

Sec. 26-75. Amendments to the National Electrical Code.

The electrical code adopted by Section 26-74 of this article is hereby amended, changed, and altered, as follows:

Section 310-2(b) is amended to read as follows:

Only copper wire of the correct size and type shall be permitted as service-entrance conductors, and all conductors within the structure shall also be copper of the correct size and type. Aluminum or copper-clad aluminum shall not be permitted as service-entrance conductors, or conductors within the structure under any circumstance. The wire type and size used to supply the necessary service up to the point of attachment to the structure shall be the sole responsibility of Empire District Electric Company or the Electric Utility Company of the time supplying the City of Joplin

Section 406.11 is deleted in its entirety.

Section 3. That Article IV, Permits and Fees, of Chapter 26, Buildings and Building Regulations, be repealed and a new Article IV, Permits and Fees, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

Article IV. Permits and Fees

Sec. 26-91. Building permit fees; reinspection fee.

The following is a schedule of the building department permit fees:

(1) Plan Review. Where a building plan review is required for any reason, fees shall be collected for such plan review as follows:

a. Building Commercial Plan Review fee shall be .00025 multiplied by the value of the project, with a maximum cap of \$2,000 per building plan review effective June 1, 2008. The Building Commercial Plan Review fee shall be .0005 multiplied by the value of the project, with a maximum cap of \$2,500 per building plan review effective June 1, 2009. The Building Commercial Plan Review fee shall be .00075 multiplied by the value of the project, with a maximum cap of \$2,500 per building plan review effective June 1, 2010.

1. The value of the project in this section shall be computed by one of the following methods and approved by the Building Official or his designee.

a) Provided by the person applying for the permit and verified by the Building Official.

b) Calculated using the Building Valuation Data published in the Building Safety Journal each February issue (on file in the City Clerk's office) based on square footage of the project, and modified for the City of Joplin, using a multiplier of 0.87.

b. Building Residential Plan Review fee shall be .00017 multiplied by the value of the project, with a maximum cap of \$2,000 per building plan review effective June 1, 2008. The Building Residential Plan Review fee shall be .00034 multiplied by the value of the project, with a maximum cap of \$2,500 per building plan review effective June 1, 2009. The Building Residential Plan Review fee shall be .0005 multiplied by the value of the project, with a maximum cap of \$2,500 per building plan review effective June 1, 2010.

1. The value of the project in this section shall be computed by one of the following methods and approved by the Building Official or his designee.

a) Provided by the person applying for the permit and verified by the Building Official.

b) Calculated using the Building Valuation Data published in the Building Safety Journal each February issue (on file in the City Clerk's office) based on square footage of the project, and modified for the City of Joplin, using a multiplier of 0.87.

(2) Permit Fees. No permit will be issued prior to the plan review process or prior to the beginning of construction.

a. Building permit fee shall be .003 multiplied by the value of the project as calculated in 26-91, 1, a, 1.

b. Repairs and alterations permit fee shall be .003 multiplied by the value of the project as calculated in 26-91, 1, a, 1. In no case, shall a building permit fee be less than \$25.00.

c. Amendments to permit fee shall be .003 multiplied by the value of the project as calculated in 26-91, 1, a, 1. An amendment to a building permit shall not be

issued until the additional fee, if any, owing to an increase in the estimated project cost shall have been paid.

(3) Reinspection Fees.

a. There will be a reinspection fee when extra inspections are necessary due to any of the following reasons:

- 1) When wrong address is provided.
- 2) When work is not ready for inspection when called.
- 3) When work is not installed in compliance with city ordinances and/or applicable codes.
- 4) In any other event that is of no fault of city inspectors.

For each trip, residential: \$25.00, commercial/industrial: \$50.00.

(4) Other Fees.

a. Fences. The fee for fences shall be as follows:

- 1) Residential - \$25.00
- 2) Commercial - \$50.00

b. Swimming pools and spas. The fees for swimming pools and spas shall be as follows:

- 1) One- and two-family dwellings (residential, private) \$40.00 each.
- 2) Multiple-family dwellings, motels and hotels (commercial, public and semi-public) \$60.00 each.

(5) Special Inspections. Inspections made anytime other than normal working hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, will result in an additional fee of \$25.00 per half hour of inspection time with a minimum charge of one hour of labor in addition to the permit cost. The minimum fee must be prepaid at the time the inspection is scheduled. If the inspection exceeds one hour, permittee will be billed by mail for the additional amount. If the inspection is not cancelled within 24 hours of the scheduled time, there will be no refunds.

(6) Certificate of Occupancy.

a. Where required by this code, or requested by owner, a certificate of occupancy shall be issued prior to the occupancy of the structure at no fee.

b. When required by this code or requested by owner a certificate of completion shall be issued at no fee.

(7) Duplicate Permit or Certificate. Whenever a permit or certificate is lost or destroyed or a copy is requested, a duplicate permit or certificate shall be issued by the Building Department upon payment of a replacement fee of Five Dollars (\$5.00).

(8) Permits and Certificates – Fines. When work has started for which a permit or certificate is required by this article, prior to obtaining the permit or certificate, the fees specified shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this article in the execution of the work nor from any other penalties in this article. A fine of up to \$500.00 per day per violation may be imposed.

(9) Fee Review Process.

City Council shall review the costs of services associated with all user fees at least on a bi-annual basis during the budget process to determine the appropriateness of the fee charge.

Sec 26-92. Electrical Permit Fees; re-inspection fees.

The following is a schedule of the electrical fees (permits are required for each address and unit):

- (1) Electrical Permit Fees. No permit will be issued prior to the plan review process or prior to the beginning of construction. Permit for new and existing construction/additions/upgrades/alterations:
 - a. Commercial/Industrial: \$50.00
 - b. Residential (single family, multi-family, each apartment or house): \$25.00
 - c. Signs and outline lighting, each: \$25.00
 - d. Temporary service. For construction purposes, fairs, carnivals, exhibitions and similar purposes, \$25.00
 - e. Relocation of existing electrical equipment, a flat fee of \$25.00. Where multiple relocations are required at the same address, an additional \$5.00/panel, meter, section, etc. shall be applied.

(2) Reinspection Fees.

- a. There will be a reinspection fee when extra inspections are necessary due to any of the following reasons:
 - 1) When wrong address is provided.
 - 2) When work is not ready for inspection when called.
 - 3) When work is not installed in compliance with city ordinances and/or applicable codes.
 - 4) In any other event that is of no fault of city inspectors.

For each trip, residential: \$25.00, commercial/industrial: \$50.00

Sec 26-93. Plumbing, gasfitting, and mechanical permit fees; re-inspection fees.

The following is a schedule of the plumbing, gasfitting, and mechanical fees (permits are required for each address and unit):

- (1) Plumbing, Gasfitting, Mechanical Permit Fees. No permit will be issued prior to the plan review process or prior to the beginning of construction. Permit for new and existing construction/additions/upgrades/alterations:
 - a. Commercial/Industrial: \$50.00
 - b. Residential (single family, multi-family, each apartment or house): \$25.00

(2) Reinspection Fees.

- a. There will be a reinspection fee when extra inspections are necessary due to any of the following reasons:

- 1) When wrong address is provided.
- 2) When work is not ready for inspection when called.
- 3) When work is not installed in compliance with city ordinances and/or applicable codes.
- 4) In any other event that is of no fault of city inspectors.

For each trip, residential: \$25.00, commercial/industrial: \$50.00

Section 4. That Article V, Contractors, of Chapter 26, Buildings and Building Regulations, be repealed and a new Article V, Contractors, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

ARTICLE V. CONTRACTORS*

Sec. 26-101. Definition.

- (a) The term "contractor," as used in this article, shall mean any person, including any and all building crafts and enterprises, who shall engage in the business of building, erecting, repairing, remodeling and otherwise constructing or reconstructing houses, buildings and other structures or any part thereof. This term shall also include specialty contractors or subcontractors who shall contract to construct or do the following: roofing repairs or installation, painting or paper contracting, ditching, sewer construction, curb and gutter construction, tree trimming, tree and shrubbery removal, pavement construction, plastering, flooring, floor sanding or other construction work of a specialized nature, or work performed by contract under=the contract of a general contractor or builder.
- (b) Any person who shall build not more than one house or one residential outbuilding in any one calendar year for occupancy, or use, by the person as his residence shall not be classified as a contractor under this article and shall not be required to obtain a license as such.

Sec. 26-102. License required.

It shall be unlawful for any person to engage in the business of contracting or hold himself out as a contractor without first obtaining a license therefore from the director of finance.

Sec. 26-103. Bond; insurance.

Before any person shall be granted a contractor's license, such person shall file a license and permit bond in the amount of \$10,000.00 with the city, conditioned that such person will observe the ordinances of the city and not violate any of the provisions thereof, and will pay all taxes, license fees, fines, penalties and forfeitures that may be adjudged against him under the ordinances of the city. He

shall further file an insurance certificate with the city, certifying public liability insurance with combined single limits of \$300,000.00 coverage for bodily injury or property damage. He shall further have a certificate showing that he has worker's compensation insurance, if under the laws of the state he is required to carry such insurance.

Section 5. That Article VI, Electrical, Mechanical, Plumbing, and Gasfitting Work, of Chapter 26, Buildings and Building Regulations, be repealed and a new Article VI, Electrical, Mechanical, Plumbing, Gasfitting Work, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

**ARTICLE VI. ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING
WORK (replaces prior articles V, VI, VII)**

DIVISION 1. GENERALLY

Sec. 26-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board, mechanical board and board of examiners mean the board created by section 26-2.

Sec. 26-202. Enforcement generally; duties of director of public works.

The director of public works, through the building department, shall enforce all the provisions of this article, issue all permits required in this article, make all required and necessary inspections, issue all required and necessary notices, provide for all necessary research and investigations, accept all duly authenticated reports from recognized authoritative sources of all new materials and methods of construction proposed for use which are not specifically provided for, and promulgate rules and regulations that may be necessary in the interest of public safety, health and general welfare to interpret and implement the provisions of this article, to secure the intent thereof and to designate requirements applicable because of any unusual condition, but no such rules shall have the effect of waiving fire resistive requirements specifically required in this article or any related code or violating accepted engineering practice involving public safety.

Sec. 26-203. Notice of violation; correction of violations.

Written notice of any violation of the Code or the sections of this article shall be given any violator thereof, and upon his failure to remove the violation within a reasonable length of time, but not more than seven days, prosecution for a violation of this article shall be commenced against him.

Sec. 26-204. Appeals.

- (a) The owner of a building or a structure, or any other person, may appeal from the decision or order of the director of public works or any administrative official or inspector of the building department under this article. Application for appeal may be made to the building board when it is claimed that:
- (1) The true intent of the Code then in effect, or the rules legally adopted there under, have been incorrectly interpreted;
 - (2) The provisions of the Code do not fully apply; or
 - (3) A hardship exists which makes full or partial compliance impossible.
- (b) Such appeal shall be made in writing to the building board and filed with the director of public works within ten days after the receipt of the order or directive that is appealed.

Sec. 26-205. Liability for damages.

This article shall not be construed to relieve from or lessen the liability of any party owning, operating, controlling or installing any ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK for damages to persons or property caused by any defects therein, nor shall the city be held as assuming any such liability by reason of the inspections authorized in this article or certificates of approval issued as provided in this article.

DIVISION 2. CODE

Sec. 26-206. Compliance.

It shall be unlawful for any person to fail, neglect or refuse to comply with any provision of the codes adopted by the provisions of this division.

Sec. 26-207. Severability of provisions.

If any terms, part, provision, section, subdivision or paragraph of the mechanical code adopted by this division shall be held unconstitutional, invalid or ineffective, in whole or in part, by any court of competent jurisdiction, such determination shall be deemed to invalidate only the article, section, terms, provisions, subdivisions, paragraphs or parts thereof affected, and it shall be presumed that such code would have been passed without such invalid portion, and that every other article, section, paragraph, provision or part of such code shall be deemed valid and in full force and effect.

Sec. 26-208. Alteration of existing installations.

No alterations or additions shall be made to any existing installation of ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK for which a permit is required within or on any building or structure or premises, except as provided in this article, without first securing the approval and a permit from the building official.

DIVISION 3. PERMITS AND INSPECTIONS

Sec. 26-209. Permit required.

No ELECTRICAL, MECHANICAL, PLUMBING, and GAS work shall be installed within or on any building or structure, nor shall any alteration or addition be made in any ELECTRICAL, MECHANICAL, PLUMBING, and GAS systems without first securing a permit therefore from the building official.

Sec. 26-210. Exemptions from permit requirement.

No permit shall be required under this division for the execution and use of the following classes of work:

- (1) As stated in the applicable building code regulations.

Sec. 26-211. Application for permit.

Application for a permit required by the provisions of this division shall describe the work to be done and shall be made in writing to the building official by the person installing such work. The permit, when issued, shall be issued to such applicant.

Sec. 26-212. Submission of plans and specifications.

The application required by section 26-211 shall be accompanied by such plans, specifications or information as may be necessary to determine whether the installation as described will be in conformity with the requirements of this article.

Sec. 26-213. Fees.

Permit fees shall be as shown in Article IV of Chapter 26 of the City of Joplin Code.

Sec. 26-214. Issuance of permits.

If it shall be found that the installation as described in the application for a permit required by the provisions of this division is in conformity with the provisions of this article, and if the applicant has complied with all of the provisions of this article, a permit for such installation shall be issued; provided, however, that the issuance of the permit shall not be taken as permission to violate any of the provisions of this article.

Sec. 26-216. Inspection of installations requiring concealment.

When any part of ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK is to be hidden from view by the permanent placement of parts of the building, the person installing the system shall notify the inspector. Such parts of the wiring installation shall not be concealed until they have been inspected and approved by the inspector or until 24 hours, exclusive of Saturdays, Sundays and legal holidays, shall have elapsed from the time of such notification; provided, however, that on large installations, where the concealment of parts of

the system proceeds continuously, the person installing the system shall give the inspector due notice and inspections shall be made during the progress of the work.

Sec. 26-217. Correction of defective work.

If upon re-inspection any ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK is found defective or unsafe, the building official shall revoke all certificates and permits in effect, and the use of such system shall be discontinued until it has been made to conform to the approved rules and after a new permit is issued.

Sec. 26-218. Final certificate of approval

If an ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK installation is found, upon final inspection, to be fully in compliance with the provisions of this article, the inspector shall issue to the permittee a final certificate of approval. Authorizing the use of the installation. It shall be unlawful for any person to utilize the installation of which a permit is required by this division until such certificate of approval has been issued.

DIVISION 4. INSPECTOR*

Sec. 26-220. Engaging in business while in office.

It shall be unlawful for the inspector or any of his assistants to engage in the business of the sale, installation or maintenance of ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK, either directly or indirectly. They shall have no financial interest in any such concern engaged in such business in the city at any time while holding office as provided for in this division.

Sec. 26-221. Powers and duties generally.

It shall be the duty of the inspector to see that the provisions of this article are enforced. He shall, make inspections of all ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK and re-inspections of all ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK as provided in this article. He shall keep complete records of inspections and re-inspections made, and other official work performed in accordance with the provisions of this article. Included in his records shall be a record of violations of the provisions of this article, showing the date, the specific violation, name and identification of the violator, and the disposition of the violation, that is, faulty work corrected, license revoked, court decision or other disposition.

Sec. 26-222. Right of entry.

The inspector shall have the right during reasonable hours to enter any building or premises in the discharge of his official duties, or for the purpose of making any inspection, re-inspection or test of ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING WORK.

Section 6. That Article VII, Electrical, Mechanical, Plumbing, and Gasfitting Tradesmen, of Chapter 26, Buildings and Building Regulations, be repealed and a new Article VI, Electrical, Mechanical, Plumbing, Gasfitting Tradesmen, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

ARTICLE VII
ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING TRADESMEN

Subdivision I. In General

There are hereby established the following standards to be followed:

- (1) Journeyman. To be eligible to take the journeyman examination, the applicant shall have a minimum of four years experience in the trade as an apprentice, having worked with the City building regulations, or regulations comparable to those in effect within the City.
Exception: Successful completion of two years of vocational school can be substituted for two years of apprentice experience.
- (2) Master. To be eligible to take the master examination, an applicant must have a minimum of six years' experience in the trade, having worked with the City building regulations or regulations comparable to those in effect within the City.

All testing will be performed through:

Thomson Prometric
Attn: National Construction Program
1260 Energy Lane
St. Paul, MN 55108

A passing score of seventy-five percent (75%) will be required for certification for all trade classifications.

Subdivision II. Contractor's License*

Sec. 26-302. Required.

It shall be unlawful for any person to engage as contractor in the installation, alteration or repair of ELECTRICAL, MECHANICAL, PLUMBING, and

GASFITTING WORK in or on any buildings within the corporate limits of the city without first having secured a contractor's license to do so.

Sec. 26-303. Application.

Application for an mechanical, plumbing contractor's license shall be made to the Building Official or his designated appointee, if a request for testing is required an application to the building trade board will be made with a letter stating years of experience for employers, training and qualifications of the applicant for the review.

Sec. 26-304. ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING contractors license.

An ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING contractor license can only be issued to a company that has a master tradesman on staff and produces all documents and bond as outlined in division 5, subdivision 2 and pay the license fee as required by section 30-121.

Sec. 26-305. Bond.

No ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING license shall be issued until the contractor shall have filed with the city a license and permit bond in the amount of \$10,000.00 conditioned that he will observe the provisions of this Code and all other ordinances of the city and pay all taxes, license fees, other fees, and fines, penalties and forfeitures that may be adjudged against him under ordinances of the city.

Sec. 26-306. Liability insurance.

Each ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING contractor shall file an insurance certificate with the city certifying that he carries public liability insurance in an amount not less than \$300,000.00 combined single limits for bodily injury or property damage.

Sec. 26-307. Worker's compensation insurance.

Each ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING contractor shall file a certificate showing that he has worker's compensation insurance, if under the laws of the state he is required to carry such insurance.

Sec. 26-308. Issuance; examination.

A master trade card (or journeyman trade card) shall be issued to an applicant on his taking and passing an examination and obtaining a certificate of competency as outlined in Article-1, section 26-312 and paying the license fee required under section 30-121.

Sec. 26-309. Expiration.

Whenever a license required by this subdivision is allowed to expire, the provisions of section 26-311 may apply to the holder thereof.

Sec. 26-310. Suspension.

- (a) Generally. If any holder of a contractor's license shall violate any of the terms or provisions of this subdivision, the Building Official may suspend their license after a written notice of such suspension has been delivered to the license holder.
- (b) Notice; appeals. The notice contemplated by subsection (a) of this section shall be in writing. There shall be sufficient service thereof if it shall be deposited in the United States mail, directed to the last known address of the holder of the license. Such holder shall be entitled to appeal to the board of examiners from the ruling of the electrical inspector, which appeal may be informally taken, but in any case must be taken within ten days after the suspension of such license by the Building Official. The board of examiners shall provide full opportunity for the person whose license has been suspended to appear before it and show cause why his license should not be revoked.

Sec. 26-311. Requirements when contractor's license expires or is revoked.

If a contractor's license is allowed to expire, or is revoked as provided in this subdivision, the holder of such license shall be considered a new applicant for such license and shall be required to present a certificate of competency from the board.

Subdivision III. Certificate of Competency

Sec. 26-312. Required.

It shall be unlawful for any person to engage in the trade of performing ELECTRICAL, MECHANICAL, PLUMBING, and GAS work within the city without first taking a written examination and obtaining a certificate of competency from the board of examiners as either a journeyman or as an apprentice.

Sec. 26-313. Application.

Application for a certificate of competency shall be made to the Building Official or his designee. If a request for testing is required an application to the building trade board will be made with a letter stating years of experience for employers, training and qualifications of the applicant for the review.

Sec. 26-314. Fee.

- (a) Apprentice. The fee for the apprentice certificate required by section 26-312 shall be as set forth in section 30-121.

- (b) Journeyman. The fee for the journeyman certificate required by section 26-312 shall be as set forth in section 30-121.

Sec. 26-315. Examination.

- (a) The examination ELECTRICAL, MECHANICAL, PLUMBING, and GASFITTING contractors certificate of competency shall include a standard examination of the qualifications of the applicant for the particular classification of certificate desired.
- (b) The examination required under this subdivision shall be held within 30 days of an applicant's notice to the building official that he desires to be examined. If the building official shall find an applicant unqualified to obtain a certificate of competency, he shall not be entitled to reapply until the lapse of six months after the examination.

Sec. 26-316. Registration of apprentices.

Any apprentice tradesman commencing apprenticeship shall first register with the Building Trades board or the Building Department.

Sec. 26-317. Supervision of apprentices.

Nothing in this article shall be construed to prohibit the employment of apprentice tradesmen provided that no such apprentice shall do work except under the direct supervision of a journeyman, or master tradesman.

Sec. 26-318. Renewal; new certificate required when certificate expires or is revoked.

A tradesman's certificate of competency shall not be subject to renewal if he shall have failed to engage in his trade for more than one year after the issuance of the certificate. If a certificate is allowed to expire, or is revoked as provided in this subdivision, the holder of such certificate shall be considered a new applicant and shall be required to obtain a new certificate of competency from the board.

Sec. 26-319. Suspension.

- (a) Generally. If any holder of a certificate shall violate any of the terms or provisions of this article, his certificate may be suspended by the building official after notice to such holder of such certificate that the building official has suspended the certificate.
- (b) Notice; appeals. The provisions of section 26-218(b) regarding form and service of notice shall apply to the notice contemplated by subsection (a) of this section. Likewise, the provisions of such section regarding appeal and hearing before the board of examiners shall be in all respects applicable in the case of suspension of a certificate of competency.

Sec. 26-320. Journeyman Tradesman.

No Journeyman tradesman may perform work in the City of Joplin unless he is employed by or working under the supervision of a Licensed Master or a company that has a Licensed Master.

Section 7 That Section 26-543, Permit, of Article VIII, Moving Structures, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

ARTICLE VIII. MOVING STRUCTURES*

Sec. 26-543. Permit.

(a) Required. No person shall move any building or structure along or across any street or other highway within the corporate limits of the city without a permit therefor from the building official issued in accordance with the provisions of this article. No such permit shall be granted to any person except a licensed house mover.

(b) Application. All applications for permits to move buildings upon or across the streets or other highways of the city shall be made to the building official, and shall state the location of the building proposed to be moved, its greatest length, width and height, the principal material of its walls and roof, its proposed use in its new location, the dimensions of the lot onto which it is to be moved, and the depth of the front, side and rear yards, and shall show by diagram the proposed position or setting of the building on the lot, and shall also state definitely the route over which the building is proposed to be moved, the length of time required for removal and the proposed new location thereof.

(c) Investigation by building official. Before granting a permit required by this article, it shall be the duty of the building official to examine the building, the route over which it is proposed to be moved and the new location.

(d) Granting or denial. If the condition of a building desired to be moved, the character of such location, and the nature of the proposed route is such that the building can be moved with safety and in accordance with this article, and if the use to which the building is to be put in the new location and the height of the building, together with the width of the lot, area of front, side and rear yards and area per family, are sufficient to meet the requirements of the zoning ordinance, as amended, then the permit shall be granted, but otherwise the permit shall be refused.

(e) Fee. A moving building permit shall be issued as follows:

(1) On or across a public thoroughfare, except as provided in subsections (1) a and b, \$100.
a. Not exceeding 12 feet in width, 24 feet in length and 10 feet in height, \$25.00

(2) From one lot to another, without moving over a public thoroughfare or from one location on a lot to another location on the same lot, \$25.00

Section 8 That Section 26-591, Required, and Section 26-593, Fee, and Section 26-595, Permit; Bond, of Article IX, Demolition of Structures, of Chapter 26, Buildings and Building Regulations, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

ARTICLE IX. DEMOLITION OF STRUCTURES

DIVISION 2. LICENSE*

Sec. 26-591. Required.

Before any person shall engage in the business or work of the demolition of residences or other structures in the city, such person shall obtain a license as set forth in section 30-121 from the director of finance to engage in such business or work.

Sec. 26-593. Fee.

- (1) Fee. A demolition permit shall be issued as follows:
 - (a) Commercial Structure.....\$50.00
 - (b) Residential Structure.....\$25.00
 - (c) Accessory Structure.....\$10.00

Sec. 26-595. Permit; bond.

Any person obtaining a license under this division shall apply to the building official for a permit before engaging in the actual demolition of any structure; provided, however, that no permit shall be issued by the building official to any applicant for the demolition of any house, business building or other structure, or any part thereof, until a license and permit bond has been posted with the city, guaranteeing faithful performance of all codes and requirements pertaining to the demolition of buildings in the city. Such bond shall be for not less than \$10,000.

Section 9. That this ordinance shall become effective on June 1, 2008.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 5th day of May, 2008.

Gary L. Shaw, Mayor

ATTEST:

Barbara L Hogelin, City Clerk

APPROVED AS TO FORM:

Brian W Head, City Attorney

AMENDED COUNCIL BILL 2008-509 Continued