

NOTICE OF PLANNING & ZONING MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT A PLANNING AND ZONING BOARD WILL BE CONDUCTING A REGULAR MEETING TO BE HELD ON THURSDAY APRIL 28, 2022 AT 6:30 PM AT THE CLEVER CITY HALL LOCATED AT 304 S CLARKE AVE, CLEVER CITY HALL, CLEVER, MISSOURI.

1. Call to Order
2. Pledge of Allegiance
3. Minutes of March 24, 2022
4. Rick Casada – 101 S Clarke Ave
5. Southfork Estates – Rezoning to R1d – Single Family Residential
6. 2018 – Building Codes

DATED THIS 26th day of APRIL 2022



KRISTY KEITHLEY - CITY CLERK

President Keith opened the regular meeting of the Planning and Zoning Commission at 6:35 pm.

Present: President Keith, Mayor Maisel, David Wolf, Scott Hackworth, Alderman Schmidt, and Jo Novak
Westerman was absent. Refer to sign in sheet for others present.

Wolf motioned to accept the minutes of February 1, 2022. Novak 2nd the motion and passed unanimously.

Johnny Monger was present to ask the Commission to consider creating a new zoning district for higher density housing. Mr. Monger is looking for a zoning that would allow for 5' side setbacks, allow for smaller lots with bigger frontages.

Discussion was about creating a duplicate zoning to R1c but allowing for 7' side setbacks. Parking was discussed and possibly making Southfork Estates subdivision as one side of the street parking only. Discussion was on not allowing this new zoning to be outside of a subdivision, so not allowing a lot already in a designated area to be rezoned to the newly created zoning.

Hackworth made the motion to look at creating a new zoning classification to for residential to be called R1d. Hackworth amends his motion to add commercial classification. Mayor Maisel 2nd the motion. Vote: Mayor Maisel – Aye, Alderman Schmidt – Aye, Hackworth – Aye, Wolf – Naye, Novak – Naye.

Discussion was held on details to be used in the creation of the new zoning.

Hackworth made the motion to create a new zoning to copy the current R1c with allowance of 7' set backs, permeable surface is to max at 60%, not allowed within 220' of the Highway 14 corridor, zoning must be contained within itself. Novak 2nd the motion and passed unanimously.

Clerk presented the draft for the 2018 Building Codes to be reviewed and adopted.

Wolf made the motion to accept and submit to the Board of Aldermen the draft of the 2018 International Building Codes. Hackworth 2nd the motion and passed unanimously.

Wolf made the motion to adjourn at 9:40 pm. Hackworth 2nd the motion and passed unanimously.

Respectfully Submitted,

Date Approved:

Kristy Keithley – City Clerk

Brandon Keith – Commission President

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that the City of Clever's Planning and Zoning Commission will conduct a public hearing on Thursday, April 28, 2021 at 6:30pm at Clever City Hall, 304 S Clarke Ave., Clever, Mo. 65631. The purpose of this meeting will be to review and discuss the rezoning for the proposed South Fork Estates, a subdivision in the City of Clever. Developer is wanting to rezone from the current zoning classifications of Single Family R1c to the classification of Single Family R1d (6,000 sq) lots. Subdivided is located approximately on the south side of the intersection of Hwy K and Grant Street.

Acc.Id: 44313
Name: CITY OF CLEVER
Phone: 417-743-2544
Address: PO BOX 52
City: CLEVER
State: MO
Postcode: 65631
Class: 2020 Legal-Christian
County
Edition: MLG
Start: 04/06/2022
Stop: 04/06/2022
Issues: 1
Units 23.00
Order ID: CC 132575
TFN: C
TFN cycle:
Rep: KARENDK
Status: OK
Source: EM
Paytype: BI
Rate: LG
Cost EXC
GST: 46.92
Tax: 0.00
Total Charge: 46.92
Printed on: 04/01/2022 13:35:43
Printed by: KARENDK

AN ORDINANCE TO ADOPT VARIOUS 2018 INTERNATIONAL BUILDING CODES AND THE
2017 ELECTRICAL CODE AS THE BUILDING REGULATIONS OF THE CITY OF CLEVER

SECTION I. The following provisions shall replace Chapter 500 of the City Code:

1. Adoption Of Technical Building Codes.

The City of Clever hereby adopts the various building and technical codes set forth in this Chapter as the building regulations for the City.

2. International Building Code (IBC).

A. A certain document, one (1) copy of which is on file in the office of the Building Official of the City of Clever, Missouri, being marked and designated as the International Building Code, 2018 Edition, including Appendix Chapters C, F, G, H, I, K, and N, as published by the International Code Council, shall be and is hereby adopted as the Building Code of the City of Clever 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 therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Building Official are hereby referred to, adopted, and made a part hereof, as if fully set out in this Section, with the following additions, insertions, deletions and changes.

B. Modifications And Amendments To Code. The following sections of the 2018 IBC are hereby revised:

Section 101.1. Insert: City of Clever.

Section 1612.3. Insert: City of Clever

Section 1612.3. Insert: December 2011

The following Sections are hereby revised:

Section 1608.2 Ground Snow Load: Replace with "The ground snow load for the City of Clever, Missouri, shall be a minimum of fifteen (15) pounds per square foot."

C. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

3. International Existing Building Code (IEBC).

A. A certain document, one (1) copy of which is on file in the office of the Building Official of the City of Clever, Missouri, being marked and designated as the International Existing Building Code, 2018 Edition, as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Clever, in the State of Missouri, with Appendixes A and B for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, 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 Existing Building Code on file in the office of the City of Clever, Missouri, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Chapter, with the following additions, insertions, deletions and changes.

B. Modifications And Amendments To Code. The following sections of the 2018 IEBC are hereby revised:

The following Sections are hereby revised:

Section 101.1 Title

Insert: City of Clever, Missouri [as NAME OF JURISDICTION].

C. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the

causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

4. International Fire Code (IFC).

A. A certain document, at least one (1) copy of which is on file in the office of the City Clerk of the City of Clever, being marked and designated as the "International Fire Code, 2018," as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Clever in Christian County in the State of Missouri for the control of fire safety of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said building codes are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, with the additions, insertions, deletions and changes, if any, prescribed in Section 500.075.

B. Modifications And Amendments To Code. The following sections of the 2018 IFC are hereby revised:

The following Sections are hereby revised as follows:

Section 101.1. Insert: City of Clever

Section 105.4.2 Is hereby amended to read as follows: Construction documents shall be drawn to scale upon suitable material. Electronic media documents are allowed to be submitted when approved by the Fire Code official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the Fire Code official. In addition to construction documents an eight and one-half (8½) by eleven (11) copy of floor plan will be provided for Fire Department pre-plan purpose.

Section 105.6.4 Delete in its entirety.

Section 105.6.12 Delete in its entirety.

Section 105.6.15 Delete in its entirety.

Section 105.6.17 Delete in its entirety.

Section 105.6.18 Delete in its entirety.

Section 105.6.19 Delete in its entirety.

Section 105.6.27 Insert: In addition LP Gas storage within the City of Clever shall be subject to Section 205.055.

Section 105.6.30 Delete in its entirety.

Section 105.6.31 Delete in its entirety.

Section 105.6.32 Delete in its entirety.

Section 109.3. Insert: Ordinance violation, \$500.00, 90 days

Section 111.4. Insert: \$0.00 up to \$500.00

Section 319.4.1

Exceptions:

- a. Mobile food preparation vehicles at festivals, fairs, and events that do not occur on daily basis.
- b. Mobile food preparation vehicles that do have scheduled date consisting of one day each week within the City and there is only one food preparation vehicle at a location.

Section 503.1 Is hereby amended to read as follows:

(a) The Fire Chief may designate fire lanes of private and public property. Such area shall be designated by signs at each end of the lane which say "No Parking — Fire Lane" with appropriate curb markings. Curb markings shall be red painted background with white painted letters at least four (4) inches in size. Fire lanes may be established on driveways and access roads required by the planning and zoning as recommended by the Fire Department applicable to the property in question, provided that fire lanes may not be established on property containing one- or two-family residential dwellings.

(b) Upon notice by the Fire Chief of designation of a fire lane, it shall be the duty of the owner, occupant or his agent, of the premises upon which the fire lane has been designated, to post proper signs and to maintain such signs in good condition.

Section 505.1 Is hereby amended to read as follows:

(a) All such numbers shall be placed facing street, plainly visible from the street, shall be of a contrasting color to the background, shall be not less than four (4) inches high, shall be in plain Arabic type, shall be made with a width equivalent to at least a half of an inch wide and shall not be more than fifty (50) feet from the street, except as provided in Subsection (b) of this Section.

(b) If the number is more than fifty (50) feet from the street, the numbers shall be a minimum of six (6) inches in height, except in no event shall such number be more than one hundred (100) feet from the street.

(c) All businesses shall affix a street number to the rear of the business so as to be plainly visible from the rear access area. The size of the number posted shall be in accordance with the requirements set out in Subsections (a) and (b) of this Section.

(d) In multi-family complexes comprised of two or more buildings, each building shall have an illuminated number or letter designation visible to emergency personnel upon entering the complex.

Section 506.1 Is hereby amended to read as follows:

The key box shall be a "Knox Box", it shall be installed with the bottom of the vault six (6) feet above the finished grade, at the main entrance of the building or at a location designated by the Fire Chief or his/her designee. In multi-building complexes the Fire Chief or his/her designee shall determine if multiple boxes shall be required.

Section 903.3.1 Standards. Is hereby amended to read as follows:

Sprinkler systems shall be designed and installed in accordance with Sections 903.3.1.1, 903.3.1.2, 903.3.1.3 and, in addition, a structure designed with the intent of providing multiple tenant spaces with adjustable floor space determined by occupancy, the following shall apply:

1. All possible "infill" occupancies shall be segregated from the facility sprinkler system by the addition of a "butterfly valve" or approved gate valve device to the cross main that shall also include a tamper device wired to the fire alarm panel.
2. All possible "infill" occupancies shall have a fire alarm audible device for the occupants' notification of sprinkler activation.
3. All "infill" incorporating a lowered ceiling shall provide access to and indicate the location of the valve by signage stating "Sprinkler Valve Access" on appropriate, adjacent ceiling material.
4. In multi-family dwellings sprinkler branch lines shall be designed so they are not subject to freezing conditions such as found in breezeways.

Section 903.4.2 Is hereby amended to read as follows:

All NFPA 13 and NFPA 13D installed sprinkler systems shall be monitored by a third party UL Central Station for "water flow" and "tamper".

Approved audible and visual devices shall be connected to every automatic sprinkler system. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 907.2.9 Group R-2 is hereby amended to read as follows:

Fire Alarm systems and smoke alarms shall be installed in Group R-2 occupancies as required in Sections 907.2.9.1 and 907.2.9.3. When fire alarm systems are required, each occupant dwelling area shall have a minimum of one (1) centrally located audio/visual notification device.

Section 912.2 is hereby amended to read as follows:

With respect to proximate hydrant one hundred feet (100), driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be approved by the Fire Code Official.

Exception:

With respect to proximate hydrant located one hundred (100) feet from FDC the distance may be expanded when the hydrant would be in the collapse zone of the building.

Appendix B105.1 Is hereby amended to read as follows:

The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed three thousand six hundred (3,600) square feet (344.5 m²) shall be one thousand five hundred (1,500) gallons per minute (3785.4 L/min). Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of three thousand six hundred (3,600) square feet (344.5 m²) shall not be less than that specified in Table B105.1.

Enforcement Of Chapter

It shall be the duty of the Fire Chief, Fire Fighters, Police Chief, Police Officers and the Building Inspector to report any and all violations of this Chapter to the appropriate City Officials for action.

Regulation Of Propane Storage Tanks For Domestic Use

All liquid petroleum storage tanks greater than one hundred (100) pounds within the City limits of Clever which are used for consumption by residential or commercial consumers shall be prohibited.

Regulation Of Propane Storage Tanks

All liquid petroleum tanks within the City limits of Clever which are used for refueling motorized vehicles and which are for private consumption by individuals or businesses shall be subject to the pertinent Sections of the International Building Code and International Fire Code in addition to the following regulations:

No tank larger than two thousand (2,000) gallons shall be installed within the City limits.

All tanks shall be set upon a six (6) inch concrete reinforced foundation of adequate size for said tank.

All tanks are to be mounted securely to said foundation.

A six (6) foot metal chain link fence must be erected around the complete perimeter of said installation with a gate and lock. Said gate shall be kept locked at all times except during the refueling of vehicles.

A fire extinguisher of adequate size, and in any case no less than twenty (20) pounds dry chemical, must be installed at a convenient location within the perimeter fenced area.

All said tanks shall be installed no less than fifty (50) feet from any house, property line or heavily populated area.

No tank shall be operated after installation until first personally checked by the Clever Fire Chief or his/her designated representative, who shall personally inspect said tank and facilities and issue his/her written authorization of approval of said installation.

The rules and regulations covering LP gas, effective October 15, 1977, issued by the Division of Weights and Measures, Department of Agriculture, State of Missouri are hereby incorporated by reference in this Section as if fully set forth herein. The City Clerk shall maintain on file a copy of said rules and regulations for inspection by persons interested therein.

This Section shall not apply to liquid petroleum tanks used for commercial resale of LP fuel.

Exception:

Residential use within "AG" Agricultural and "R1-L" Low Density Single-Family Residential District as defined by Section 405.070. The tank shall be installed in accordance with the International Fire Code, International Building Code and other applicable Sections of this Code.

Franchise partners refuse service to an area within the City limits of Clever.

LP storage tanks regulated by Section 205.060.

Existing propane storage tanks in operation at the time of adoption of this Section may continue in operation and use, subject to the provisions of this Section.

C. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

5. International Residential Code (IRC).

A. A certain document, one (1) copy of which is on file in the office of the Building Official of the City of Clever, Missouri, being marked and designated as the International Residential Code, 2018 Edition, including Appendix Chapters A, B, C, D, E, G, H, J, K, N, O, and Q as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Clever, in the State of Missouri, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three (3) stories in height with separate means of egress 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 Residential Code on file in the office of the Building Official are hereby referred to, adopted, and made a part hereof, as if fully set out in this Section, with the following additions, insertions, deletions and changes.

B. Modifications And Amendments To Code. The following sections of the 2018 IRC are hereby revised:

Section R101.1 Title

Insert: City of Clever, Missouri [as NAME OF JURISDICTION].

Section R105.2 Work exempt from permit

Remove: One-story detached accessory structures, provided that the floor area does not exceed two hundred (200) square feet.

Remove: Fences not over six (6) feet high.

Table R301.2(1) Climatic and Geographic Design Criteria

Insert the following values:

Ground snow load	15
Wind Speed	115
Seismic design category	C
Damage from weathering	Severe
Frost line depth	24 inches
Damage from decay	Moderate/Heavy
Winter design temperature	9°
Flood hazard	See current Flood Insurance Rate Map and adopted Flood Damage Prevention regulations

Section R309.5 Fire sprinklers ****waiver from contractor to opt out****

Remove in its entirety.

Section P2603.5.1 Sewer depth

Insert: 24 [as NUMBER in both locations].

Section E3902.2 Garage and accessory building receptacles

Insert: A GFCI is not required for a receptacle that supplies power to an automatic garage door opener.

Section E3902.16 Arc-fault circuit-interrupter protection

Remove "kitchens, family rooms, dining rooms, living rooms, parlors, libraries, dens, sunrooms, recreation rooms, closets, hallways, laundry areas and similar rooms or areas."

Section E4002.14 Tamper-resistant receptacles

Remove "areas specified in Section E3901.1" and replace with "bedrooms."

Chapter 11 Energy Efficiency

Delete Chapter and replace with Chapter 11 Energy Efficiency of 2006 International Residential Code.

C. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

6. International Plumbing Code (IPC).

A. A certain document, one (1) copy of which is on file in the office of the Building Official of the City of Clever, Missouri, being marked and designated as the International Plumbing Code, 2018 Edition, including Chapters B, C, D, and F, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Clever in the State of Missouri regulating and governing the design, construction, quality of materials, erection, installation,

alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems 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 Plumbing Code on file in the office of the Building Official are hereby referred to, adopted, and made a part hereof, as if fully set out in this Chapter, with the following additions, insertions, deletions and changes.

B. Modifications And Amendments To Code. The following sections of the 2018 IPC are hereby revised:

The following Sections are hereby revised as follows:

Section 101.1. Insert: City of Clever.

Section 106.5.2. Insert: Fee Schedule set out in Section 500.110 of the Clever Municipal Code.

Section 106.6.3. Insert: 0%, 0%, No Refunds

Section 108.4. Insert: Ordinance violation, \$500.00, 90 days

Section 108.5. Insert: \$0.00 up to \$500.00

Section 305.6.1 Insert: No Septic Tanks Allowed, #2: 20"

Section 904.1. Insert: 12"

Insert: Refer to Section 500.035 of the Clever Municipal Code of Ordinances.

Section 305.4.1 Sewer depth

Insert: 24 [as NUMBER in both locations].

Section 903.1 Roof extension Stop work orders

Insert: 12 [as NUMBER].

C. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

7. 2017 Edition of the National Electrical Code (NEC).

A. A certain document, one (1) copy of which is on file in the office of the Building Official of the City of Clever, Missouri, being marked and designated as the National Electrical Code, 2017 Edition, as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the City of Clever in the State of Missouri for regulating and governing electrical systems and installations 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 National Electrical Code on file in the office of the Building Official are hereby referred to, adopted, and made a part hereof, as if fully set out in this Chapter.

B. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

8. International Fuel Gas Code (IFGC).

A. A certain document, one (1) copy of which is on file in the office of the Building Official of the City of Clever, Missouri, being marked and designated as the International Fuel Gas Code, 2018 Edition, including Chapters A, B, C, and D, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Clever, in the State of Missouri for regulating and governing fuel gas systems and gas-fired appliances 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 Fuel Gas Code on file in the office of the Building Official are hereby referred to, adopted, and made a part hereof, as if fully set out in this Chapter, with the following additions, insertions, deletions and changes.

B. Modifications And Amendments To Code. The following sections of the 2018 IFGC are hereby revised:

Section 101.1 Title

Insert: City of Clever, Missouri [as NAME OF JURISDICTION].

Section 106.6.2 Fee schedule

Insert: Refer to Section 500.110 of the Clever Municipal Code of Ordinances.

Section 106.6.3 Fee refunds

Insert: No Refunds

Section 108.4 Insert: Violation penalties

Refer to Section 500.110 of the Clever Municipal Code of Ordinances.

Section 108.5 Stop work orders

Insert: Refer to Section 500.110 of the Clever Municipal Code of Ordinances.

C. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

9. International Mechanical Code (IMC).

A. A certain document, one (1) copy of which is on file in the office of the Building Official of the City of Clever, Missouri, being marked and designated as the International Mechanical Code, 2018 Edition, including Appendix Chapter A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Clever in the State of Missouri regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems 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 Mechanical Code on file in the office of the Building Official are hereby referred to, adopted, and made a part hereof, as if fully set out in this Chapter, with the following additions, insertions, deletions and changes.

B. Modifications And Amendments To Code. The following sections of the 2017 NEC are hereby revised:

The following Sections are hereby revised as follows:

Section 101.1. Insert: City of Clever.

Section 106.5.2. Insert: Fee Schedule set out in Section 500.110 of the Clever Municipal Code.

Section 106.5.3. Insert: 0%, 0%, No Refunds

Section 108.4. Insert: Ordinance violation, \$500.00, 90 days

Section 108.5. Insert: \$0.00 up to \$500.00

C. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

10. 2009 Edition Of The ICC A117.1-2009 Accessible And Usable Buildings And Facilities

A. A certain document, one (1) copy of which is on file in the office of the City Clerk of City of Clever, Missouri, being marked and designated as the ICC A117.1-2009 Accessible and Usable Buildings and Facilities, 2009 Edition, as published by the International Code Council, be and is hereby adopted as the Building Code of the City of Clever in the State of Missouri for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for facilities and other physical things and conditions essential to ensure

that structures are safe, sanitary and fit for occupation and use; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation.

B. Violations And Penalties.

1. For any violation of the code adopted hereby, the violator, upon conviction, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment. Every day any violation shall continue shall constitute a separate offense.

2. Whenever any act is prohibited by the code adopted hereby, by an amendment thereof, or by any rule or regulation adopted there under, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by the code adopted hereby, an attempt to do the act is likewise prohibited.

3. Equitable Relief. In addition to any other remedies or penalties established for violations the code adopted hereby, or any rule, regulation, notice, condition, term or order promulgated by any officer or agency of the City under duly vested authority, the City Official responsible for the enforcement of the code adopted hereby, rule, regulation, notice, condition, term or order may, on behalf of the City and after approval by the Board of Aldermen, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to enforce compliance with the code or rule, regulation, notice, condition, term or order. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action the City may be awarded by the court reasonable attorney fees as allowed by law.

SECTION 2. Any ordinances or parts of ordinances in conflict herewith are hereby repealed. Ordinance No. 404 is specifically repealed.

SECTION 3. Nothing in this ordinance or in the codes adopted hereby shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance repealed in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance nor the codes adopted hereby.

SECTION 4. It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses and phrases of this ordinance and the codes adopted hereby are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance or the codes hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance or the codes hereby adopted.

SECTION 5. This ordinance shall be effective upon its passage and approval by the Board of Aldermen of the City of Clever.