

**AN ORDINANCE REPEALING SECTION 500.120: ADOPTION OF BUILDING CODE, AND SECTION 500.130: AMENDMENTS TO BUILDING CODE OF THE MUNICIPAL CODE AND ORDINANCE NO. 1,054, 1,055, 1,057 OF THE CITY OF WINCHESTER AND ENACTING A NEW SECTION 500.120: ADOPTION OF THE INTERNATIONAL BUILDING CODE 2009 EDITION, AS ADOPTED AND AMENDED BY ST. LOUIS COUNTY ORDINANCE NO. 24,427 AS THE BUILDING CODE OF THE CITY OF WINCHESTER, ST. LOUIS COUNTY, MISSOURI IN LIEU THEREOF**

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WHEREAS, the City of Winchester, Saint Louis County, Missouri is desirous of adopting the 2009 edition of the *International Building Code*, as adopted and amended by St. Louis County Ordinance No. 24,427 regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Winchester; providing for the issuance of permits and collection of fees therefor; repealing Section 500.120 and Section 500.130 and Ordinance No. 1,054, 1,055, 1,057 of the Municipal Code of the City of Winchester and all other ordinances and parts of the ordinances in conflict therewith.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WINCHESTER, SAINT LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** That a certain document, two (2) copies of which are on file in the office of the City Clerk of the City of Winchester, being marked and designated as the International Building Code, 2009 edition, including Appendix Chapters, as published by the International Code Council, as adopted and amended by St. Louis County Ordinance No. 24,427, be and is hereby adopted as the Building Code of the City of Winchester, in the State of Missouri for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of Winchester are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any prescribed in Section 2 of this ordinance.

**Section 2. The following sections are hereby revised:**

- Section 101.1. Insert: City of Winchester
- Section 1612.3. Insert: City of Winchester
- Section 1612.3. Insert: March 8, 2017
- Section 3412.2. Insert: March 8, 2017

Insert Section 109.2 "Fee Schedule" as follows:

A non-refundable deposit of twenty-five dollars (\$25.00) to be applied toward the approved permit fee.

For permits for each new building and each addition, a permit fee of thirty dollars (30.00) for construction valued at five hundred dollars (\$500.00) or less, fifty dollars (\$50.00) for construction valued from five hundred dollars (\$500.00) to two thousand dollars (\$2,000), and seventy-five dollars (\$75.00) for all construction valued in excess of two thousand dollars (\$2,000). In addition, inspection fees shall be paid at the rate of thirty-five dollars (\$35.00) per inspection required.

For the fee of the City Building Commissioner for issuance of building permits, the amount of the permit fee up to and including twenty dollars (\$20.00).

The following fees shall be charged for all commercial construction:

A non-refundable deposit of fifty dollars (\$50.00) to be applied toward the approved permit fee.

**Building Permit Fee Schedule**

(For new building permits or permits for additions to buildings)

\$1.00 -----	\$3,000.00	\$ 75.00
\$3,001-----	\$25,000.00	\$ 250. 00
\$25,001-----	\$75,000.00	\$ 550.00
\$75,001-----	\$100,000.00	\$ 750.00
\$100,001-----	\$150,000.00	\$ 980.00
\$150,001-----	\$200,000.00	\$1,250.00
\$200,001-----	\$250,000.00	\$1,525. 00

Add \$25.00 to all of the above fees for processing

The fee for a permit for the demolition of a building or structure shall be at the rate of ten cents (\$.10) for each one hundred (100) cubic feet of volume of the building or structure.

In the event work is commenced prior to approval by the City and the obtaining of a permit, the above fees shall be doubled.

For every inspection of structures or improvements or additions to structures provided for in the ordinances of the City of Winchester there shall be the sum of thirty-five dollars (\$35.00) which shall be paid into the City Treasury and become part of the General Revenue Fund of the City.

Section 109.3 Building permit valuations Delete in its entirety and replace with the following:  
Section 109.3 Building permit valuations .. Building permit valuations shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing. Equipment, and other permanent systems, including materials and labor.

The valuation shall be set by the ICC building cost valuation data cost square footage estimation or copy of the actual contract showing construction cost in the event that a submitted valuation is noticeably below market valuation.

Section 113 Delete in its entirety and replace with the following:  
Section 113 Board of Appeals  
Section 113 .1 Application for appeal. Any person directly affected by a decision of the Building Official or a notice or order issued under this code shall have the right to appeal to the Board of Adjustment in accordance with Section 400.140 of the Municipal Code.

Section 1013.1 Where required. Delete in its entirety excluding exceptions 1-7 and replace with the following:

Section 1013 Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, stairs, ramps, and landings that are locate more than 30 inches measured vertically to the floor or grade at any point within 36 inches horizontally to the edge of the open side.

Guards shall be adequate in strength and attachment in accordance with Section 1607.8 Retaining walls. Guards shall be required where the difference in grade exceeds 4 feet and is accessible to pedestrian traffic. A natural barrier such as plantings and a 3 feet landscaped area adjacent to wall can be substituted for differences in grade to 6 feet.

Add Section 1510.3#4 Replacement of damaged or deteriorated shingles or other roof covering will be made with like material in quality and color. In the event the roof covering is 50 percent or more replaced it will require total replacement.

Section 1612.3. Insert: **City of Winchester**  
Section 1612.3. Insert: 3/8/2017  
Appendix G102.2 Insert 3/8/2017

**Section 3.** That Winchester Municipal Code Section 500.120: Adoption of Building Code, Section 500.130 and Ordinance No. 1,054, 1,055, 1,057: Amendments to the Building Code of the Municipal Code of the City of Winchester and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 5.** That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the City Clerk is hereby ordered and directed to cause this ordinance to be published on the city website.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

**PASSED AND APPROVED THIS 8 th DAY OF March , 2017.**