

TENTATIVE AGENDA
RAYTOWN BOARD OF ALDERMEN
OCTOBER 15, 2019
REGULAR SESSION NO. 12
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
7:00 P.M.

OPENING SESSION

Invocation/Pledge of Allegiance
Roll Call

Proclamations & Presentations

- ★ Proclamation for the Bahá'í Faith's Bicentenary

Public Comments
Communication from the Mayor
Communication from the City Administrator
Committee Reports

CLOSED SESSION

Notice is hereby given that the Mayor and Board of Aldermen may conduct a closed session, pursuant to the following statutory provisions:

- 610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys;

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular October 1, 2019 Board of Aldermen meeting minutes.

OLD BUSINESS

2. **SECOND READING: Bill No.: 6516-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE. Point of Contact: Ray Haydaripoor, Community Development Director.
3. **SECOND READING: Bill No.: 6517-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONSTRUCTION OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE. Point of Contact: Ray Haydaripoor, Community Development Director.

4. **SECOND READING: Bill No.: 6518-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.
5. **SECOND READING: Bill No.: 6519-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.
6. **SECOND READING: Bill No.: 6520-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.
7. **SECOND READING: Bill No.: 6521-19, Section XI. AN ORDINANCE** ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE, REGULATING AND GOVERNING THE INSTALLATION OF ELECTRICAL CONDUCTORS, EQUIPMENT, AND RACEWAYS; SIGNALING AND COMMUNICATIONS CONDUCTORS, EQUIPMENT, AND RACEWAYS; AND OPTICAL FIBER CABLES AND RACEWAYS LOCATION IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.
8. **SECOND READING: Bill No.: 6522-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, ESTABLISHING THE MINIMUM REGULATIONS FOR ENERGY EFFICIENT BUILDINGS USING PRESCRIPTIVE AND PERFORMANCE RELATED PROVISIONS OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY. Point of Contact: Ray Haydaripoor, Community Development Director.
9. **SECOND READING: Bill No.: 6523-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF FUEL GAS SYSTEMS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.
10. **SECOND READING: Bill No.: 6524-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCE, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES. Point of Contact: Ray Haydaripoor, Community Development Director.
11. **SECOND READING: Bill No.: 6525-19, Section XI. AN ORDINANCE** AMENDING CHAPTER 8, ARTICLE XI OF THE CITY CODE AND ADOPTING THE 2017 EDITION OF THE AMERICAN NATIONAL STANDARD FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.
12. **SECOND READING: Bill No.: 6526-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING THE MINIMUM MAINTENANCE REQUIREMENTS FOR EXISTING BUILDINGS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

NEW BUSINESS

13. **FIRST READING: Bill No.: 6527-19, Section XVII. AN ORDINANCE** AMENDING CHAPTER 28 OFFENSES AND NUISANCES, ARTICLE X, OFFENSES RELATING TO PUBLIC HEALTH AND SAFETY, DIVISION 2, CONTROLLED SUBSTANCES AND ALCOHOL, BY REPEALING AND RE-ENACTING SECTION 2-230 THROUGH SECTION 2-360 OF THE RAYTOWN MUNICIPAL CODE. Point of Contact: Randy Hudspeth, Interim Police Chief.

14. **FIRST READING: Bill No.: 6528-19, Section XVI. AN ORDINANCE** AMENDING CHAPTER 42, TRAFFIC AND MOTOR VEHICLES, ARTICLE XVI, STREET OBSTRUCTIONS OF THE RAYTOWN MUNICIPAL CODE. Point of Contact: Randy Hudspeth, Interim Police Chief.
15. **R-3243-19: A RESOLUTION** AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO REALLOCATE VARIOUS EXPENDITURES BETWEEN DESIGNATED FUNDS. Point of Contact: Russell Petry, Finance Director.
16. **R-3244-19: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF A COPIER FROM SUMNERONE OFF THE NATIONAL ASSOCIATION OF STATE PROCUREMENT CONTRACT IN AN AMOUNT NOT TO EXCEED \$13,054.51. Point of Contact: Damon Hodges, City Administrator.
17. **R-3245-19: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF A 2020 FORD F-250 TRUCK FROM SHAWNEE MISSION FORD OFF THE JOHNSON COUNTY, KANSAS COOPERATIVE PURCHASING CONTRACT IN AN AMOUNT NOT TO EXCEED \$30,950.00 AND AUTHORIZING AND APPROVING THE PURCHASE OF A SNOW PLOW ATTACHMENT IN AN AMOUNT NOT TO EXCEED \$5,971.00 FROM AMERICAN EQUIPMENT COMPANY OFF THE CITY OF KANSAS CITY, MISSOURI COOPERATIVE PURCHASING AGREEMENT IN A COMBINED AMOUNT NOT TO EXCEED \$36,921.00. Point of Contact: Damon Hodges, City Administrator.
18. **R-3246-19: A RESOLUTION** AUTHORIZING AND APPROVING THE EXPENDITURE OF ADDITIONAL FUNDS THROUGH CHANGE ORDER NO. 1 WITH SAK CONSTRUCTION, LLC RELATED TO THE INFILTRATION & INFLOW REDUCTION & REHABILITATION PROJECT, EAST SEWER BASIN IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR A TOTAL AMOUNT NOT TO EXCEED \$227,969.00. Point of Contact: Damon Hodges, City Administrator.

CLOSED SESSION

Notice is hereby given that the Mayor and Board of Aldermen may conduct a closed session, pursuant to the following statutory provisions:

- 610.021(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information relating to the performance or merit of an individual employee is discussed or recorded; and/or
- 610.021(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.

ADJOURNMENT

DRAFT

**MINUTES
RAYTOWN BOARD OF ALDERMEN
OCTOBER 1, 2019
REGULAR SESSION NO. 11
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
7:00 P.M.**

OPENING SESSION

Mayor Michael McDonough called the October 1, 2019 Board of Aldermen meeting to order at 7:03 p.m. and Alderman Bonnaye Mims provided the invocation and Boy Scout Troop 269 led the pledge of allegiance.

Roll

Roll was called by Teresa Henry, City Clerk, and the attendance was as follows:

Present: Alderman Bonnaye Mims, Alderman Frank Hunt, Alderman Derek Ward, Alderman Janet Emerson, Alderman Bill Van Buskirk, Alderman Greg Walters, Alderman Jim Aziere, Alderman Ryan Myers, Alderman Mary Jane Van Buskirk

Absent: Alderman Jason Greene

Proclamations & Presentations

Mayor McDonough presented the following:

Proclamation recognizing October as Breast Cancer Awareness Month
Presentation to Raytown Emergency Assistance Program

Alderman Bill Van Buskirk left the dais at 7:08 p.m.

Alderman Bill Van Buskirk returned to the dais at 7:11 p.m.

Public Comments

Comments were made by:

Tony Jacob, Raytown, MO

Communication from the Mayor

Mayor McDonough spoke on recent events and City business.

Communication from the City Administrator

Damon Hodges, City Administrator, provided an update on the City's current projects and plans.

Committee Reports

None

1. **CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular September 17, 2019 Board of Aldermen meeting minutes.

Approval of the Special September 24, 2019 Board of Aldermen meeting minutes.

Alderman Mary Jane Van Buskirk, seconded by Alderman Aziere, made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Mary Jane Van Buskirk, Aziere, Emerson, Ward, Hunt, Mims, Bill Van Buskirk, Walters, Myers

Nays: None

Absent: Alderman Greene

NEW BUSINESS

2. **FIRST READING: Bill No.: 6516-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

3. **FIRST READING: Bill No.: 6517-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONSTRUCTION OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

4. **FIRST READING: Bill No.: 6518-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

- FIRST READING: Bill No.: 6519-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

- FIRST READING: Bill No.: 6520-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

- FIRST READING: Bill No.: 6521-19, Section XI. AN ORDINANCE** ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE, REGULATING AND GOVERNING THE INSTALLATION OF ELECTRICAL CONDUCTORS, EQUIPMENT, AND RACEWAYS; SIGNALING AND COMMUNICATIONS CONDUCTORS, EQUIPMENT, AND RACEWAYS; AND OPTICAL FIBER CABLES AND RACEWAYS LOCATION IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

- FIRST READING: Bill No.: 6522-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, ESTABLISHING THE MINIMUM REGULATIONS FOR ENERGY EFFICIENT BUILDINGS USING PRESCRIPTIVE AND PERFORMANCE RELATED PROVISIONS OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

- FIRST READING: Bill No.: 6523-19, Section XI. AN ORDINANCE** ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF FUEL GAS SYSTEMS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

10. FIRST READING: Bill No.: 6524-19, Section XI. AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCE, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

11. FIRST READING: Bill No.: 6525-19, Section XI. AN ORDINANCE AMENDING CHAPTER 8, ARTICLE XI OF THE CITY CODE AND ADOPTING THE 2017 EDITION OF THE AMERICAN NATIONAL STANDARD FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

12. FIRST READING: Bill No.: 6526-19, Section XI. AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING THE MINIMUM MAINTENANCE REQUIREMENTS FOR EXISTING BUILDINGS IN THE CITY OF RAYTOWN. Point of Contact: Ray Haydaripoor, Community Development Director.

The ordinance was read by title only by Teresa Henry, City Clerk.

Ray Haydaripoor, Community Development Director, presented the item and remained for any discussion, along with Andy Boyd, Building Inspector.

The item was discussed.

Mayor McDonough called for a recess at 8:07 p.m.

Mayor McDonough reconvened the meeting at 8:20 p.m.

13. R-3241-19: A RESOLUTION AUTHORIZING AND APPROVING THE BUDGET OF THE CITY OF RAYTOWN FOR FISCAL YEAR 2019-2020. Point of Contact: Damon Hodges, City Administrator.

The resolution was read by title only by Teresa Henry, City Clerk.

Russ Petry, Finance Director, presented the item and remained for any discussion, along with Damon Hodges, City Administrator.

The item was discussed.

Alderman Myers, seconded by Alderman Mims, made a motion to adopt.

Discussion continued.

Alderman Walters made a motion to continue the item to the next meeting.

Discussion continued.

Alderman Aziere seconded Alderman Walter's motion. The motion failed by a vote of 2-6-1-1.

Ayes: Aldermen Walters, Aziere,

Nays: Aldermen Mims, Hunt, Emerson, Bill Van Buskirk, Myers, Mary Jane Van Buskirk

Absent: Alderman Greene

Abstain: Alderman Ward

Alderman Myers's motion to adopt was approved by a vote of 8-0-1-1.

Ayes: Aldermen Myers, Mims, Bill Van Buskirk, Hunt, Mary Jane Van Buskirk, Aziere, Emerson, Ward

Nays: None

Absent: Alderman Greene

Abstain: Alderman Walters

14. R-3242-19: A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR AUDIO-VISUAL EQUIPMENT AND SUPPLIES FROM DIGITAL ALLY, INC., IN AN AMOUNT NOT TO EXCEED \$25,325.00 FOR FISCAL YEAR 2018-2019. Point of Contact: Randy Hudspeth, Interim Police Chief.

The Resolution was read by title only by Teresa Henry, City Clerk.

Randy Hudspeth, Interim Police Chief, presented the item and remained for any discussion, along with Captain Michelle Rogers.

Alderman Bill Van Buskirk, seconded by Alderman Mims, made a motion to adopt.

Alderman Emerson recused herself from discussion of, and voting on, the item and left the dais at 9:04 p.m.

The item was discussed.

The motion was approved by a vote of 8-0-2.

Ayes: Aldermen Bill Van Buskirk, Mims, Walters, Hunt, Aziere, Myers, Mary Jane Van Buskirk, Ward

Nays: None

Absent: Aldermen Greene, Emerson

Alderman Myers, seconded by Alderman Mary Jane Van Buskirk, made a motion to adjourn. The motion was approved by a majority of those present.

ADJOURNMENT

The meeting adjourned at 9:05 p.m.

Teresa M. Henry, MRCC
City Clerk

CITY OF RAYTOWN
Request for Board Action

Date: September 26, 2019

Bill No.: 6516-19

To: Mayor and Board of Aldermen

Section No.: XI

From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding requested)

City Administrator Approval: _____

Action Requested: Approval of the 2018 version of the International Residential Code.

Recommendation: The Community Development Department recommends the adoption of the International Residential Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

In general, the 2018 International Residential Code governs detached one and two-family dwellings and townhouses that are not more than three stories above grade plane in height and have their own separate means of egress. Buildings that are accessory to these dwellings and townhouses such as garages and sheds, are also regulated by the Residential Code.

Analysis: Significant changes from the previously approved edition of the International Residential Code are:

- 1- Fire separation changes (double walls, and common walls with sprinkler system added).
- 2- Hazardous location change where safety glass in wall is adjacent to door.
- 3- Escape window deletion if building has a fire sprinkler.
- 4- Ramp slope change for egress door, adding "unless infeasible".
- 5- Exceptions for hard wired smoke detection in an existing building where certain work occurs.
- 6- Interconnection if one has multiple carbon monoxide detectors.
- 7- Roof mounted solar array requirements for weight loads, roof access and fire fighter access path.
- 8- Swimming pool barrier requirements moved to different code book.
- 9- Location of foundation anchor bolts on the sill plate.
- 10- New charts for deck column height vs. pier hole size and pier depths.
- 11- Stud changes for header installation.
- 12- Simplified wall bracing for buildings meeting certain conditions.
- 13- Dryer duct length labeling.
- 14- Gas shutoff valve location.
- 15- Electrical outlet required in each garage bay.
- 16- GFCI protection for crawl space lighting.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Residential Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Residential Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article V – Residential Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-136. - Residential code adopted; incorporated by reference.

The International Residential Code, 2018 edition, thereto published by the International Code Council, Inc., and its most current errata, is hereby adopted as the Residential Code of the City of Raytown (hereinafter the "residential code") as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 8-137.

Sec. 8-137. - Amendments to residential code.

The residential code adopted in section 8-136 is hereby amended in the following particulars:

Section R101.1 is amended to read as follows:

R101.1 *Title*. These regulations shall be known as the Residential Code for One- and Two-family Dwellings of the City of Raytown, and shall be cited as such and will be referred to herein as "this code."

Section 105.2 (Building #2) is amended to read as follows:

Fences not over 6 feet (1,828.8 mm) high.

Section 105.2 (Building #5) is amended to read as follows:

Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and that are not part of an accessible route. Driveways that are being expanded from the previous size, location, or driveways being changed from a previous unpaved surface to a hard surface drive for the first time require a permit.

Section 105.1.1 is added to read as follows:

License required. It shall be deemed a violation of this code for any person, firm or organization to perform for hire, occupation or business, the act of installation, alteration or repair of an electrical, plumbing, fuel gas or H.V.A.C. systems or components thereof, without lawful possession of a master craftsman's license for the same.

Section 105.1.2 is added to read as follows:

Who may be licensed and receive permits. A person whose competency in the installation, alteration and repair of Electrical, Plumbing, Fuel Gas or H.V.A.C. systems, as regulated by the code, has been satisfactorily demonstrated by examination or degree based on other documents, as prescribed in this code, and therefore deemed qualified a master in the respective trade may be licensed as a master mechanical, plumbing or electrical craftsman, provided the business or the master is otherwise licensed in conformance with occupation licensing provisions of chapter 10 of the Code of Ordinances of the City of Raytown. Such license holders are considered responsible for the works outlined on the permit application and shall directly or indirectly supervise the workers in or with his/her employment. A permit for any electrical, plumbing, fuel gas or H.V.A.C. business can only be issued when a master mechanical, electrical or plumbing craftsman license holder is employed by, or is owner of the business and is designated on the permit application. The master craftsman's position within such business shall be such that he/she has the authority to direct the work performed under such permits, as they relate to standards defined by this code. In the event a master license holder's position is terminated by a business during the period a permit is active, all permits, which are nontransferable, become null and void.

Exception. No master craftsman license shall be required for owners of record actually conducting work in or upon their own homes in which they reside.

Section 105.8.2 is added to read as follows:

Licensing. The building official may issue a master craftsman's license to any person establishing satisfactory evidence of the possession of a comparable, valid license issued by another entity, which has established licensing regulations at least comparable to those of this jurisdiction. Upon issuance of a master craftsman license by the building official, said license shall be valid for a period of one year or two years from the date of issuance.

Table R301.2(1) is amended to read as follows:

Ground snow load	=	20
Wind Design Speed	=	115 mph
Topographic Effects	=	NO
Special wind region	=	NO
Windborne debris zone	=	NO
Seismic Design Category	=	A
Weathering	=	Severe
Frost Line Depth	=	36"
Termite	=	Moderate
Winter Design Temp	=	6
Ice Barrier Underlayment Required	=	YES
Flood Hazards	=	January 20, 2017
Air Freezing Index	=	950
Mean Annual Temp	=	54

Section R302.5.1 shall be amended to read as follows:

Opening Protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors, equipped with a self-closing or automatic-closing device.
Exception: Attic-access openings

Section R303.4 is hereby deleted.

Section R313 is hereby deleted.

Section N1101.1 through N1101.8 are deleted.

Table N1102.1.1. Under Climate Zone 4, amend the following item:

'Wood Frame Wall R-Value' — 13 (Remainder of table unamended.)

Table N1102.1.3. Under Climate Zone 4, amend the following item:

'Wood Frame Wall U-Factor' — 0.082 (Remainder of table unamended.)

Section N1102.4.1.2 shall be amended as follows:

Testing. Building leakage testing shall be conducted where required by the building official. Where required by the building official, the testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope. Effective January 1, 2014, the building or dwelling unit shall have an air leakage rate of not exceeding 5 air changes per hour when tested with a blower door at a pressure of 0.2 inches w.g. (50 Pascals).

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather stripping or other infiltration control measures;
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and,
6. Supply and return registers, if installed at the time of the test, shall be fully open.

Section P2904 is hereby deleted.

Section E3902.12 shall be amended to read as follows:

Arc-fault circuit-interrupter protection. All branch circuits that supply 120-volt, single-phase, 15- and 20-ampere outlets installed in bedrooms shall be protected by a combination type arc-fault circuit interrupter installed to provide protection of the entire branch circuit.

P2603.5.1 shall be amended to read as follows:

Building sewers. Building sewers shall be installed as required by the appropriate authority having jurisdiction.

Chapter 44 has been added to read as follows:

Section 4401 *Outdoor swimming pool barrier requirements.* An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa, shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow the passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.

4. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.

5. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 2 1/4-inch (57 mm) square, unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than 1 3/4 inches (44 mm).

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1 3/4 inches (44 mm).

8. Access gates shall comply with the requirements of Items 1 through 7 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates, other than pedestrian access gates, shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and

8.2. The gate and barrier shall have no opening larger than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346;

9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:

10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or

10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter (102 mm) sphere.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IRC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019

Bill No.: 6517-19

To: Mayor and Board of Aldermen

Section No.: XI

From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding IS requested)

City Administrator Approval: _____

Action Requested: Approval of the 2018 version of the International Building Code.

Recommendation: The Community Development Department recommends the adoption of the International Building Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

In general, the 2018 International Building Code regulates the nonstructural and structural provisions for the commercial building industry. This technical code establishes minimum regulations for building systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new building designs. The International Building Code is designed to be compatible with the entire family of international codes. The principles used to develop this code were based on the intent to establish provisions consistent with the scope of a building code that adequately protects public health, safety, and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, production or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Analysis: Significant changes from the previously approved edition of the International Building Code are:

- 1- Certain occupancy changes now require a new Certificate of Occupancy be issued.
- 2- Added definitions of greenhouses, and definition clarifications for private garages, repair garages, sleeping rooms, etc.
- 3- Classification additions for outdoor areas, food processing facilities, and assembly and mercantile use of greenhouses.
- 4- Atrium and mezzanine smoke control changes seem to happen every code cycle due to the openness, height, and types of buildings atriums and mezzanines are used in.
- 5- Institutional occupancies, such as Alzheimer's units, psychiatric areas, jails, etc, also are updated often to combat fire and smoke control when occupants are unable to exit buildings without assistance.
- 6- Storm shelter area construction, and capacity calculations for educational occupancies.
- 7- Changes to the fire protection of structural roof members.
- 8- In corridor ductwork penetrations, dampers are mandatory in some situations that previously hadn't been required.
- 9- Additional fire sprinkler coverage protection in attics of multi-family residential occupancies with a residential type fire sprinkler system.
- 10- Stove fire protection for dormitories.

- 11- Occupant load calculation changes in some occupancies based on exit discharge floor, travel distance and exit separation.
- 12- Educational and business occupancies door locking arrangement changes for active shooter situations.
- 13- Hotels are required to have “low level” exit signs installed along the path of exiting, so patrons without knowledge of building can find the exit in case of a heavy smoke incident.
- 14- Changes in the structural calculations of installing solar array on rooftops.
- 15- Handicap accessibility changes in recreational facilities and churches.
- 16- Smoke venting changes in elevators, elevator lobbies and fire service access areas.
- 17- Chapter for existing buildings has been completely moved to the existing building code.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONSTRUCTION OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Building Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Building Code by reference, subject to the amendments set forth herein;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – BUILDING REGULATIONS – IN GENERAL. That Chapter 8, Buildings and Building Regulations, Article I – In General, is hereby deleted in its entirety and replaced with the following:

Sec. 8-1. - Preservation of suits, proceedings, rights, remedies and liabilities.

Nothing in this chapter or in any code adopted in this chapter shall be construed to affect any suit or proceeding pending in court; nor shall any cause of action or any rights existing under contract, or under any other act or ordinance, or otherwise, be acquitted or acquired or liability incurred; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter or any code adopted in this chapter.

Sec. 8-2. - Effect of conflict of provisions with zoning code.

In the event of any conflict between this chapter and the provisions of any other applicable law, ordinance, resolution, rule or regulation of the city, the more restrictive or higher standard shall govern. The regulations of this chapter are not intended to permit any violation of the provisions of the city's zoning regulations or any other lawful ordinance.

Sec. 8-3. - Effect of conflict with other laws.

In the event of any conflict between this article and the construction codes adopted by the city or the fire ordinances of the fire protection district, the more restrictive or higher standard shall govern.

Sec. 8-4. - Plans and specifications to comply with ordinances of fire district.

(a) Plans and applications for construction other than construction regulated in the 2018 International Residential Code shall comply with the Raytown Fire Protection District regulations before permits are issued.

(b) The building official may make exceptions to the foregoing for minor work not regulated by the fire protection district.

Sec. 8-5. - Fees.

Fees for issuance of permits, certificates, and other services authorized by this chapter shall be in the amount provided in the city's schedule of fees and charges.

SECTION 2 - BUILDING CODE. That Chapter 8, Buildings and Building Regulations, Article II – Building Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-29. - Building code adopted; incorporated by reference.

The International Building Code, 2018 edition, thereto published by the International Code Council, Inc., and its most current errata, is hereby adopted as the Building Code of the City of Raytown (hereinafter the "building code") as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 8-30.

Section. 8-30. - Amendments to building code.

The building code adopted in section 8-29 is hereby amended in the following particulars:

Section 101.1 is amended to read as follows:

Title. These regulations shall be known as the Building Code of The City of Raytown, herein after referred to as "this code."

Section 101.4.8 is added to read as follows:

101.4.8 *Electrical.* The provisions of the 2017 National Electrical Code shall apply to all electrical construction, alterations, relocations, enlargements, replacements, repair and equipment related to electrical installations.

Section 105.2 (Building #6) is amended to read as follows:

105.2(6) *Building.* Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and that are not part of an accessible route. Driveways that are being expanded from the previous size, location, or driveways being changed from a previous unpaved surface to a hard surface drive for the first time require a permit.

Section 105.8 is added to read as follows:

License required, criteria.

License required. It shall be deemed a violation of this code for any person, firm or organization to perform for hire, occupation or business, the act of installation, alteration or repair of an electrical, plumbing, fuel gas or H.V.A.C. systems or components thereof, without lawful possession of a master craftsman's license for the same.

Section 105.8.1 is added to read as follows:

Who may be licensed and receive permits. A person whose competency in the installation, alteration and repair of Electrical, Plumbing, Fuel Gas or H.V.A.C. systems, as regulated by the code, has been satisfactorily demonstrated by examination or degree based on other documents, as prescribed in this code, and therefore deemed qualified a master in the respective trade may be licensed as a master mechanical, plumbing or electrical craftsman, provided the business or the master is otherwise licensed in conformance with occupation licensing provisions of Chapter 10 of the Code of Ordinances of the City of Raytown. Such license holders are considered responsible for the works outlined on the permit application and shall directly or indirectly supervise the workers in or with his/her employment. A permit for any electrical, plumbing, fuel gas or H.V.A.C. business can only be issued when a master mechanical, electrical or plumbing craftsman license holder is employed by, or is owner of the business and is designated on the permit application. The master craftsman's position within such business shall be such that he/she has the authority to direct the work performed under such permits, as they relate to standards defined by this code. In the event a master license holder's position is terminated by a business during the period a permit is active, all permits, which are nontransferable, become null and void.

Section 105.8.2 is added to read as follows:

Licensing. The building official may issue a master craftsman's license to any person establishing satisfactory evidence of the possession of a comparable, valid license issued by another entity, which has established licensing regulations at least comparable to those of this jurisdiction. Upon issuance of a master craftsman license by the building official, said license shall be valid for a period of one year or two years from the date of issuance.

Section 903.2.1.1 is amended to read as follows:

Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (465m²) (1115 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies;
4. The structure exceeds two (2) stories above grade plane or thirty (30) feet in height above grade; or
5. The fire area contains a multitheater complex.

Section 903.2.1.3 is amended to read as follows:

Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (465 m²) (1115 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds two (2) stories above grade plane or thirty (30) feet in height above grade.

Section 903.2.3 is amended to read as follows:

Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m²) in area.
2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.
Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.
3. The Group E fire area has an occupant load of 300 or more.
4. The structure exceeds two (2) stories or thirty (30) feet in height.

Section 903.2.7 is amended to read as follows:

Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet (465 m²) (1115 m²);
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).
5. The structure exceeds two (2) stories or thirty (30) feet in height.

Section 903.2.9 is amended to read as follows:

[F] 903.2.9 *Group S-1.* An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 7,500 square feet (698 m²).
2. A Group S-1 fire area is located more than two stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 15,000 square feet (1395 m²).
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

Section 904.3.5 shall be amended to read as follows:

904.3.5 *Monitoring:* All fire alarm and detection systems shall be monitored by an approved central station as defined in NFPA 72. A UL Certificate or FM Placard, in accordance with the 2002 Edition of NFPA 72 Chapter 8, shall be issued by the UL Listed or FM Approved prime contractor for all newly installed required fire alarm systems. This certificate shall be displayed in a location to be determined by the Fire Code Official. This regulation shall apply to all newly installed fire alarm systems with an installation permit issued on or after October 23, 2007. An existing required fire alarm system wherein the control panel is to be replaced shall be considered newly installed for the purposes of this section. An existing required fire alarm system wherein additional functions are added to the system shall be considered newly installed for the purposes of this section. The fire prevention

division shall maintain a listing of local UL Listed or FM Approved prime contractors. Central station service in full compliance with the 2002 Edition of NFPA 72 Chapter 8 shall be maintained at the protected property, so long as the requirement for the fire alarm system exists.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

Section 907.9 is added to read as follows:

907.9 Monitoring: All fire alarm and detection systems shall be monitored by an approved central station as defined in NFPA 72. A UL Certificate or FM Placard, in accordance with the 2002 Edition of NFPA 72 Chapter 8, shall be issued by the UL Listed or FM Approved prime contractor for all newly installed required fire alarm systems. This certificate shall be displayed in a location to be determined by the Fire Code Official. This regulation shall apply to all newly installed fire alarm systems with an installation permit issued on or after October 23, 2007. An existing required fire alarm system wherein the control panel is to be replaced shall be considered newly installed for the purposes of this section. An existing required fire alarm system wherein additional functions are added to the system shall be considered newly installed for the purposes of this section. The fire prevention division shall maintain a listing of local UL Listed or FM Approved prime contractors. Central station service in full compliance with the 2002 Edition of NFPA 72 Chapter 8 shall be maintained at the protected property, so long as the requirement for the fire alarm system exists.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

Section 1507.1.2 is amended to read as follows:

1507.1.2 Ice barriers. An ice barrier shall be installed for asphalt shingles, metal roof shingles, mineral-surfaced roll roofing, slate and slate-type shingles, wood shingles, and wood shakes. The ice barrier shall consist of not less than two layers of underlayment cemented together, or a self-adhering polymer modified bitumen sheet shall be used in place of normal underlayment and extend from the lowest edges of all roof surfaces to a point not less than 24 inches (610 mm) inside the exterior wall line of the building.

Exception: Detached accessory structures that do not contain conditioned floor area.

Section 1612.3 is amended to read as follows:

1612.3 *Establishment of flood hazard areas.* To establish flood hazard areas, the applicable governing authority 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 Raytown Missouri," dated January 20, 2017, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) 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 1809.5 (1) is amended to read as follows:

Section 1805.5 (1) Extending below the frost line of the locality, which is 36 inches below grade.

Section 3303.8 is added to read as follows:

The Building Official may require that a fence be constructed on or around any demolition or construction site, where deemed necessary to protect the public.

SECTION 3 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IBC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 4 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 6 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019

Bill No.: 6518-19

To: Mayor and Board of Aldermen

Section No.: XI

From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding requested)

City Administrator Approval: _____

Action Requested: Approval of the 2018 version of the International Existing Building Code.

Recommendation: The Community Development Department recommends the adoption of the International Existing Building Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

This comprehensive existing building code establishes minimum regulations for existing buildings using prescriptive and performance-related provisions. It is founded on broad-based principals intended to encourage the use and reuse of existing buildings while requiring reasonable upgrades and improvements.

Analysis: Significant changes from the previously approved edition of the International Existing Building Code are:

- 1- Structural components damaged by snow events must be repaired assuming snow loads for new buildings from the IBC.
- 2- A new exception is added for loading of existing structural elements next to an addition in buildings designed using the IRC.
- 3- When a work area includes more than half the building in an alteration, wall anchors must be installed at the roof line along reinforced concrete and masonry walls.
- 4- Where storm shelters are required in Educational occupancies, any addition to such existing occupancies where the occupant load of the addition is 50 or more will trigger the construction of a storm shelter.
- 5- Carbon Monoxide provisions have been added.
- 6- Single exit buildings and spaces under Alteration Levels 2 and 3 have been modified to be more consistent with the IBC.
- 7- The Alterations Level 2 requirement that water for automatic fire sprinkler system be available at the floor of alteration without the need for a fire pump has been moved to Chapter 9 for Alterations Level 3.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS IN THE CITY OF RAYTOWN

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Existing Building Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Existing Building Code by reference, subject to the amendments set forth herein;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article IX – Existing Building Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-242. - Existing Building code adopted, incorporation by reference.

The International Existing Building Code, 2018 Edition, as published by the International Code Council, Inc., are hereby adopted as the Existing Building Code of the City of Raytown in the State of Missouri (hereinafter the “Existing Building code”) and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 8-243.

Sec. 8-243. - Amendments to existing building code.

The International Existing Building Code, 2018 edition, adopted in section 8-242, is hereby amended in the following respects:

Section 101.1 is amended to read as follows:

Title. These regulations shall be known as the Existing Building Code of the City of Raytown, hereinafter referred to as “this code.”

Section 105.2 (Building #1) is amended to read as follows:

Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and that are not part of an accessible route. Driveways that are being expanded from the previous size, location, or driveways being changed from a previous unpaved surface to a hard surface drive for the first time require a permit.

Section 105.1.3 is added to read as follows:

Craftsman licensing. The criteria for the requirements of a Master Craftsman License are those criteria and procedures established in Section 105.1.2 of the 2018 International Residential Code amendments, and Section 105.8.1 of the 2018 International Building Code amendments.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IEBC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

APPROVED AS TO FORM:

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019

Bill No.: 6519-19

To: Mayor and Board of Aldermen

Section No.: XI

From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Approval of the 2018 version of the International Mechanical Code.

Recommendation: The Community Development Department recommends the adoption of the International Mechanical Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

The International Mechanical Code is designed to regulate new commercial construction. This code addresses the design and installation of mechanical systems through requirements emphasizing performance. This comprehensive mechanical code establishes minimum regulations for mechanical systems using prescriptive and performance-related provisions.

Analysis: Significant changes from the previously approved edition of the International Mechanical Code are:

- 1- Added coverage of pollution control units.
- 2- A new exception was added to recognize Type I kitchen hoods listed for clearances to combustibles of less than 18 inches.
- 3- Added coverage for a newer type of non-metallic duct, phenolic duct.
- 4- New coverage for high volume large diameter fans (HVLD), also referred to as high volume low speed (HVLS) fans.
- 5- Relaxed requirements for sealing of duct joints and seams for Snap- and Button-lock duct joints located within the thermal envelope.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF RAYTOWN

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Mechanical Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Mechanical Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article VII – Mechanical Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-191. - Mechanical code adopted, incorporated by reference.

The International Mechanical Code, 2018 Edition, as published by the International Code Council, Inc., and its most current errata, is hereby adopted as the Mechanical Code of the City of Raytown in the State of Missouri (hereinafter the “mechanical code”) and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 8-192.

Sec. 8-192. - Amendments to mechanical code.

The mechanical code adopted in section 8-191 is hereby amended in the following particulars:

Section 101.1 is amended to read as follows:

Title. These regulations shall be known as the Mechanical Code of the City of Raytown, hereinafter referred to as “this code.”

Section 106.5.2 is amended to read as follows:

Fee schedule. Fees shall be set by resolution of the governing body.

Section 106.5.3 is hereby deleted.

Section 108.4 is amended to read as follows:

Violation penalties. Persons who 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 mechanical 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 in accordance with Section 1-22 of the code of ordinances.

Section 108.5 is amended to read as follows:

Stop work orders. Any person who shall continue any work 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 in accordance with Section 1-22 of the code of ordinances.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IMC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

APPROVED AS TO FORM:

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019

Bill No.: 6520-19

To: Mayor and Board of Aldermen

Section No.: XI

From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Approval of the 2018 version of the International Plumbing Code.

Recommendation: The Community Development Department recommends the adoption of the International Plumbing Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

The International Plumbing Code is designed to regulate plumbing systems in new commercial construction. This code addresses the design and installation of plumbing systems through requirements emphasizing performance. This comprehensive plumbing code establishes minimum regulations for plumbing systems using prescriptive and performance-related provisions.

Analysis: Significant changes from the previously approved edition of the International Plumbing Code are:

- 1- Updated table for the Minimum Number of Required Plumbing Fixtures.
- 2- Single-user toilet facilities (a room having a single water closet and a single lavatory) are not required to be labeled for use by only a male or female (separated use designations).
- 3- Solar thermal water heating systems need to conform to the ICC 900/SRCC 300 standard.
- 4- Well systems are required to comply with standard NGWA-01 where local requirements do not cover subject matter or are lacking in detail on others.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF RAYTOWN

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Plumbing Code, was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Plumbing Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article IV – International Plumbing Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-110. - Plumbing code adopted, incorporation by reference.

The International Plumbing Code, 2018 Edition, as published by the International Code Council, Inc., are hereby adopted as the Plumbing Code of the City of Raytown in the State of Missouri (hereinafter the “plumbing code”) and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 8-111.

Sec. 8-111. - Amendments to plumbing code.

The plumbing code adopted in section 8-110 is hereby amended in the following particulars:

Section 101.1 is amended to read as follows:

Title. These regulations shall be known as the Plumbing Code of the City of Raytown, hereinafter referred to as “this code.”

Section 106.6.2 is amended to read as follows:

Fee schedule. Fees shall be set by resolution of the governing body.

Section 106.6.3 is hereby deleted.

Section 108.4 is amended to read as follows:

Violation penalties. Persons who 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 mechanical 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 in accordance with Section 1-22 of the code of ordinances.

Section 108.5 is amended to read as follows:

Stop work orders. Any person who shall continue any work 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 in accordance with Section 1-22 of the code of ordinances.

Section 305.4.1 is amended to read as follows:

Sewer Depth. Building sewers that connect to private sewage disposal systems shall be installed not less than a minimum of 24 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 24 inches below grade.

Section 701.2.1 is added to read as follows:

Sewer availability. The public sewer may be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto, is located more than two hundred (200) feet (60.8 m) from any proposed building or exterior drainage facility on any lot or premises which abuts and is served by such public sewer.

Section 701.3 is amended to read as follows:

Separate sewer connection. Every building having plumbing fixtures installed and intended for human habitation, occupancy or use on premises abutting on a street, alley or easement in which there is a public sewer shall have a separate connection with the sewer. Where located on the same lot, multiple buildings shall be prohibited from connecting to a common building sewer that connects to the public sewer.

Exception: A legal, non-habitable structure, clearly used as an accessory structure to the main occupancy may have a combined building sewer.

Section 903.1 shall be amended to read as follows:

Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 12 inches (304 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IPC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

APPROVED AS TO FORM:

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019
To: Mayor and Board of Aldermen
From: Ray Haydaripoor, Community Development Director

Bill No.: 6521-19
Section No.: XI

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____



Action Requested: Approval of the 2017 version of the National Electric Code.

Recommendation: The Community Development Department recommends the adoption of the National Electrical Code, 2017 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

This proposed code covers the installation of electrical conductors, equipment, and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways in the City of Raytown.

Analysis: Significant changes from the previously approved edition of the National Electric Code are:

- 1- Arc flash and shock hazard labeling requirements.
- 2- Changes made for using reconditioned equipment.
- 3- New provisions to address limited access areas, such a crawl spaces or suspended ceilings.
- 4- Measurements of "peninsular" countertop spaces to determine exactly when an electrical outlet may be needed.
- 5- Revisions to the overhead service conductor supports over buildings to require electrical bonding.
- 6- Changes for when an in-ground pool structure and reinforcing steel may be used as a grounding electrode.
- 7- A new sub-section was added to address new technology incorporating listed power supply devices for attachment to outlet boxes.
- 8- New specific requirements for installing conductors in parallel in auxiliary gutters to minimize inductive heating effects.
- 9- A new "wire type" conduit to prevent physical damage of metallic raceway systems installed on roofs.
- 10- Modifications of electrical requirements in patient care spaces where an electrical failure could cause injury to the patients, staff or visitors.
- 11- Changes to the labeling requirements for "Photovoltaic" (Solar) arrays, as well as the wiring must be listed specifically for use in a PV application.
- 12- New article for Energy Storage Systems (ESS). These regulations would apply to batteries, flow batteries, capacitors, and kinetic energy devices.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE, REGULATING AND GOVERNING THE INSTALLATION OF ELECTRICAL CONDUCTORS, EQUIPMENT, AND RACEWAYS; SIGNALING AND COMMUNICATIONS CONDUCTORS, EQUIPMENT, AND RACEWAYS; AND OPTICAL FIBER CABLES AND RACEWAYS LOCATION IN THE CITY OF RAYTOWN

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2017 Edition of the National Electrical Code, including all appendices, as published by the National Fire Protection Association was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2017 Edition of the National Electrical Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – ADOPTION OF NATIONAL ELECTRICAL CODE. That Chapter 8, Buildings and Building Regulations, Article III – Electric Code, Section 8-81 is hereby deleted in its entirety and replaced with the following:

Sec. 8-81. – National Electrical Code adopted; incorporated by reference.

The National Electrical Code, 2017 Edition, including the tables, prepared by the National Electrical Code Committee and published by the National Fire Protection Association, is hereby adopted as the Electrical Code of the City of Raytown (hereinafter the “electrical code”) as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 8-83 hereof.

SECTION 2 – PLANS AND SPECIFICATION. That Chapter 8, Buildings and Building Regulations, Article III – Electric Code, Section 8-82 is hereby deleted in its entirety and replaced with the following:

Sec. 8-82. - Plans and specifications to comply with ordinances of fire district.

- (a) Plans and applications for construction other than construction regulated in the 2018 International Residential Code shall comply with the Raytown Fire Protection District regulations before permits are issued.
- (b) The building official may make exceptions to the foregoing for minor work not regulated by the fire protection district.

SECTION 3 – AMENDMENTS TO THE ELECTRICAL CODE. That Chapter 8, Buildings and Building Regulations, Article III – Electric Code, Section 8-83 is hereby deleted in its entirety and replaced with the following:

Sec. 8-83. - Amendments to electrical code.

The electrical code adopted in section 8-81 is hereby amended in the following particulars: Article 230.1.1 is added to read as follows:

Overhead Wiring Methods Prohibited. Any other provision of this code notwithstanding, overhead wiring is hereby prohibited.

Exception.

Existing overhead wiring installations may have their use continued, if such installation was legal at the time of the adoption of this code, provided such continued use is not dangerous to life.

By special permission from the Building Official, overhead wiring methods may be permitted provided the equipment necessary to provide such service underground is unavailable.

SECTION 4 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the NEC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 5 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 7 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019 **Bill No.:** 6522-19
To: Mayor and Board of Aldermen **Section No.:** XI
From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____



Action Requested: Approval of the 2018 version of the International Energy Conservation Code.

Recommendation: The Community Development Department recommends the adoption of the International Energy Conservation Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

The 2018 International Energy Conservation Code is a model code that regulates minimum energy conservation requirements for new buildings. The IECC addresses energy conservation requirements for all aspects of energy uses in commercial construction, including heating and ventilating, lighting, water heating, and power usage for appliances and building systems.

Analysis: Significant changes from the previously approved edition of the International Energy Conservation Code:

- 1- Revisions to interior and exterior lighting power budgets and better clarity for lighting controls.
- 2- New limits on heated or cooled vestibules.
- 3- Mechanical provisions reorganized based on equipment type rather than design methodology.
- 4- The Energy Rating Index compliance alternative index values have been increased slightly.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, ESTABLISHING THE MINIMUM REGULATIONS FOR ENERGY EFFICIENT BUILDINGS USING PRESCRIPTIVE AND PERFORMANCE RELATED PROVISIONS OF ALL BUILDINGS AND STRUCTURES WITHIN THE CITY

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Energy Conservation Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Energy Conservation Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article X – Energy Conservation Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-253. - Energy Conservation code adopted, incorporated by reference.

The International Energy Conservation Code, 2018 edition, thereto published by the International Code Council, Inc., is hereby adopted as the Energy Conservation Code of the City of Raytown (hereinafter the “energy conservation code”) as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in Section 8-257 hereof.

Sec. 8-254. - Preservation of suits, proceedings, rights, remedies and liabilities.

Nothing in this shall be construed to affect any suit or proceeding pending in court; nor shall any cause of action or any rights existing under contract, or under any other act or ordinance, or otherwise, be acquitted or acquired or liability incurred; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Sec. 8-255. - Effect of conflict with other requirements of the city.

In the event of any conflict between this article and the provisions of any other applicable law, ordinance, resolution, rule or regulation of the City, the more restrictive or higher standard shall govern. The regulations of this article are not intended to permit any violation of the provisions of the zoning ordinance or any other lawful ordinance.

Sec. 8-256. - Effect of conflict with other laws.

In the event of any conflict between this article and other adopted construction codes, the more restrictive or higher standard shall govern.

Sec. 8-257. – Amendments to energy conservation code.

Section C101.1 is amended to read as follows:

C101.1 *Title.* This code shall be known as the Energy Conservation Code of the City of Raytown and shall be cited as such. It is referred to herein as “this code”.

Section C101.4.1 is amended to read as follows:

C101.4.1 *Mixed occupancy.* Where a building includes both residential building and commercial building portions, each portion shall be separately considered and meet the applicable provisions of International Energy Conservation Code—Commercial Provisions or the International Residential Code for residential provisions.

Section C 101.5 is amended to read as follows:

Section C-101.5 *Compliance.* Residential buildings shall meet the provisions of the 2018 International Residential Code. Commercial buildings shall meet the provisions of 2018 International Energy Conservation Code – Commercial Provisions.

Section C406 is hereby deleted in its entirety.

Section C408 is hereby deleted in its entirety.

Table C402.2 is amended to read as follows:

Table C402.2 Amend “wood framed walls” to R-13 Remainder of table remains unchanged.

Chapter 4 is hereby deleted.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IECC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019
To: Mayor and Board of Aldermen
From: Ray Haydaripoor, Community Development Director

Bill No.: 6523-19
Section No.: XI

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____



Action Requested: Approval of the 2018 version of the International Fuel Gas Code.

Recommendation: The Community Development Department recommends the adoption of the International Fuel Gas Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

This code addresses the design and installation of fuel gas systems and gas fired appliances through requirements emphasizing performance. This code regulates fuel gas piping and gas fired appliances in new construction. The provisions for fuel gas piping are no longer covered in the plumbing code.

Analysis: Significant changes from the previously approved edition of the International Fuel Gas Code are:

- 1- A new Section was added to recognize arc resistant CSST products.
- 2- The code now allows Schedule 10 steel pipe to be used, whereas previously, Schedule 40 was the lightest steel pipe material allowed.
- 3- The code clarifies that appliance shutoff valves located behind movable appliances, such as ranges and clothes dryers, are provided with the required access.
- 4- The code now calls for the plastic vent pipe material to be labeled as complying with the standards for the specific pipe material as called out by the manufacturer.
- 5- The clearances between direct-vent appliance vent terminals and openings in the building exterior that could allow combustion products to enter the building have been revised.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, INSTALLATION, REPAIR, USE OR MAINTENANCE OF FUEL GAS SYSTEMS IN THE CITY OF RAYTOWN

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Fuel Gas Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Fuel Gas Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article VI – Fuel Gas Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-160. - Fuel Gas Code adopted, incorporation by reference.

The International Fuel Gas Code, 2018 Edition, as published by the International Code Council, Inc., are hereby adopted as the Fuel Gas Code of the City of Raytown in the State of Missouri (hereinafter the “fuel gas code”) and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 8-161.

Section 8-161. Amendments to fuel gas code.

The International Fuel Gas Code, 2018 edition, adopted in section 8-160, is hereby amended in the following particulars:

Section 101.1 is amended to read as follows:

Title. These regulations shall be known as the Fuel Gas Code of the City of Raytown, hereinafter referred to as “this code.”

Section 106.6.2 is amended to read as follows:

Fee schedule. Fees shall be set by resolution of the governing body.

Section 106.5.3 is hereby deleted.

Section 108.4 is amended to read as follows:

Violation penalties. Persons who 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 mechanical 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 in accordance with Section 1-22 of the code of ordinances.

Section 108.5 is amended to read as follows:

Stop work orders. Any person who shall continue any work 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 in accordance with Section 1-22 of the code of ordinances.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IFGC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

ATTEST:

Michael McDonough, Mayor

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019
To: Mayor and Board of Aldermen
From: Ray Haydaripoor, Community Development Director

Bill No.: 6524-19
Section No.: XI

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Approval of the 2018 version of the International Fire Code.

Recommendation: The Community Development Department recommends the adoption of the International Fire Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

This comprehensive fire code establishes minimum regulations for fire prevention and fire protection systems using prescriptive and performance-related provisions. It is founded on broad-based principals that make possible the use of new materials and new system designs. This edition is fully compatible with the other International codes. This code is founded on principles intended to establish provisions consistent with the scope of a fire code that adequately protects public health, safety and welfare: provisions that do not unnecessarily increase construction costs: provisions that do not restrict the use of new materials, products or methods of construction: and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Analysis: Significant changes from the previously approved edition of the International Fire Code:

- 1- Certain occupancy changes now require a new Certificate of Occupancy be issued.
- 2- Added definitions of greenhouses, and definition clarifications for private garages, repair garages, sleeping rooms, etc.
- 3- Classification additions for outdoor areas, food processing facilities, and assembly and mercantile use of greenhouses.
- 4- Atrium and mezzanine smoke control changes seem to happen every code cycle due to the openness, height, and types of buildings atriums and mezzanines are used in.
- 5- Institutional occupancies, such as Alzheimer's units, psychiatric areas, jails, etc., also are updated often to combat fire and smoke control when occupants are unable to exit building without assistance.
- 6- Storm shelter area construction, and capacity calculations for educational occupancies.
- 7- Changes to the fire protection of structural roof members.
- 8- In corridor ductwork penetrations, dampers are mandatory in some situations that previously hadn't been required.
- 9- Additional fire sprinkler coverage protection in attics of multi-family residential occupancies with a residential type fire sprinkler system.
- 10- Stove fire protection for dormitories.
- 11- Occupant load calculation changes in some occupancies based on exit discharge floor, travel distance and exit separation.

- 12- Educational and business occupancies door locking arrangement changes for active shooter situations.
- 13- Hotels are required to have “low level” exit signs installed along the path of exiting, so patrons without knowledge of building can find the exit in case of a heavy smoke incident.
- 14- Changes in the structural calculations of installing solar array on rooftops.
- 15- Handicap accessibility changes in recreational facilities and churches.
- 16- Smoke venting changes in elevators, elevator lobbies and fire service access areas.
- 17- New chapter added into the Fire Code to address issues related to Energy Systems, such as rooftop solar arrays.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCE, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Fire Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Fire Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 20, Fire Prevention and Protection, Article I – In General, is hereby deleted in its entirety and replaced with the following:

Sec. 20-1. - Fire code adopted, incorporation by reference.

The International Fire Code, 2018 edition, and Appendices B, C, D and M thereto published by the International Code Council, Inc., and its most current errata, are hereby adopted as the Fire Code of the City of Raytown (hereinafter the "fire code") as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in section 20-8.

Sec. 20-2. - Penalties.

(a) Any person who shall violate any of the provisions of this code or standards hereby adopted or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the district or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of an offense, punishable by a fine of no more than \$500.00 or by imprisonment for no more than six months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(c) Prosecution for such offenses shall be instituted by complaint in the Circuit Court of Jackson County, Missouri, or the Raytown Municipal Division thereof.

Sec. 20-3. - Preservation of suits, proceedings, rights, remedies and liabilities.

Nothing in this chapter or in the fire code adopted in section 20-1 shall be construed to affect any suit or proceeding pending in court; nor shall any cause of action or any rights existing under contract, or under any other act or ordinance, or otherwise, be acquitted or acquired or liability incurred; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Sec. 20-4. - Effect of conflict with other requirements of the city.

In the event of any conflict between this article and the provisions of any other applicable law, ordinance, resolution, rule or regulation of the city, the more restrictive or higher standard shall govern. The regulations of this chapter are not intended to permit any violation of the provisions of chapter 50, zoning, or any other lawful ordinance.

Sec. 20-5. - Effect of conflict with other laws.

In the event of any conflict between this article and the fire ordinances of the fire protection district, the more restrictive or higher standard shall govern.

Sec. 20-6. - Plans and specifications to comply with ordinances of fire district.

(a) Plans and applications for construction other than construction regulated in the 2018 International Residential Code shall comply with the Raytown Fire Protection District before permits are issued.

(b) The building official may make exceptions to the foregoing for minor work not regulated by the fire protection district.

Sec. 20-7. - Enforcement of code.

The provisions of the fire code shall be applicable and enforceable within the boundaries of the city and violations shall be instituted by complaint in the Circuit Court of Jackson County, Missouri, or the Raytown Municipal Division thereof.

Sec. 20-8. - Amendments to fire code.

The fire code adopted in section 20-1 is hereby amended in the following particulars:

Section 101.1 is amended to read as follows:

[A]101.1 *Title.* These regulations shall be known as the Fire Code of The City of Raytown, herein after referred to as "this code."

Section 101.2.1 is amended to read as follows:

Provisions in the appendices shall not apply unless specifically adopted. Other codes and standards referenced by the International Fire Code to include NFPA-101 – Life Safety Code may be used as references for plan reviews and Life Safety requirements in commercial buildings and multi-family dwellings where the Fire District has jurisdiction.

Section 110.4 shall be amended to read as follows:

Violation penalties. Persons 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, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable in accordance with section 1-22. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 112.4 shall be amended to read as follows:

Failure to comply. Any person who shall continue any work 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 an offense, punishable in accordance with section 1-22 of the City of Raytown Code of Ordinances.

Section 307.4.1 is amended to read as follows:

Bonfires. Bonfires shall not be allowed within the city limits of Raytown Missouri.

Section 307.4.2 shall be amended to read as follows:

Recreational fires. Recreational fires used specifically for cooking, religious or ceremonial purposes shall be allowed with a permit issued from the Raytown Fire Protection District. The maximum size of the pile shall be three (3) feet in diameter and two (2) feet in height prior to ignition.

Section 603.8 is amended to read as follows:

Incinerators. Incinerators shall not be allowed within the City of Raytown. Existing incinerators shall be allowed to remain providing no change in property ownership occurs and no change in property use occurs. Should a change in either occur, the existing incinerator shall be dismantled and removed prior to an occupancy permit being issued.

Exception: When the purpose for the incinerator is only for the cremation of human remains, incinerators shall only be allowed with approval of a Conditional Use permit for a crematorium, and are constructed in accordance with the 2018 International construction codes.

Section 903.2.1.1 is amended to read as follows:

Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (465m²) (1115 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies;
4. The structure exceeds two (2) stories above grade plane or thirty (30) feet in height above grade; or
5. The fire area contains a multitheater complex.

Section 903.2.1.3 is amended to read as follows:

Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (465 m²) (1115 m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds two (2) stories above grade plane or thirty (30) feet in height above grade.

Section 903.2.3 is amended to read as follows:

Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m²) in area.
2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.

Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.

3. The Group E fire area has an occupant load of 300 or more.
4. The structure exceeds two (2) stories or thirty (30) feet in height.

Section 903.2.7 is amended to read as follows:

Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet (465 m²) (1115 m²);
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).
5. The structure exceeds two (2) stories or thirty (30) feet in height.

Section 903.2.9 is amended to read as follows:

[F] 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 7,500 square feet (698 m²).
2. A Group S-1 fire area is located more than two stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 15,000 square feet (1395 m²).
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m²).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

Section 904.3.5 shall be amended to read as follows:

904.3.5 *Monitoring*: All fire alarm and detection systems shall be monitored by an approved central station as defined in NFPA 72. A UL Certificate or FM Placard, in accordance with the 2002 Edition of NFPA 72 Chapter 8, shall be issued by the UL Listed or FM Approved prime contractor for all newly installed required fire alarm systems. This certificate shall be displayed in a location to be determined by the Fire Code Official. This regulation shall apply to all newly installed fire alarm systems with an installation permit issued on or after October 23, 2007. An existing required fire alarm system wherein the control panel is to be replaced shall be considered newly

installed for the purposes of this section. An existing required fire alarm system wherein additional functions are added to the system shall be considered newly installed for the purposes of this section. The fire prevention division shall maintain a listing of local UL Listed or FM Approved prime contractors. Central station service in full compliance with the 2002 Edition of NFPA 72 Chapter 8 shall be maintained at the protected property, so long as the requirement for the fire alarm system exists.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

Section 907.1.4 is added to read as follows:

907.1.4 Monitoring: All fire alarm and detection systems shall be monitored by an approved central station as defined in NFPA 72. A UL Certificate or FM Placard, in accordance with the 2002 Edition of NFPA 72 Chapter 8, shall be issued by the UL Listed or FM Approved prime contractor for all newly installed required fire alarm systems. This certificate shall be displayed in a location to be determined by the Fire Code Official. This regulation shall apply to all newly installed fire alarm systems with an installation permit issued on or after October 23, 2007. An existing required fire alarm system wherein the control panel is to be replaced shall be considered newly installed for the purposes of this section. An existing required fire alarm system wherein additional functions are added to the system shall be considered newly installed for the purposes of this section. The fire prevention division shall maintain a listing of local UL Listed or FM Approved prime contractors. Central station service in full compliance with the 2002 Edition of NFPA 72 Chapter 8 shall be maintained at the protected property, so long as the requirement for the fire alarm system exists.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

Section 1103.5.3 is amended to read as follows:

Group I-2, Condition 2. In addition to the requirements of section 1103.5.2, existing buildings of Group I-2, Condition 2 occupancy shall be equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1. The *automatic sprinkler system* shall be installed by January 1, 2021.

Section 5604.1 is amended to read as follows:

General. Storage of explosives and explosive materials, small arms ammunition, small arms primers, propellant-actuated cartridges and smokeless propellants in magazines shall comply with the provisions of this section.

Exception: Other than the items listed above, the overnight storage of all explosives is prohibited within the City of Raytown Missouri.

Section 5704.2.9.6.1 is amended to read as follows:

Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings, with a capacity of more than one thousand (1,000) gallons is prohibited within the City of Raytown Missouri.

Section 5706.2.4.4 shall be amended to read as follows:

Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited (see Section 3 of the Sample Legislation for Adoption of the International Fire Code on page xxi).

Section 5806.2 is amended to read as follows:

Limitations. Storage of *cryogenic fluids* in stationary containers outside of buildings is prohibited within the City of Raytown Missouri.

Section 6104.2 is amended to read as follows:

Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 500 gallons.

Exception: In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

Sec. 20-9. - Appeals.

Whenever the chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the board of directors of the Raytown Fire Protection District within 30 days from the date of the decision appealed.

Sec. 20-10. - New materials, processes or occupancies which may require permits.

The chief and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in said code. The chief of the bureau of fire prevention shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

Sec. 20-11. - Defective conflicts of provisions with fire ordinances of Raytown Fire Protection District.

In the event of any conflict between the fire prevention code adopted in this chapter and the fire ordinances of the Raytown Fire Protection District, the latter shall govern with regard to said conflict.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IFC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ___ October, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019

Bill No.: 6525-19

To: Mayor and Board of Aldermen

Section No.: XI

From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Approval of the 2017 version of the American National Standard Code.

Recommendation: The Community Development Department recommends the adoption of the American National Standard Code (Accessible and Usable Buildings and Facilities)/2017 Edition (ICC A117.1)

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution (Resolution No. R-3224-19) directing the City Clerk to place on-file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

The American National Standard Code (Accessible and Usable Buildings and Facilities)/2017 Edition (ICC A117.1) makes sites, facilities, buildings and elements accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size. The intent of this standard is to allow a person with a physical disability to independently get to, enter, and use a site, facility, building, or element.

Analysis: Significant changes from the previously approved edition of the American National Standard Code are:

1. Due to larger and motorized or power wheelchairs, new buildings will have to have changes to turning space and clear floor space requirements. (Not for existing buildings)
2. Regulations for door hardware, opening force, and rotational guidelines.
3. Work done to coordinate curb ramps and blended transitions to proposed federal regulations.
4. Changes to location, depth and width of detectable warning systems at street crossings.
5. Platform lift sizes also changed for coordination with new clear floor spaces.
6. Accessibility changes to address areas such as electric vehicle charging stations and parking meters locations.
7. Accessible feature changes to operable parts of windows.
8. Certain occupancies have areas for sign language interpreter stations.
9. Distances added between kitchen counters and kitchen islands.

10. Clear floor space dimensions added for rooms with benches (Changing rooms).
11. Changes to address other occupancies/areas such as gaming machines, shooting facilities, common area mailboxes, charging stations and mattress heights of accessible hotels, or dorm rooms.

Budgetary Impact:

Not Applicable

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE XI OF THE CITY CODE AND ADOPTING THE 2017 EDITION OF THE AMERICAN NATIONAL STANDARD FOR ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES IN THE CITY OF RAYTOWN

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2017 Edition of the American National Standard for Accessible and Usable Buildings and Facilities, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2017 Edition of the American National Standard for Accessible and Usable Buildings and Facilities by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article XI – Accessible and Usable Buildings and Facilities Code, Section 8-265 is hereby deleted in its entirety and replaced with the following:

Sec. 8-265. Adopted. The American National Standard for Accessible and Usable Buildings and Facilities Code, 2017 edition, and its most current errata, thereto as published by the International Code Council, Inc., and developed by the American National Standard Institute, is hereby adopted as the standard for construction and repair of accessible and facilities within the City of Raytown (hereinafter the “ANSI”), as if fully set out in this ordinance, with the additions, insertions, deletions and changes.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the ANSI the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: September 27, 2019

Bill No.: 6526-19

To: Mayor and Board of Aldermen

Section No.: XI

From: Ray Haydaripoor, Community Development Director

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Approval of the 2018 version of the International Property Maintenance Code.

Recommendation: The Community Development Department recommends the adoption of the International Property Maintenance Code, 2018 Edition.

Introduction: On July 16, 2019, the Board of Aldermen approved a Resolution No. R-3224-19 directing the City Clerk to place on file for 90-days a copy of the uniform codes that the Community Development Department recommends for adoption pursuant to Section 67.280, RSMo.

The International Property Maintenance Code is a model code that regulates the minimum maintenance requirements for existing buildings. The minimum maintenance standards of basic building maintenance, equipment, light, ventilation, heating, sanitation and fire safety are regulated.

Analysis: Significant changes from the previously approved edition of the International Property Maintenance Code are:

- 1- Some changes in the fire safety requirements (Fire safety maintenance) of existing buildings.
- 2- Carbon Monoxide detectors maintenance, since CO2 detectors are relatively a new requirement.
- 3- Smoke alarm installation limits around cooking appliances and bathrooms.
- 4- Changes in the administration sections verbiage.

Budgetary Impact:

Not Applicable

AN ORDINANCE ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING THE MINIMUM MAINTENANCE REQUIREMENTS FOR EXISTING BUILDINGS IN THE CITY OF RAYTOWN

WHEREAS, the City of Raytown is authorized to adopt by reference technical codes regulating the construction of buildings and continued occupancy thereof, together with provisions related to mechanical, plumbing and electrical construction and fire prevention pursuant to the Missouri Constitution, Chapters 67 and 79 of the Revised Statutes of Missouri, and its police powers, for the public health, safety and welfare; and

WHEREAS, on July 16, 2019, one (1) copy of the 2018 Edition of the International Property Maintenance Code, as published by the International Code Council was placed on file in the office of the City Clerk and made available for public use, inspection and examination for more than ninety (90) days prior to the adoption of this ordinance; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to adopt the 2018 Edition of the International Property Maintenance Code by reference, subject to the amendments set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – CITY CODE TEXT CHANGE. That Chapter 8, Buildings and Building Regulations, Article VIII – Property Maintenance Code, is hereby deleted in its entirety and replaced with the following:

Sec. 8-223. - Property maintenance code; incorporation by reference.

The International Property Maintenance Code, 2018 Edition, published by the International Code Council, Inc. including without limitation Sections 101.1 through 705.2, and its most current errata, is hereby adopted as the property maintenance code for the city. Each and all the regulations, provisions, conditions and terms of same are hereby referred to, adopted and made a part hereof as if fully set out in this Code, with the additions, insertions, deletions and changes, if any, as provided in section 8-224.

Sec. 8-224. - Amendments to the International Property Maintenance Code.

The International Property Maintenance Code, 2018 Edition, adopted in section 8-223 is hereby amended in the following respects:

Section 101.1 is amended to read as follows:

101.1 *Title.* These regulations shall be known as the International Property Maintenance Code of the City of Raytown, hereinafter referred to as “this code.”

Section 102.3 is amended to read as follows:

102.3 *Application of other codes.* Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the adopted International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code and NFPA 70 (National Electric Code).

Nothing in this code shall be construed to cancel, modify or set aside any provision of the adopted Raytown Zoning Code.

Section 103.5 is amended to read as follows:

103.5 *Fees*. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall include both actual and administrative costs.

Section 106.3 is amended to read as follows:

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 an offense punishable as provided in Section 1-22 of the Raytown Code of Ordinances. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Section 106.6 is added to read as follows:

106.6 *Abatement extension*. The person required to conform to the order may request an extension to the given abatement period in writing and shall submit it to the code official. The request shall be made prior to the conclusion of the abatement period and shall include the scope of the work to be done, a timeline for the projected completion of each item and the reason why the work was not able to be completed within the given time requirement.

Upon receipt of an application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the codes official may grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the codes official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The codes officials' authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order pursuant to Section 111 of this code.

Section 108.1.5 is amended to read as follows:

108.1.5 *Dangerous structure or premises*. For the purpose of this code, any structure or premises that is believed to be considered dangerous shall be enforced per the Raytown Municipal Code Ordinance #5309-09.

Section 108.4 is amended to read as follows:

108.4 *Placarding*. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" or "Unsafe", and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

Section 110 "Demolition" is amended to read as follows:

110.1 *General.* For the purpose of this code, any structure or premises that is believed to be considered dangerous and requires demolition shall be enforced per the Raytown Municipal Code Ordinance #5309-09.

Section 111.1 is amended to read as follows:

Application for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 10 business days after the day the decision, notice or order was served. 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 the requirements of this code are adequately satisfied by other means.

Section 112.4 is amended to read as follows:

112.4 *Failure to comply.* Any person who shall continue any work 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 deemed guilty of an offense punishable as provided in Section 1-22 of the Raytown Code of Ordinances.

Section 201.3 is amended to read as follows:

201.3 *Terms defined in other codes.* Where terms are not defined in this code and are defined in the International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Residential Code, or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes. Nothing in this code shall be construed to cancel, modify or set aside any provision of the adopted Raytown Zoning Code.

Section 302.4 is amended to read as follows:

302.4 *Weeds.* For the purpose of this code, any premises and exterior property that is has undesirable vegetation shall be enforced per the Raytown Municipal Code Ordinance #3634-91.

Section 304.14 is amended to read as follows:

304.14 *Insect screens.* During the period from April 1st to September 30th, 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 minimum 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 when approved by the code official, or where other approved means, such as air curtains or insect repellent fans, are employed.

Section 307.1 shall be amended to read as follows:

307.1 *General*. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 36 inches in height in residential applications, 42 inches in height in non-residential applications, above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

Section 308 shall be amended to read as follows:

308.1 *Accumulation of rubbish or garbage*. For the purpose of this code, any interior or exterior property that has accumulation of rubbish or garbage shall be enforced per the Raytown Municipal Code Ordinance #4917-03.

Section 507 shall be amended to read as follows:

Section 507 – *Drainage*. Drainage of roof and paved areas, yards and courts, and water from intermittent sources such as discharges from sump pumps, foundation drains, or other similar sources, excluding lawn sprinklers, shall not be discharged at a point closer than five (5) feet to any adjoining property line, nor in a manner that creates a public or private nuisance.

Exception: If approved by the Public Works Director, the discharge point may be closer than five (5) feet if existing conditions warrant such distance change.

Section 602.3 shall be amended to read as follows:

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 October 1st to March 31st to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms, at a point 3 feet above the floor and 2 feet from exterior walls.

Section 602.4 is amended to read as follows:

602.4 *Occupiable workspaces*. Indoor occupiable workspaces shall be supplied with heat during the period from October 1st to March 31st to maintain a minimum temperature of 68°F (20°C), at a point 3 feet above the floor and 2 feet from exterior walls, 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.

SECTION 2 – PENALTY FOR VIOLATING CODE PROVISIONS. Whenever in any section of the IPMC the doing of any act is required or is prohibited or is declared to be unlawful or a misdemeanor, and no specific fine or penalty is provided for a violation thereof, any person who shall be convicted of a violation of any such provision of this codification or of any such ordinance shall, for each offense be fined not more than \$500.00 or be punished by imprisonment in jail not to exceed 90 days, or be punished by both fine and imprisonment.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th October, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

Date: October 10, 2019
To: Mayor and Board of Aldermen
From: Randy Hudspeth, Interim Police Chief

Bill No. 6527-19
Section No.: XVII

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____



Action Requested: Approval of modified ordinance relative to changes in the Missouri Constitution regarding the regulation of medical marijuana.

Recommendation: Approve the ordinance proposal.

Analysis: In November 2018, Missouri voters approved an amendment to the State Constitution to permit the use of medical marijuana within the state. This has had an impact on local ordinances relative to zoning of medical marijuana as well as enforcement for the legal consumption of marijuana.

The proposed code amendments were prepared by the City's legal counsel and reviewed by the Raytown Municipal Committee. The Raytown Municipal Committee recommended that the proposed amendments be sent to the full Board for consideration.

Alternatives: Make further changes and revisit the proposal at a later date.

Budgetary Impact:

Not Applicable

Additional Reports Attached: Proposed ordinance changes (red-lined and clean version included).

AN ORDINANCE AMENDING CHAPTER 28 OFFENSES AND NUISANCES, ARTICLE X, OFFENSES RELATING TO PUBLIC HEALTH AND SAFETY, DIVISION 2, CONTROLLED SUBSTANCES AND ALCOHOL, BY REPEALING AND RE-ENACTING SECTION 2-230 THROUGH SECTION 2-360 OF THE RAYTOWN MUNICIPAL CODE

WHEREAS, with an amendment to the State Constitution to permit the use of medical marijuana within the state, it is necessary to amend the City’s ordinance regarding the enforcement for the legal consumption of marijuana.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – REPEAL AND RE-ENACTMENT. Chapter 28, Article X, Sections 2-230-2-360 of the Raytown Municipal Code are repealed in their entirety and re-enacted as attached in Exhibit “A”.

SECTION 2 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 4 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ___ day of November, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

EXHIBIT "A"

DIVISION 2. - CONTROLLED SUBSTANCES AND ALCOHOL

Sec. 28-330. – Definitions.

Administer means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

- a) A practitioner (or, in his/her presence, by his/her authorized agent), or
- b) The patient or research subject at the direction and in the presence of the practitioner.

Controlled substance means a drug, substance, or immediate precursor in Schedules I through V listed in Chapter 195 of the Missouri Revised Statutes.

Counterfeit substance means a controlled substance which, on the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

Deliver or *delivery* means the actual, constructive or attempted transfer from one person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale.

Dispense means to deliver a narcotic or controlled dangerous drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery. "*Dispenser*" means a practitioner who dispenses.

Distribute means to deliver other than by administering or dispensing a controlled substance.

Drug means:

- a) Substances recognized as drugs in the Official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or Official National Formulary or any supplement to any of them;
- b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;
- c) Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and
- d) Substances intended for use as a component of any article specified in subsections (a) through (c) of this definition. It does not include devices or their components, parts or accessories.

Drug paraphernalia means all equipment, products, substances and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of Sections 195.005 to 195.425, RSMo. It includes, but is not limited to:

- a) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;
- b) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;
- c) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or an imitation controlled substance;
- d) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;
- e) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;
- f) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;
- g) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;
- h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding-controlled substances or imitation controlled substances;
- i) Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or imitation controlled substances;
- j) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;
- k) Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;
- l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
 - 1. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
 - 2. Water pipes;

3. Carburetion tubes and devices;
 4. Smoking and carburetion masks;
 5. Roach clips meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
 6. Miniature cocaine spoons and cocaine vials;
 7. Chamber pipes;
 8. Carburetor pipes;
 9. Electric pipes;
 10. Air-driven pipes;
 11. Chillums;
 12. Bongs;
 13. Ice pipes or chillers:
- m) Substances used, intended for use, or designed for use in the manufacture of a controlled substance;

In determining whether an object, product, substance or material is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

- a) Statements by an owner or by anyone in control of the object concerning its use;
- b) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance or imitation controlled substance;
- c) The proximity of the object, in time and space, to a direct violation of Sections 195.005 to 195.425, RSMo.
- d) The proximity of the object to controlled substances or imitation controlled substances;
- e) The existence of any residue of controlled substances or imitation controlled substances on the object;
- f) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he/she knows, or should reasonably know, intend to use the object to facilitate a violation of Sections 195.005 to 195.0425, RSMo.; the innocence of an owner, or of anyone in control of the object, as to a direct violation of Sections 195.005 to 195.425, RSMo., shall not prevent a finding that the object is

intended for use, or designed for use as drug paraphernalia;

- g) Instructions, oral or written, provided with the object concerning its use;
- h) Descriptive materials accompanying the object which explain or depict its use;
- i) National or local advertising concerning its use;
- j) The manner in which the object is displayed for sale;
- k) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
- l) Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- m) The existence and scope of legitimate uses for the object in the community;
- n) Expert testimony concerning its use;
- o) The quantity, form or packaging of the product, substance or material in relation to the quantity, form or packaging associated with any legitimate use for the product, substance or material;
- p) The foregoing provisions of this section notwithstanding, the definition of 'paraphernalia' as used herein shall not include devices used in the propagation, measurement, or administration of medical marijuana, as defined by Article XIV, Section 1 of the Missouri Constitution if such paraphernalia is being (a) used by a person lawfully authorized to do so, and (b) such person is carrying proof of his/her lawful authorization at the time he/she is in possession of such paraphernalia.

Imitation controlled substance means a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an "imitation controlled substance" the court or authority concerned should consider, in addition to all other logically relevant factors, the following:

- a) Whether the substance was approved by the U.S. Food and Drug Administration (FDA) for over-the-counter (nonprescription or non-legend) sales and was sold in the FDA-approved package, with the FDA-approved labeling information;
- b) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;
- c) Whether the substance is packaged in a manner normally used for illicit controlled substances;
- d) Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;

- e) The proximity of the substances to controlled substances;
- f) Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell. An imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary course of professional practice or research.

License or Licensed means persons required to obtain annual registration as issued by the State Division of Health as provided by Section 195.030, RSMo.

Manufacture means the production, preparation, propagation, compounding or processing of drug paraphernalia or a controlled substance, or an imitation controlled substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. This term does not include the preparation or compounding of a controlled substance or an imitation controlled substance by an individual for his/her own use or the preparation, compounding, packaging or labeling of a narcotic or dangerous drug:

- a) By a practitioner as an incident to his/her administering or dispensing of a controlled substance or an imitation controlled substance in the course of his/her professional practice; or
- b) By a practitioner or by his/her authorized agent under his/her supervision, for the purpose of, or as incident to, research, teaching or chemical analysis and not for sale.

Marijuana means all parts of the plant genus Cannabis in any species or form thereof, including, but not limited to Cannabis Sativa L., except industrial hemp, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake or the sterilized seed of the plant which is incapable of germination.

Medical marijuana means marijuana as defined and used in accordance with the provisions of Article XIV, Section 1 of the Missouri Constitution, as well as any and all regulations promulgated by the Missouri Department of Health and Senior Services.

Medical marijuana facility means a facility licensed and/or certified by the Missouri Department of Health and Senior Services to operate as a medical marijuana cultivation facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, medical marijuana testing facility, or medical marijuana transportation facility as those facilities are defined in Article XIV, Section 1 of the Missouri Constitution and 19 CSR 30-95.

Person means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, joint venture, association or any other legal or commercial entity.

Pharmacist means a licensed pharmacist as defined by the laws of the State of Missouri, and where the context so requires, the owner of a store or other place of business where controlled substances are compounded or dispensed by a licensed pharmacist; but nothing in this section shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right, or privilege that is not granted to him/her by the pharmacy laws of the State of Missouri.

Practitioner means a physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by the State of Missouri to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in the State of Missouri, or a pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research.

Prescription means a written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his/her professional practice to a pharmacist for a drug for a particular patient, which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of such practitioner.

Primary caregiver means an individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under the provisions of Article XIV, Section 1 of the Missouri Constitution.

Production means the manufacture, planting, cultivation, growing or harvesting of drug paraphernalia or of a controlled substance or an imitation controlled substance.

Qualifying patient means a Missouri resident diagnosed with at least one (1) qualifying medical condition as defined by Article XIV, Section 1 of the Missouri Constitution.

Warehouseman means a person who, in the usual course of business, stores drugs for others, lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage. engaged in the business of distributing drugs.

Wholesaler means a person who supplies drug paraphernalia or controlled substances or imitation controlled substances that he/she themselves has not produced or prepared, on official written orders, but not on prescriptions.

Sec. 28-331. – Controlled Substances.

- a) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, no person shall possess, have under his/her control, manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare, distribute, sell, prescribe, administer, dispense or any controlled substance or imitation controlled substance and no person as a wholesaler shall supply the same, without having first obtained annually a registration issued by the Department of Health in accordance with the rules and regulations promulgated by it.

- b) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away, use, or offer to sell, furnish, give away, or to possess marijuana.
- c) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to use, or possess with intent to use, a controlled substance, or an imitation controlled substance.

Sec. 28-332. - Paraphernalia.

- a) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Article.
- b) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to deliver, possess with intent to deliver, sell or advertise for sale, or manufacture with intent to deliver, drug paraphernalia, under circumstances where one knows or reasonable should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of this Article.

Sec. 28-333. - Inhalation, use, possession, or sale of solvents.

- a) No person shall intentionally smell or inhale the fumes of any solvent, particularly toluol, or induce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes; except that this section shall not apply to the inhalation of any anesthesia for medical or dental purposes.
- b) No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use of any solvent, particularly toluol.
- c) No person shall intentionally possess any solvent, particularly toluol, for the purpose of using it in the manner prohibited by this section.
- d) No person shall intentionally possess or buy any solvent, particularly toluol, for the purpose of inducing or aiding any other person to violate the provisions of this section.
- e) No person shall knowingly and intentionally sell or otherwise transfer possession of any solvent, particularly toluol, to any person for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes.

- f) No person who owns or operates any business which receives over 50 percent of its gross annual income from the sale of alcoholic beverages or beer shall sell or offer for sale toluol or any toxic glue.

Sec. 28-334. - Driving while intoxicated.

A person commits the offense of driving while intoxicated if he operates a motor vehicle while in an intoxicated or drugged condition.

Sec. 28-335. - Driving with excessive blood alcohol content.

- a) A person commits the crime of "driving with excessive blood alcohol content" if such person operates a motor vehicle in this state with 0.08 of one percent or more by weight of alcohol in such person's blood.
- b) As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 milliliters of blood or 210 liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of RSMo 577.020 to 577.041.

Sec. 28-336. - Arrest without warrant, when.

An arrest without a warrant by a law enforcement officer, for a violation of section 28-334 or 28-335 is lawful whenever the arresting officer has reasonable grounds to believe that the person to be arrested has violated the section, whether or not the violation occurred in the presence of the arresting officer; provided, however, that any such arrest without warrant must be made within 1½ hours after such claimed violation occurred.

Sec. 28-337. - Consumption of alcoholic beverages in moving motor vehicles.

No person shall consume any alcoholic beverage while operating moving motor vehicle upon any street or highway within the city.

Sec. 28-338. – Failure to produce medical marijuana identification card.

Any person in possession of medical marijuana shall, immediately upon request of any law enforcement officer, produce a valid identification card issued by the Missouri Department of Health and Senior Services, or its successor, or the respective equivalent identification card or authorization issued by another state or political subdivision of another state, authorizing them, as a qualifying patient or primary caregiver, or employee of a licensed medical marijuana facility, to access medical marijuana as provided by Missouri law. Any person who fails to produce such identification shall be guilty of the offense of failure to produce a medical marijuana identification card.

Sec. 28-339. – Administration of medical marijuana in a public place.

- a) No person shall administer medical marijuana in a public place.
- b) For the purpose of this section, the term "administer" shall mean the direct application of marijuana to a qualifying patient by way of any of the following methods:
1. Ingestion of capsules, teas, oils, and other marijuana-infused products;
 2. Vaporization or smoking of dried flowers, buds, plant material, extracts, or oils;

3. Application of ointments or balms;
 4. Transdermal patches and suppositories;
 5. Consuming marijuana-infused food products; or
 6. Any other method recommended by a qualifying patient's physician.
- c) For the purpose of this section, the term "public place" shall have the definition set forth in 19 CSR 30-95.010, specifically, any public or private property, or portion of public or private property, that is open to the general public, including but not limited to, sidewalks, streets, bridges, parks, schools, and businesses. However, for purposes of designating a non-public place within a public place, the owner or entity with control of any such property may, but is not required to, provide one or more enclosed, private spaces where one qualifying patient and, if required by the owner or entity with control of any such property, a representative of such owner or entity, may congregate for the qualifying patient to consume medical marijuana. The qualifying patient may be accompanied by the family of the qualifying patient, the qualifying patient's primary caregiver, and/or the qualifying patient's physician. The owner or entity with control of any such property may provide such a space by individual request or designate such a space for ongoing use and may limit use of medical marijuana in that space to uses that do not produce smoke. Any such permission shall be given in writing and provided to the qualifying patient or publicly posted prior to a qualifying patient's use of medical marijuana in that space.

Sec. 28-340. – Disposal of medical marijuana.

No person shall dispose of medical marijuana, medical marijuana-infused products, or medical marijuana byproduct except as prescribed by 19 CSR 30-95.

Sec. 28-341. – Driving under the influence of marijuana.

- a) A person commits the offense of driving under the influence of marijuana if he/she operates a motor vehicle within the city limits while under the influence of marijuana.
- b) For purposes of determining the marijuana content of a person's blood under this section, a chemical test shall be conducted in accordance with the provisions of Section 577.020 to 577.041, RSMo.

Secs. 28-342—28-360. - Reserved.

DIVISION 2. - CONTROLLED SUBSTANCES AND ALCOHOL

Sec. 28-330. - Definitions.

Deleted: -

Administer means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

- a) A practitioner (or, in his/her presence, by his/her authorized agent), or
- b) The patient or research subject at the direction and in the presence of the practitioner.

Controlled substance means a drug, substance, or immediate precursor in Schedules I through V listed in Chapter 195 of the Missouri Revised Statutes.

Counterfeit substance means a controlled substance which, on the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

Deliver or delivery means the actual, constructive or attempted transfer from one person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale.

Dispense means to deliver a narcotic or controlled dangerous drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery. "Dispenser" means a practitioner who dispenses.

Distribute means to deliver other than by administering or dispensing a controlled substance.

Drug means:

- a) Substances recognized as drugs in the Official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or Official National Formulary or any supplement to any of them;
- b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;
- c) Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and
- d) Substances intended for use as a component of any article specified in subsections (a) through (c) of this definition. It does not include devices or their components, parts or accessories.

Drug paraphernalia means all equipment, products, substances and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of Sections 195.005 to 195.425, RSMo. It includes, but is not limited to:

- a) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

- b) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;
- c) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or an imitation controlled substance;
- d) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;
- e) Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;
- f) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;
- g) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;
- h) Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding-controlled substances or imitation controlled substances;
- i) Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or imitation controlled substances;
- j) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;
- k) Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;
- l) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
 - 1. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
 - 2. Water pipes;
 - 3. Carburetion tubes and devices;
 - 4. Smoking and carburetion masks;

5. Roach clips meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
6. Miniature cocaine spoons and cocaine vials;
7. Chamber pipes;
8. Carburetor pipes;
9. Electric pipes;

10. Air-driven pipes;

11. Chillums;

12. Bong;

13. Ice pipes or chillers;

m) Substances used, intended for use, or designed for use in the manufacture of a controlled substance;

In determining whether an object, product, substance or material is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

- a) Statements by an owner or by anyone in control of the object concerning its use;
- b) Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance or imitation controlled substance;
- c) The proximity of the object, in time and space, to a direct violation of Sections 195.005 to 195.425, RSMo.
- d) The proximity of the object to controlled substances or imitation controlled substances;
- e) The existence of any residue of controlled substances or imitation controlled substances on the object;
- f) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he/she knows, or should reasonably know, intend to use the object to facilitate a violation of Sections 195.005 to 195.0425, RSMo.; the innocence of an owner, or of anyone in control of the object, as to a direct violation of Sections 195.005 to 195.425, RSMo., shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
- g) Instructions, oral or written, provided with the object concerning its use;

- h) Descriptive materials accompanying the object which explain or depict its use;
- i) National or local advertising concerning its use;
- j) The manner in which the object is displayed for sale;
- k) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
- l) Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- m) The existence and scope of legitimate uses for the object in the community;
- n) Expert testimony concerning its use;
- o) The quantity, form or packaging of the product, substance or material in relation to the quantity, form or packaging associated with any legitimate use for the product, substance or material;
- p) The foregoing provisions of this section notwithstanding, the definition of 'paraphernalia' as used herein shall not include devices used in the propagation, measurement, or administration of medical marijuana, as defined by Article XIV, Section 1 of the Missouri Constitution if such paraphernalia is being (a) used by a person lawfully authorized to do so, and (b) such person is carrying proof of his/her lawful authorization at the time he/she is in possession of such paraphernalia.

Imitation controlled substance means a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an "imitation controlled substance" the court or authority concerned should consider, in addition to all other logically relevant factors, the following:

- a) Whether the substance was approved by the U.S. Food and Drug Administration (FDA) for over-the-counter (nonprescription or non-legend) sales and was sold in the FDA-approved package, with the FDA-approved labeling information;
- b) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;
- c) Whether the substance is packaged in a manner normally used for illicit controlled substances;
- d) Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;
- e) The proximity of the substances to controlled substances;
- f) Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-

the-counter substances of like chemical composition sell. An imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary course of professional practice or research.

License or Licensed means persons required to obtain annual registration as issued by the State Division of Health as provided by Section 195.030, RSMo.

Manufacture means the production, preparation, propagation, compounding or processing of drug paraphernalia or a controlled substance, or an imitation controlled substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. This term does not include the preparation or compounding of a controlled substance or an imitation controlled substance by an individual for his/her own use or the preparation, compounding, packaging or labeling of a narcotic or dangerous drug:

- a) By a practitioner as an incident to his/her administering or dispensing of a controlled substance or an imitation controlled substance in the course of his/her professional practice; or
- b) By a practitioner or by his/her authorized agent under his/her supervision, for the purpose of, or as incident to, research, teaching or chemical analysis and not for sale.

Marijuana means all parts of the plant genus Cannabis in any species or form thereof, including, but not limited to Cannabis Sativa L., except industrial hemp, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake or the sterilized seed of the plant which is incapable of germination.

Medical marijuana means marijuana as defined and used in accordance with the provisions of Article XIV, Section 1 of the Missouri Constitution, as well as any and all regulations promulgated by the Missouri Department of Health and Senior Services.

Medical marijuana facility means a facility licensed and/or certified by the Missouri Department of Health and Senior Services to operate as a medical marijuana cultivation facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, medical marijuana testing facility, or medical marijuana transportation facility as those facilities are defined in Article XIV, Section 1 of the Missouri Constitution and 19 CSR 30-95.

Person means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, joint venture, association or any other legal or commercial entity.

Pharmacist means a licensed pharmacist as defined by the laws of the State of Missouri, and where the context so requires, the owner of a store or other place of business where controlled substances are compounded or dispensed by a licensed pharmacist; but nothing in this section shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right, or privilege that is not granted to him/her by the pharmacy laws of the State of Missouri.

Practitioner means a physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by the State of Missouri to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in the State of Missouri, or a pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research.

Prescription means a written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his/her professional practice to a pharmacist for a drug for a particular patient, which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of such practitioner.

Primary caregiver means an individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under the provisions of Article XIV, Section 1 of the Missouri Constitution.

Production means the manufacture, planting, cultivation, growing or harvesting of drug paraphernalia or of a controlled substance or an imitation controlled substance.

Qualifying patient means a Missouri resident diagnosed with at least one (1) qualifying medical condition as defined by Article XIV, Section 1 of the Missouri Constitution.

Warehouseman means a person who, in the usual course of business, stores drugs for others, lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage. engaged in the business of distributing drugs.

Wholesaler means a person who supplies drug paraphernalia or controlled substances or imitation controlled substances that he/she themselves has not produced or prepared, on official written orders, but not on prescriptions.

Sec. 28-331. – Controlled Substances.

a) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, no person shall possess, have under his/her control, manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare, distribute, sell, prescribe, administer, dispense or any controlled substance or imitation controlled substance and no person as a wholesaler shall supply the same, without having first obtained annually a registration issued by the Department of Health in accordance with the rules and regulations promulgated by it.

b) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away, use, or offer to sell, furnish, give away, or to possess marijuana.

c) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to use, or possess with intent to use, a controlled substance, or an imitation controlled substance.

Sec. 28-332, - Paraphernalia.

a) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Article.

b) Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to deliver, possess with intent to deliver, sell or advertise for sale, or manufacture with intent to deliver, drug paraphernalia, under circumstances where one knows or reasonable should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of this Article.

Sec. 28-333, - Inhalation, use, possession, or sale of solvents.

a) No person shall intentionally smell or inhale the fumes of any solvent, particularly toluol, or induce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes; except that this section shall not apply to the inhalation of any anesthesia for medical or dental purposes.

b) No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use of any solvent, particularly toluol.

c) No person shall intentionally possess any solvent, particularly toluol, for the purpose of using it in the manner prohibited by this section.

d) No person shall intentionally possess or buy any solvent, particularly toluol, for the purpose of inducing or aiding any other person to violate the provisions of this section.

e) No person shall knowingly and intentionally sell or otherwise transfer possession of any solvent, particularly toluol, to any person for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes.

Deleted: Marijuana, controlled substances and imitations controlled. ¶

(a) It is unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, distribute, or compound any controlled or counterfeit substance, as defined herein, except as authorized in RSMo 195.010 to 195.320. ¶

(b) It is unlawful for any person or any officer or employee of any firm, corporation or association, except as allowed under RSMo ch. 195, to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away, or use, or offer to sell, furnish or give away, or to have in his or their possession marijuana, as defined herein. ¶

(c) It is unlawful for any person to use, or to possess with intent to use, an imitation controlled substance, as defined herein. ¶

(d) It is unlawful for any person to deliver, possess with intent to deliver, manufacture with intent to deliver, or cause to be delivered any imitation controlled substance, as defined herein. ¶

(e) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning: ¶ **Controlled substance** means a drug substance or immediate precursor schedules I through V listed in RSMo ch. 195. ¶

Counterfeit substance means a controlled substance which, on the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any license thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed or dispensed the substance. ¶

Imitation controlled substance means a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead ...

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

Deleted: (d) Penalty. In addition to the penalty authorized by section 1-22, a violation of this section is hereby deemed and declared to be a nuisance. ¶

(Code 1969, § 13-102; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 4511-99, § 1, 7-6-1999) ¶

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f) No person who owns or operates any business which receives over 50 percent of its gross annual income from the sale of alcoholic beverages or beer shall sell or offer for sale toluol or any toxic glue.

Sec. 28-334. - Driving while intoxicated.

A person commits the offense of driving while intoxicated if he operates a motor vehicle while in an intoxicated or drugged condition.

Sec. 28-335. - Driving with excessive blood alcohol content.

- a) A person commits the crime of "driving with excessive blood alcohol content" if such person operates a motor vehicle in this state with 0.08 of one percent or more by weight of alcohol in such person's blood.
- b) As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 milliliters of blood or 210 liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of RSMo 577.020 to 577.041.

Sec. 28-336. - Arrest without warrant, when.

An arrest without a warrant by a law enforcement officer, for a violation of section 28-334 or 28-335 is lawful whenever the arresting officer has reasonable grounds to believe that the person to be arrested has violated the section, whether or not the violation occurred in the presence of the arresting officer; provided, however, that any such arrest without warrant must be made within 1½ hours after such claimed violation occurred.

Sec. 28-337. - Consumption of alcoholic beverages in moving motor vehicles.

No person shall consume any alcoholic beverage while operating moving motor vehicle upon any street or highway within the city.

Sec. 28-338. - Failure to produce medical marijuana identification card.

Any person in possession of medical marijuana shall, immediately upon request of any law enforcement officer, produce a valid identification card issued by the Missouri Department of Health and Senior Services, or its successor, or the respective equivalent identification card or authorization issued by another state or political subdivision of another state, authorizing them, as a qualifying patient or primary caregiver, or employee of a licensed medical marijuana facility, to access medical marijuana as provided by Missouri law. Any person who fails to produce such identification shall be guilty of the offense of failure to produce a medical marijuana identification card.

Sec. 28-339. - Administration of medical marijuana in a public place.

- a) No person shall administer medical marijuana in a public place.
- b) For the purpose of this section, the term "administer" shall mean the direct application of marijuana to a qualifying patient by way of any of the following methods:
 - 1. Ingestion of capsules, teas, oils, and other marijuana-infused products;
 - 2. Vaporization or smoking of dried flowers, buds, plant material, extracts, or oils;

Deleted: (b) No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use of any solvent, particularly toluol. ¶
(c) No person shall intentionally possess any solvent, particularly toluol, for the purpose of using it in the manner prohibited by this section. ¶
(d) No person shall intentionally possess or buy any solvent, particularly toluol, for the purpose of inducing or aiding any other person to violate the provisions of this section. ¶
(e) No person shall knowingly and intentionally sell or otherwise transfer possession of any solvent, particularly toluol, to any person for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes. ¶
(f) No person who owns or operates any business which receives over 50 percent of its gross annual income from the sale of alcoholic beverages or beer shall sell or offer for sale toluol or any toxic glue. ¶
(Code 1969, § 13-103; Ord. No. 5187-07, § 1, 2-20-2007) ¶
State Law reference— Similar provision, RSMo 578.250.

Section Break (Continuous)

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Deleted: (Code 1969, § 13-104; Ord. No. 2242-81, § 1, 6-16-1981) ¶
State Law reference— Similar provision, RSMo 577.010.

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State Law reference— Similar provision, RSMo 577.012.

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Deleted: (Code 1969, § 13-107; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 2580-83, § 1, 9-20-1983) ¶
State Law reference— Similar provision, RSMo 577.039.

Section Break (Continuous)

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- 3. Application of ointments or balms;
- 4. Transdermal patches and suppositories;
- 5. Consuming marijuana-infused food products; or
- 6. Any other method recommended by a qualifying patient's physician.

c) For the purpose of this section, the term "public place" shall have the definition set forth in 19 CSR 30-95.010, specifically, any public or private property, or portion of public or private property, that is open to the general public, including but not limited to, sidewalks, streets, bridges, parks, schools, and businesses. However, for purposes of designating a non-public place within a public place, the owner or entity with control of any such property may, but is not required to, provide one or more enclosed, private spaces where one qualifying patient and, if required by the owner or entity with control of any such property, a representative of such owner or entity, may congregate for the qualifying patient to consume medical marijuana. The qualifying patient may be accompanied by the family of the qualifying patient, the qualifying patient's primary caregiver, and/or the qualifying patient's physician. The owner or entity with control of any such property may provide such a space by individual request or designate such a space for ongoing use and may limit use of medical marijuana in that space to uses that do not produce smoke. Any such permission shall be given in writing and provided to the qualifying patient or publicly posted prior to a qualifying patient's use of medical marijuana in that space.

Sec. 28-340. – Disposal of medical marijuana.

No person shall dispose of medical marijuana, medical marijuana-infused products, or medical marijuana byproduct except as prescribed by 19 CSR 30-95.

Sec. 28-341. – Driving under the influence of marijuana.

- a) A person commits the offense of driving under the influence of marijuana if he/she operates a motor vehicle within the city limits while under the influence of marijuana.
- b) For purposes of determining the marijuana content of a person's blood under this section, a chemical test shall be conducted in accordance with the provisions of Section 577.020 to 577.041, RSMo.

Secs. 28-342—28-360. - Reserved.

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(Code 1969, § 13-112; Ord. No. 3056, § 1, 2-18-1987;
Ord. No. 3804-92, 8-18-1992) ¶
State Law reference— Similar provision, RSMo
577.017.

Section Break (Continuous)

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**CITY OF RAYTOWN
Request for Board Action**

Date: October 10, 2019
To: Mayor and Board of Aldermen
From: Randy Hudspeth, Interim Police Chief

Bill No. 6528-19
Section No.: XVI

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____



Action Requested: Approve the proposed ordinance changes.

Recommendation: Approve the ordinance changes to facilitate the use of a managed tow truck service for the City.

Analysis: The Police Department has researched the outsourcing of managed tow truck services as a means to standardize fees and outsource the selection process. In order to pursue this option, the attached ordinances will need modification to permit the use of area tow services as well as provide a means to establish a fee schedule.

Utilizing a managed service will standardize fees for the citizens of Raytown and streamline the vetting and selection process of tow truck providers.

Alternatives: Not modify the ordinances and forego the use of managed tow truck services.

Budgetary Impact:

Not Applicable

AN ORDINANCE AMENDING CHAPTER 42, TRAFFIC AND MOTOR VEHICLES, ARTICLE XVI, STREET OBSTRUCTIONS OF THE RAYTOWN MUNICIPAL CODE

WHEREAS, it has been determined that amendments to Chapters 42 are needed to facilitate the use of a managed tow services for the City.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – AMENDMENT OF CHAPTER 42, TRAFFIC AND MOTOR VEHICLES, ARTICLE XVI, STREET OBSTRUCTIONS. That Chapter 42 of the Raytown Municipal Code is hereby amended to read as attached hereto in Exhibit “A”:

SECTION 2 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 4 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED** and **ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of November, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form

Teresa M. Henry, City Clerk

Jennifer M. Baird

EXHIBIT "A"

Sec. 42-486. - Authority of police.

(a)The police department is hereby granted authority, in the exercise of its discretion, to ~~tow or remove~~ order removal of any vehicle or other personal property found upon any public street, roadway or thoroughfare or upon other public property of the city, under the following conditions and/or circumstances: Any motor vehicle or other personal property deemed by said department to be illegally parked, abandoned, and/or left so as to impede the flow of traffic or to cause a traffic hazard, unidentified, stolen, disabled, wrecked, or impounded due to intoxication or other incapacity of the driver, including improperly or unlicensed operator, or one in which the operator thereof is apprehended on suspicion of a crime, or one at the written request of the owner thereof, may be removed or towed.

(b)An unidentified motor vehicle or other personal property as referred to in this section is hereby defined to be such motor vehicle or other personal property where ownership thereof cannot be ascertained.

(c)An abandoned motor vehicle or other personal property as referred to in this section, is hereby defined to be such motor vehicle or personal property which remains upon the streets, roadways, thoroughfares or other public property of the city for a period longer than 72 hours, the owner of which cannot be located or who refuses to remove same.

Sec. 42-487. - Notice of removal of vehicle from street.

(a) Whenever an officer ~~removes~~ orders removal of a vehicle from a street as authorized in this article and the officer knows or is able to ascertain from the registration records ~~in the vehicle~~ the ~~name and address~~ identity of the owner thereof, such officer shall immediately give or cause to be given notice in writing to ~~such~~ the owner, at the last address of record, of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed.

(b) if the City utilizes a Towing Management Service, as authorized by this article, the responsibility for the notice to the owner required by this section will be fulfilled by the Towing Management Services provider and such a requirement shall be part of the contract with the service provider.

Sec. 42-488. - Contracts with private towing services.

The city is hereby authorized to contract for towing services either with ~~one or more~~ private towing ~~in~~ services or by contracting with a Towing Management Services provider, with a place of business within the city, to carry out the provisions of this article.

Sec. 42-489. - Authority of police to retain vehicle or property in its custody.

The city shall be authorized to retain in its custody and control, or direct the retention of, a motor vehicle or personal property, as referred to and defined in this article, until such time as properly redeemed by the owner thereof as hereinafter provided.

Sec. 42-490. - Towing and storage charges for vehicles and other property.

~~Any motor vehicle or other personal property impounded with motor vehicles which now is or may hereafter come into the possession of the police department shall be subject to a charge in the sum of \$15.00 for each removal or towing in from the public place in addition to a reasonable storage charge of \$2.00 per day, or fraction thereof, for such time as same remains in possession and custody of the police department. The fees for hook up, towing, wait time, and/or storage or other charges associated with towing or removal of property under this article shall be as set out in the City's schedule of fees, as amended from time to time.~~

Sec. 42-491. - Proof of ownership and redemption of impounded property.

(a) It shall be the express duty of any person claiming to be the owner of any impounded property other than a motor vehicle referred to in this article, to present a certificate of title or certificate of registration therefor to the chief of police of the police department, and to furnish ~~said department any and all additional~~ proof of ownership as may be required ~~to establish such ownership by the police department.~~

(b) If any person shall present to ~~the office of~~ the chief of police or his designee valid proof of ~~his~~ ownership of such impounded property prior to the date of actual sale thereof, then the property itself shall be delivered to the owner under the conditions herein provided.

Sec. 42-492. - Tow vehicles and accident scene.

(a) No owner of a tow vehicle or tow vehicle operator shall:

(1) Stop, stand or park a tow vehicle at a location where an accident has occurred ~~to solicit business~~ unless:

- a. The owner of a tow vehicle or tow vehicle operator has been requested by or under the authority of the police officer in charge at the location where an accident has occurred or the department dispatcher; or
- b. The owner of a tow vehicle or tow operator has been requested by one of the operators, owner, or agent of the vehicles involved in the accident;
or

~~**c. The owner of a tow vehicle or tow operator has been requested by the dispatcher of the police officer in charge at the location where an accident has occurred.**~~

(2) Remain at a location where an accident has occurred after being directed to leave by a police officer.

(3) Fail to provide any police officer, upon request, at the location where an accident has occurred with the name and telephone number of the person requesting the tow truck operator, or the police officer's name and serial number requesting the tow truck operator or the dispatcher's name and serial number requesting the tow truck operator.

(b) Failure by the owner of a tow vehicle or tow vehicle operator to provide the police officer's name and serial number or the police officer's dispatcher's name and serial number or the name and telephone number of the operator of the vehicle involved in the traffic accident requesting the tow truck operator to be present at the scene of the accident to any police officer shall be prima facie evidence that the owner of a tow vehicle or tow vehicle operator had not been requested to stop, stand or park a tow vehicle at a location where an accident occurred.

(c) Any person operating a tow vehicle in violation of any part of this section shall be punished by a fine of not less than \$250.00 and not more than \$500.00, or by imprisonment of not more than 180 days, or by both such fine and imprisonment.

Sec. 42-493. - Solicitation of tow business.

No person shall, while at the scene of a fire or traffic accident, solicit any person for the purpose of procuring towing business or authorization or for an agreement for hire or for a fee to tow, lift, extract, or push any vehicle, nor any engine starting, nor any roll back pick up on recovery, nor transportation of any vehicle.

**CITY OF RAYTOWN
Request for Board Action**

Date: October 7, 2019
To: Mayor and Board of Aldermen
From: Russell Petry, Finance Director

Resolution No. R-3243-19

Finance Director Approval: _____

City Administrator Approval: _____



Action Requested: Staff requests approval of resolution to approve the year-end budget adjustments.

Recommendation: Approve the resolution.

Analysis: Throughout the year staff has been monitoring the budget monthly. The following are the transfers staff believes need to occur to adjust for the activity that has occurred throughout the year.

Budgetary Impact:

- Not Applicable
- Funds subject to approval of the Board of Aldermen
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Additional Reports Attached: Year-end Budget Adjustments spreadsheet

RESOLUTION NO. R-3243-19

A RESOLUTION AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO REALLOCATE VARIOUS EXPENDITURES BETWEEN DESIGNATED FUNDS

WHEREAS, there is a need to reallocate expenditures between various fund accounts within the FY 2018-2019 budget; and

WHEREAS, in order to implement the necessary budget adjustments, the Board of Aldermen find it is in the best interest of the City to amend Resolution R-3134-18, adopting the budget for Fiscal Year 2018-2019 as set forth in Exhibit "A" attached hereto;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the Fiscal Year 2018-2019 Budget approved by Resolution R-3134-18, is hereby amended to approve the year-end budget adjustments set forth in Exhibit "A" attached hereto and incorporated herein by reference;

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 15th day of October, 2019.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

Exhibit A
2018-2019 Year End Budget Adjustment

General Fund -100

Expenditure	Elections	100-00-00-100-53563	\$	32,000
Expenditure	Transfer	100-00-00-100-59951	\$	(32,000)

To cover cost of election to reinstate Park and Stormwater Sales Tax.

Expenditure	Reserve Officers	101-32-00-100-51104	\$	30,000
Exoenditure	LAGERS	101-32-00-100-51214	\$	20,000
Expenditure	Part Time Employees	101-32-00-100-51106	\$	500
Expenditure	Commissioned Officers	101-32-00-100-51103	\$	(50,500)

Budget transfers between personnel line items. The police have had vacant positions for commissioned officer in this fiscal year. In lieu of paying overtime, Reserve Officer and part time employees have been used when available, to cover for these vacant positions. An additional 30,000 is being transferred from Commissioned Officer to Reserve Officers. An additional 500.00 is being transferred from Commissioned Officer to Part-Time Employees. LAGERS is over due to increase in fees not foreseen at budget time last year.

Expenditure	Auto Allowance	101-22-00-100-51231	\$	7,000
Expenditure	Health Insurance	101-22-00-100-51215	\$	(7,000)

Budget transfer from Health Insurance to Auto Allowance to cover costs in new employment agreement

Expenditure	Outside Legal Counsel	101-51-00-100-53513	\$	6,000
Expenditure	Civilian Employees	101-52-00-100-51102	\$	(6,000)

Budget Transfer to cover additional legal counsel costs exceeding budget.

Expenditure	Part Time Employees	101-72-00-100-51106	\$	16,500
Expenditure	Civilian Employees Overtime	101-72-00-100-51111	\$	16,100
Expenditure	Civilian Pension - LAGERS	101-72-00-100-51214	\$	21,800
Expenditure	Health Insurance	101-72-00-100-51215	\$	29,000
Expenditure	FICA	101-72-00-100-51225	\$	12,000
Expenditure	Worker's Compnesation Insurance	101-72-00-100-51240	\$	21,000
Expenditure	Repair and Maintenance Services	101-72-00-100-53600	\$	5,300
Expenditure	Civilian Employees	101-72-00-100-51102	\$	(121,700)

Budget transfer from Civilian Employees to various personnel related line items to cover unknown detail at budget time last year due to the transfer of EMS to the Fire District. Also \$5,300 to cover unforeseen Repair and Maintenance to the EMS building. This adjustment represents reallocation of funds already budgeted in this department.

**CITY OF RAYTOWN
Request for Board Action**

Date: October 10, 2019
To: Mayor and Board of Aldermen
From: Damon Hodges, City Administrator

Resolution No.: R-3244-19

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____



Action Requested: Purchase of a new copier to be utilized by City Administration.

Recommendation: Staff recommends approval as submitted.

Overview: SumnerOne provides the maintenance and supplies for the individual departmental copiers throughout the City. Currently, the City's largest copier, located in the Copier Room has reached the end of its life and can no longer be repaired due to the fact that the components for the machine are no longer manufactured. The Administration Department currently has its own smaller copier; however, the department utilizes the large copier regularly as it has the necessary capabilities for complex printing projects.

The Administration Department is requesting approval to purchase a single Canon IRA C7565i-III, as a replacement machine for both the smaller copier located in Administration which has limited capabilities and the larger unrepairable copier located in the Copier Room. The cost for the replacement machine, which has all the capabilities necessary, is \$13,054.51, off the National Association of State Procurement Contract. This price will not include the add-on options. The maintenance and supplies for this machine would fall under the City's current Maintenance Agreement with SumnerOne.

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Fund: Capital Sales Tax
Fund Amount to Spend: \$13,054.51

Additional Reports Attached: Quote from SumnerOne on Canon IRS C7565i-III

A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE OF A COPIER FROM SUMNERONE OFF THE NATIONAL ASSOCIATION OF STATE PROCUREMENT CONTRACT IN AN AMOUNT NOT TO EXCEED \$13,054.51

WHEREAS, one of the main copiers utilized by the City of Raytown’s Administration has reliability issues and can no longer be repaired; and

WHEREAS, the City of Raytown in the adoption of its purchasing policy has approved the practice of purchasing equipment from competitive bids awarded by other governmental entities through the cooperative bidding process; and

WHEREAS, funds for such purpose are budgeted from the Capital Sales Tax Fund and such expenditure was reviewed and approved by the Special Sales Tax Oversight Committee on September 10, 2019 as being consistent with voter intent; and

WHEREAS, the City of Raytown finds it is in the best interest of the citizens of the City of Raytown to authorize and approve the purchase of a copier from SumnerOne off the National Association of State Procurement Contract in an amount not to exceed \$13,054.51;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the purchase of a copier from SumnerOne off the National Association of State Procurement in an amount not to exceed \$13,054.51 is hereby authorized and approved; and

FURTHER THAT the City Administrator is hereby authorized to execute all documents necessary to this transaction and the City Clerk is authorized to attest thereto.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 15th day of October, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney



SUMNER ONE

The One Place Where Everything Works

Printers · Copiers · Scanners · Managed Print Services · Document Management · IT Services · Disaster Recovery · Business Continuity



Digital Imaging Solution

Submitted To:

City of Raytown

10000 E 59th St

Raytown, MO 64133

Submitted On:

July 16, 2019

Submitted By:

Nick Cirrintano

Account Manager

Email: ncirrintano@SumnerOne.com

Direct: (913) 752-2252



SUMNER ONE

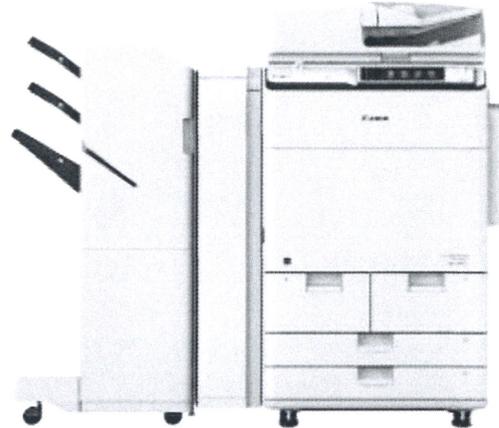
The One Place Where Everything Works

Printers · Copiers · Scanners · Managed Print Services · Document Management · IT Services · Disaster Recovery · Business Continuity

Investment:

Canon

IRA C7565i-III



Configuration Includes:

- imageRUNNER ADVANCE C7565i III
- Prints / copy up to 65 pages per minute
- 2/3 Hole Puncher Unit-A1
- Staple Finisher-V2
- Super G3 FAX Board-AS2
- Optional Booklet Finisher

SumnerOne Purchase Options

- *MSRP Purchase Price* \$36,883.00
- *National Assoc of State Procurement Price* \$13,054.51

SumnerOne Lease Options

- | | |
|-----------------|------------------------|
| | <u>Monthly Payment</u> |
| • 60 Month Term | \$274.62 |
| • 63 Month Term | \$264.44 |

ImageCARE Total CARE Maintenance Agreement Includes:

- All service calls, preventative maintenance calls, electrical and mechanical parts, drums and toner at no additional charge.
- *Excludes supplies such as paper, transparencies or staples.*

Maintenance Monthly Usage Charge

- | | |
|--------------------------------------|----------|
| • B&W Impressions to be invoiced at | \$0.0055 |
| • Color Impression to be invoiced at | \$0.043 |

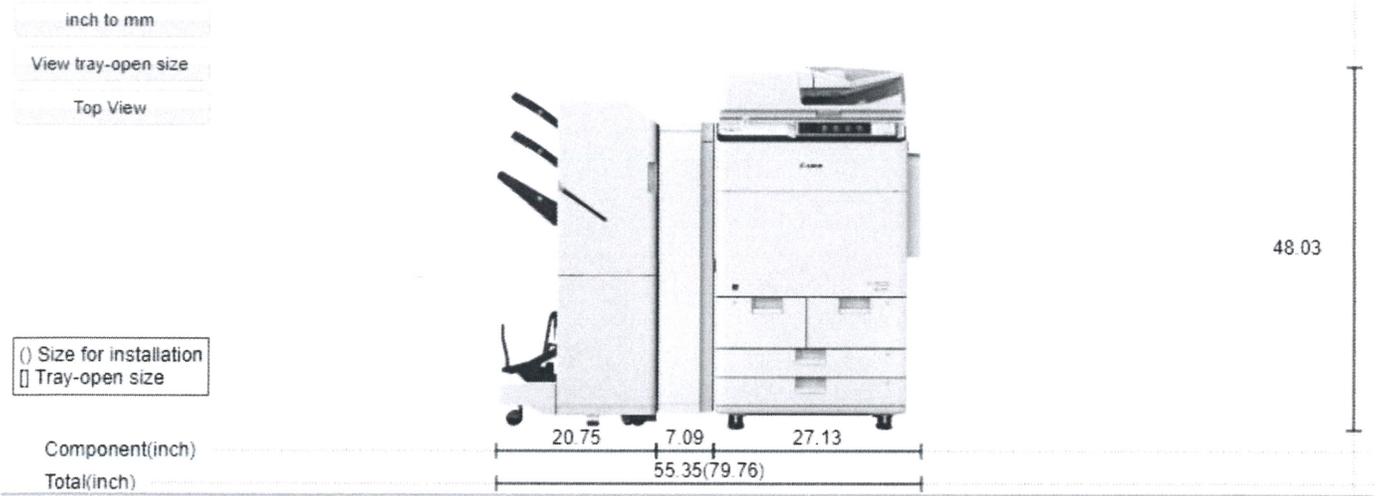
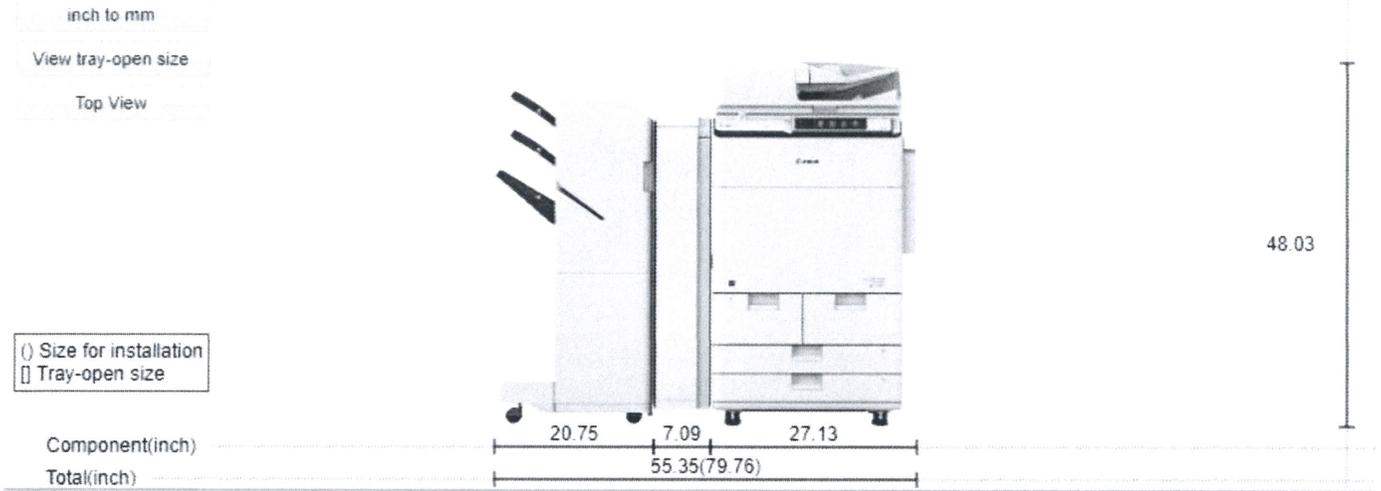
System Implementation and Support Includes:

- Delivery & Installation
- Training
- If Connected, Complete SumnerOne ConnectCARE Guarantees and Warranties



The One Place Where Everything Works

Printers · Copiers · Scanners · Managed Print Services · Document Management · IT Services · Disaster Recovery · Business Continuity



Booklet Finisher add on options

- Purchase Price = \$1,312
- Add to lease = \$27.20

CITY OF RAYTOWN
Request for Board Action

Date: October 7, 2019
To: Mayor and Board of Aldermen
From: Damon Hodges, City Administrator

Resolution No.: R-3245-19

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Board of Aldermen approval of the purchase of a 2020 Ford F-250 Crew Cab 4x4 short bed pickup truck to replace the existing Public Works Supervisor's vehicle #210.

Recommendation: Staff recommends approval as submitted.

Analysis: The current crew cab owned by the City is a 2009 model. Maintenance costs have become excessive due to the age of the vehicle.

The Public Works Department staff obtained quotes from Shawnee Mission Ford (\$30,950) for a 2019 Ford F-250 crew cab 4x4 short bed, and from Landmark Dodge Chrysler Jeep (\$34,617) for a 2019 Tradesman 2500 crew cab 4x4. Chevy did not offer a 4-door crew cab model. The Ford dealer will match the price for a 2020 model.

This vehicle purchase will be through the Johnson County Kansas cooperative contract.

The snow-plow attachment (\$5,971) for this new crew cab will be purchased through American Equipment Co. and their cooperative contract with Kansas City, MO.

Staff recommends purchasing the Ford F-250 (\$30,950) along with the plow attachment (\$5,971). This is within the Capital Sales Tax Fund budgeted amount of \$45,000. The remainder of the budgeted amount (\$8,079) will be used for the in-house upfitting for lights, decals, and a contingency.

The existing Ford F-250 will be put up for auction.

Alternatives: Do not make this purchase and direct staff to look for other alternatives.

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Fund: Capital Sales Tax Fund
205.62.00.100.57000
Amount to Spend: not to exceed \$45,000.00

Additional Reports Attached: Shawnee Mission Ford, Inc. quote, Landmark Dodge quote, American Equipment plow quote, Johnson County Kansas cooperative contract and KCMO cooperative contract.

A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE OF A 2020 FORD F-250 TRUCK FROM SHAWNEE MISSION FORD OFF THE JOHNSON COUNTY, KANSAS COOPERATIVE PURCHASING CONTRACT IN AN AMOUNT NOT TO EXCEED \$30,950.00 AND AUTHORIZING AND APPROVING THE PURCHASE OF A SNOW PLOW ATTACHMENT IN AN AMOUNT NOT TO EXCEED \$5,971.00 FROM AMERICAN EQUIPMENT COMPANY OFF THE CITY OF KANSAS CITY, MISSOURI COOPERATIVE PURCHASING AGREEMENT IN A COMBINED AMOUNT NOT TO EXCEED \$36,921.00

WHEREAS, the Raytown Public Works Department has a need for the acquisition of a 2020 Ford F-250 Truck and plow equipment; and

WHEREAS, the City of Raytown, in the adoption of its purchasing policy has approved the practice of purchasing equipment from competitive bids awarded by other governmental entities through the cooperative bidding process; and

WHEREAS, Johnson County, Kansas has competitively bid and awarded a contract to Shawnee Mission Ford; and

WHEREAS, the City of Kansas City, Missouri has competitively bid and awarded a contract to American Equipment Company; and

WHEREAS, funds for such purpose are budgeted from the Capital Improvement Sales Tax and such expenditure has been reviewed and on April 23, 2019 was recommended by the Special Sales Tax Review Committee as being consistent with voter intent; and

WHEREAS, the Board of Aldermen find it is in the best interest of the citizens of the City of Raytown to authorize and approve the purchase of one (1) 2020 Ford F-250 Truck from Shawnee Mission Ford off the Johnson County, Kansas Cooperative Purchasing Contract in an amount not to exceed \$30,950.00 and the purchase of plow equipment from American Equipment Company off the City of Kansas City, Missouri Cooperative Purchasing Contract in an amount not to exceed \$5,971.00 in a combined amount not to exceed \$36,921.00.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the purchase of one (1) 2020 Ford F-250 Truck from Shawnee Mission Ford off the Johnson County, Kansas Cooperative Purchasing Contract in an amount not to exceed \$30,950.00 and the purchase of plow equipment from American Equipment Company off the City of Kansas City, Missouri Purchasing Contract in an amount not to exceed \$5,971.00 in a combined amount not to exceed \$36,921.00 is hereby authorized and approved; and

FURTHER THAT the City Administrator is hereby authorized to execute all documents necessary to this transaction and the City Clerk is authorized to attest thereto.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 15th day of October, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

Shawnee Mission Ford, Inc.

11501 SHAWNEE MISSION PARKWAY • P.O. BOX 3179
SHAWNEE, KANSAS 66203-0179 • 913/631-0000 • FAX 913/631-7325

February 22, 2019

Jeff
City of Raytown

2019 Ford F-250 Crew Cab 4x4 Short Bed (**W2B/160**)

Exterior: Oxford White (**Z1**)

Interior: 40/20/40 Vinyl (**AS**)

Base Price: \$23,536

Options:

- Crew Cab Bed (**W2**) \$3,164
- 4x4 (**2B**) \$2,462
- Short bed (**160**) \$(150)
- Line X \$519
- Snow Plow Prep (**473**) \$171
- Extra HD Alternator (**67E**) \$79
- 4.30 E-Locking Rear Axle (**X4L**) \$359
- Cab Steps (**18B**) \$409
- Trailer Brake Controller (**52B**) \$249
- Up Fitter Switches (**66S**) \$152
- Floor Mats \$included in base price
- Cruise Control \$included in base price
- Rear Defroster \$included in base price
- Power Group \$included in base price
- Locks, Windows,
Trailer Tow Mirrors-heated, RKE

Total \$30,950

Additional options to consider

- Dual Batteries (**86M**) \$193
- Front / Rear Splash Guards (**61S/62S**) \$119
- Front Wheel well Liner (**61L**) \$165
- Rear Wheel Well liner (**61M**) \$165
- Reverse Sensors (**76R**) \$225
- Skid Plates (**41P**) \$92
- 110V/400W Outlet (**43C**) \$161

Thank you for your time and interest.

Sincerely,
Jay Cooper
Government Fleet Sales



LANDMARK DODGE CHRYSLER JEEP
 1900 S NOLAND RD
 INDEPENDENCE, MO 640551316

Configuration Preview

*PW
 Bryan Hoff
 Unit #210*

Date Printed: 2019-03-06 12:17 PM VIN:
 Estimated Ship Date: VON:

Quantity: 1
 Status: BA - Pending order
 FAN 1:
 FAN 2:
 Client Code:
 Bid Number:
 PO Number:

Sold to: LANDMARK DODGE CHRYSLER JEEP (44378)
 1900 S NOLAND RD
 INDEPENDENCE, MO 640551316

Ship to: LANDMARK DODGE CHRYSLER JEEP (44378)
 1900 S NOLAND RD
 INDEPENDENCE, MO 640551316

Vehicle: ²⁰¹⁹~~2018~~ 2500 TRADESMAN CREW CAB 4X4 (169 in WB 8FT 0 IN box) (DJ7L92)

	Sales Code	Description	MSRP(USD)	FWP(USD)
Model:	DJ7L92	2500 TRADESMAN CREW CAB 4X4 (169 in WB 8FT 0 IN box)	39,645	37,291
Package:	22A	Customer Preferred Package 22A	0	0
	ESA	6.4L Heavy Duty V8 HEMI with MDS	500	455
	DFP	6-Spd Automatic 66RFE Transmission	0	0
Paint/Seat/Trim:	PW7	Bright White Clear Coat	0	0
	APA	Monotone Paint	0	0
	*TX	HD Vinyl 40/20/40 Split Bench Seat	0	0
	-X8	Black/Diesel Gray	0	0
Options:	LNC	Clearance Lamps	0	0
	LHL	Auxiliary Switches - 1/P Mounted	0	0
	GXM	Remote Keyless Entry	190	173
	GFA	Rear Window Defroster	195	177
	WBN	18X8.0 Steel Wheels	195	177
	TCP	LT275/70R18E OMI On/Off Road Tires	0	0
	XXS	Upfitter Electronic Module (VSIM)	345	314
	GPG	Power Black Trailer Tow Mirror	195	177
	XMF	Spray in Bedliner	565	514
	DMF	4.10 Axle Ratio	145	132
	XHC	Trailer Brake Control	295	268
	AD2	Snow Chief Group	845	769
	MRA	Wheel to Wheel Side Steps	745	678
	5N6	Easy Order	0	0
	4FM	Fleet Option Editor	0	0
	4FT	Fleet Sales Order	0	0
	174	Zone 74-Denver	0	0
	4EA	Sold Vehicle	0	0
Non Equipment:	4WA	Misc Commercial Account	0	0
Discounts:	YG2	5.2 Additional Gallons of Gas	0	16
Destination Fees:	ADB	Skid plates <i>132⁰⁰</i>	1,695	1,695

Total Price: 45,555 42,836

Order Type: Fleet
 Scheduling Priority: 1-Sold Order

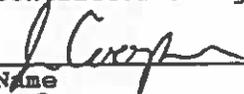
PSP Month/Week:
 Build Priority:

*99
 YOUR COST
 \$34,617.00*

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

\$34,749.00

Treasury & Financial Management

<p>1. Modification No.: 2 Effective Date: 11/16/2018</p>	<p>2. Contract No.: 2016-002 2019 Model Year Vehicles Effective Date: 11/15/2016</p>
<p>3. Purchasing Administrator: Dale Bauer Telephone Number: (913) 715-0591 E-Mail: dale.bauer@jocogov.org</p>	<p>4. Contractor-Name and address: Shawnee Mission Ford 11501 Shawnee Mission parkway Shawnee, KS 66203 913-631-0000 Jay Cooper jay.cooper@shawneemissionford.com</p>
<p>4. Issued By: Johnson County, Kansas Treasury and Financial Management, Purchasing Division County Administration Building 111 South Cherry Street, Suite 2400 Olathe, KS 66061-3486 913-715-0525</p>	
<p>6. SPECIAL INSTRUCTIONS: Contractor is required to sign Block 8 showing acceptance of the below written modification and <u>return this form to address shown in Block 4 within ten (10) days after receipt.</u> Retain a photocopy of the signed copy of this modification and attach to original of contract, which was previously provided.</p> <p style="text-align: center;">*</p>	
<p>7. DESCRIPTION OF MODIFICATION:</p> <p>Exercise option to renew this contract for (1) additional twelve (12) month period per Bid Section 4, page 6 of the original bid documents. This extends the contract through 11/15/2019. There are no more renewals remaining on this contract. The 2020 Model Year will have a new bid solicitation. Pricing is based on the 2016-002 renewal submission for the 2019MY Vehicles dated October 2018.</p>	
<p>8. Contractor's Signature</p> <p> Name</p> <p>Coat Fit Sales Title</p> <p>11-29-18 Date</p>	<p>9. Johnson County, Kansas</p> <p>By:</p> <p> Purchasing Manager</p>
<p>10. Distribution:</p> <p>Original - Bid File Copies - Departments as applicable Surety Company</p>	<p>This day 29th NOVEMBER , 2018</p>

American

EQUIPMENT CO.
 3250 Harvester Road
 Kansas City, Kansas 66115
 (Phone) 913-342-1450 (Fax) 913-342-1377
 sales@americanequipment.us

QUOTATION

DATE	Quotation #
4/15/2019	041519/12RK

NAME / ADDRESS
City of Raytown 10000 East 59th Raytown, MO 64133

TO CONFIRM ORDER
Quote Accepted by _____
Date _____
P.O. # _____

LEAD TIME	TERMS	REP	FOB	PHONE	FAX #		
	Credit Card	REK	KC, KS	816-737-6046	816-737-6052		
QTY	ITEM	DESCRIPTION			U/M	COST	Total
1	BOS-Equip...	Pricing based on City of Kansas City, MO Contract # EV2260 Equipment for 2019 Ford F-250: Boss 9' Super Duty Snow Plow: - 29" 11 gauge steel moldboard - 1/2" X 6" steel cutting edge - (7) vertical & (2) diagonal reinforcing ribs - (4) trip springs - (2) 1 1/2" X 10" angle cylinders - (2) adjustable cast iron shoes - Shock absorber - (2) plow markers - Smart Hitch 2 quick attaching system - SL-3 LED lights - Smart Touch 2 handheld controller - Boss rubber snow deflector - Installation				5,971.00	5,971.00
Quoted by Ryan Keith					Total	\$5,971.00	

This quote is valid for 30 days. Applicable taxes not included.



General Services Department

Procurement Services Division

1st Floor, Room 102 W, City Hall
414 East 12th Street
Kansas City, Missouri 64106-2793

(816) 513-1161
Fax: (816) 513-1156

TERM SUPPLY AND SERVICE CONTRACT

The City of Kansas City, Missouri, by authority of the Manager of Procurement Services, does hereby accept, with modifications if any, the following bid:

SUPPLIER: American Equipment Company
(referred to hereafter as the "Supplier")

MBE/WBE GOALS: N/A

CONTRACT NO.: EV2260 -1

EFFECTIVE DATES: From 08-01-16 to 07-31-17

DESCRIPTION: Fabrication, Installation and Repair of New and Existing Truck-Mounted Equipment and Accessories

A copy of the Supplier's signed bid is attached; and items not awarded, if any, have been deleted. This bid with INSTRUCTIONS AND CONDITIONS and any ADDENDA is attached hereto and hereby made a part of this Contract.

No financial obligation shall accrue against the City until the Supplier shall make delivery pursuant to order of the Manager of Procurement Services, and unless such order bears the written statement of the Director of Finance that there is a balance otherwise unencumbered to the credit of the appropriation to which the same is to be charged, and a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligations thereby incurred.

Supplier shall submit a performance bond to the City of Kansas City, Missouri with good and sufficient sureties in the sum of NONE REQUIRED for the faithful performance of this Contract. Bond shall be furnished within the time and in the manner prescribed in paragraph 18, Performance Bond Requirements, INSTRUCTIONS AND CONDITIONS.

The Manager of Procurement Services for the City of Kansas City, Missouri shall be the sole judge as to the fact of the fulfillment of this Contract, and upon any breach thereof, said Manager shall at his option declare this Contract void, and for any loss or damage by reason of such breach, whether this Contract is annulled or not, said Supplier and the sureties on said bond shall be liable.

The Contract incorporates the following:

BID NUMBER: EV2260 NO. OF PAGES: 1 THRU 19
CLOSING DATE: 07/14/2016 APPENDICES NO.: N/A
ATTACHMENT: INSTRUCTIONS AND CONDITIONS, PAGES A-1 thru A-7

Prepared By: Ronnell E. Simpson Sr

Handwritten signatures of Ronnell E. Simpson Sr (Senior Procurement Officer) and Renee Medlin (Procurement Manager)

Approved By: Renee Medlin

This Day of July 18, 2016



MODIFICATION OF CONTRACT

1. Modification No.: 3 Effective Date: 08-01-19	2. Contract No.: EV2260-1 Effective Date:08-01-16
3. Senior Buyer: Ronnell E. Simpson Telephone Number:(816) 513-1165	5. Supplier – Name and Address J & D EQUIPMENT INC DBA: AMERICAN EQUIPMENT COMPANY 3250 HARVESTER ROAD KANSAS CITY, KANSAS 68115 RYAN KEITH
4. Issued By CITY OF KANSAS CITY, MISSOURI Procurement Services Division 1st Floor, Room 102 W, City Hall 414 East 12 th Street Kansas City, Missouri 64106-2793	

6. **SPECIAL INSTRUCTIONS:** Retain this signed copy of the modification and attach it to the original contract that was previously provided by the Procurement Services Division.

7. Description of Modification

Fabrication, Installation and Repair of New and Existing Truck-Mounted Equipment and Accessories

Contract **EV2260-1** is renewed for one (1) year, at the Current pricing level listed from August 01, 2019 through July 31, 2020., the authority for which is contained in paragraph 3. Renewal Periods,

Taxpayer Clearance Letter. In accordance with City Ordinance No. 010461, if the City renews a contract, the Vendor shall provide new proof of tax compliance dated not more than ninety (90) days prior to the renewal date of the contract. Submission of this proof shall be a condition precedent to the City making the first payment under such renewal. This tax clearance letter may be obtained from the City's Revenue Division at (816) 513-1135 or (816) 513-1083.

All other Terms and Conditions of Contract **EV2260-1** remain unchanged.

8. City of Kansas City, Missouri

By: Ronnell E. Simpson, Sr.

Ronnell E. Simpson, Sr.
Senior Procurement Officer

This Day: July 10, 2019

CITY OF RAYTOWN
Request for Board Action

Date: October 10, 2019
To: Mayor and Board of Aldermen
From: Damon Hodges, City Administrator

Resolution No.: R-3246-19

Department Head Approval: _____

Finance Director Approval: _____ (only if funding is requested)

City Administrator Approval: _____

Action Requested: Board of Aldermen approval of the East Sanitary Sewer Basin Infiltration & Inflow Reduction & Rehabilitation Project change order #1 for SAK Construction, LLC.

Recommendation: Staff recommends approval of the East Basin sanitary sewer project change order as submitted.

Analysis: Original BOA approval was on May 7, 2019 for the East Basin sanitary sewer project by SAK Construction for their bid of \$161,790.00. We added an additional 10% for contingency for a BOA approved total of \$177,969.00, but most of this contingency has already been utilized. This change order #1 will be amending the original contract by adding \$50,000 to this contract to make a new contract amount of \$227,969.00.

This East Basin sanitary sewer change order is for an urgent sanitary sewer project that was discovered after a backup in a basement in early August. While attempting to identify the cause of the backup, City staff found two serious pipe offsets that inhibited the ability to clear blockages and to televise the sewer main line.

It was found that the primary cause of the backup was from a fiber conduit that was bored through the City sanitary sewer main line. This repair needed to be done immediately and this work was paid for by the company that owned the fiber conduit line.

Public Works already had SAK and their subcontractor Kissick under contract and working in town. After the point repairs were made, SAK was able to come back and CIPP line both sewer segments. The attached estimate from SAK & Kissick totals \$43,082, but we want to add a contingency to this work on Woodson Drive for a total cost up to \$50,000.

The Sewer Fund has \$67,153.34 remaining in the current budget for repair & maintenance services.

Alternatives: N/A.

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Fund: Sanitary Sewer Fund, Capital Expenditures
501.62.00.100.57000
Amount to Spend: not to exceed \$177,969.00 (previously approved May 7)

Fund: Sanitary Sewer Fund, Repairs & Maintenance
501.62.00.100.53600
Amount to Spend: not to exceed \$50,000.00

Additional Reports Attached: Construction estimate from SAK & Kissick.

A RESOLUTION AUTHORIZING AND APPROVING THE EXPENDITURE OF ADDITIONAL FUNDS THROUGH CHANGE ORDER NO. 1 WITH SAK CONSTRUCTION, LLC RELATED TO THE INFILTRATION & INFLOW REDUCTION & REHABILITATION PROJECT, EAST SEWER BASIN IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR A TOTAL AMOUNT NOT TO EXCEED \$227,969.00

WHEREAS, on May 7, 2019 and pursuant to Resolution No.: R-3202-19, the Board of Aldermen authorized the expenditure of funds to SAK Construction related to the Infiltration & Inflow Reduction & Rehabilitation Project, East Sewer Basin; and

WHEREAS, additional funds, in the amount of \$50,000.00 are necessary to complete additional repair work on the East Sewer Basin; and

WHEREAS, the Board of Aldermen find it is in the best interest of the City to authorize and approve additional funds with Change Order No. 1 for \$50,000.00 for the Infiltration & Inflow Reduction & Rehabilitation Project, East Sewer Basin for a total amount not to exceed \$50,000.00 to fund any potential change orders for a total amount not to exceed \$227,969.00.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the Board of Aldermen find it is in the best interest of the City to authorize and approve additional funds with Change Order No. 1 for \$50,000.00 for the Infiltration & Inflow Reduction & Rehabilitation Project, East Sewer Basin for a total amount not to exceed \$50,000.00 to fund any potential change orders and approve a total project amount not to exceed \$227,969.00; and

FURTHER THAT the City Administrator is hereby authorized to execute any and all documents and to take any and all actions necessary to effectuate the terms of the Agreement and exercise the authority granted herein on behalf of the City.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 15th day of October, 2019.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney



SAK™

Pipeline Infrastructure. Solved.™

636.385.1000 *tel*
636.385.1100 *fax*
864 Hoff Road
O'Fallon, MO 63366
www.sakcon.com

8/12/2019

City of Raytown, Missouri, Public Work Department
10000 East 59th St.
Raytown, MO 64133

ATTN: Mr. Jason Hanson

RE Infiltration and Inflow Reduction & Rehabilitation Project East Sewer Basin
Additional CIPP and Sewer Repair

Mr. Hanson,

SAK is proposing a cost (See table below - Includes 10% SAK Markup) for the additional CIPP & drop repair work on the East Basin project. The repair was not originally identified on the contract. The price will include labor, equipment and materials to complete the repair.

1	Point Repairs (R/R 2 outside drops, install inside drops)	2	EA	\$ 8,500.00	\$ 17,000.00
2	CIPP, 8 inch line, WOE-137 to WOE-133	325	LF	\$ 27.50	\$ 8,937.50
Total					\$ 25,937.50
2A	CIPP, 8 inch line, WOE-134 to WOE-133	99	LF	\$ 27.50	\$ 2,722.50
Total with Alternate					\$ 28,660.00

Please see the attached backup documentation and photos from Kissick. Please let me know if I can answer any questions. I can be reached at (314) 740-4879 or zericson@sakcon.com

Sincerely,
SAK Construction, LLC

Zach Ericson

Zach Ericson
Project Assistant
(314) 740-4879
zericson@sakcon.com



PROPOSED CHANGE ORDER

1

8131 Indiana Avenue
Kansas City, Missouri 64132

Phone: (816) 363-5530
Fax: (816) 523-1557

TITLE: Added Point Repairs - MH
WOE-133
PROJECT: RAYTOWN I&I FOR SAK

DATE: 08/12/2019
JOB: 19-055-
CONTRACT NO.:

To: Zachary Ericson
SAK CONSTRUCTION
864 HOFF ROAD
O'FALLON, MO 63366

DESCRIPTION OF PROPOSAL

This proposal is for the work associated with manhole WOE-133 to remove the two outside drops and replace with inside drops.

Item	Quantity	UOM	Unit Cost	Description	Unit Price
1	2.00	EA	\$7,211.00	Added Point Repairs - MH WOE-133	\$14,422.00
Total					\$14,422.00

APPROVAL:

By: _____
Zachary Ericson

By: _____
Greg Fry

Date: _____

Date: 8/12/2019