

**BOA Meeting Agenda  
Peculiar City Board of Aldermen  
Worksession Meeting and Public Hearing  
City Hall – 250 S. Main St  
Monday October 5, 2015 6:30 p.m.**

*Notice is hereby given that the Board of Aldermen of the City of Peculiar will hold a regularly scheduled meeting on Monday, October 5, 2015 at 6:30 pm, in the Council Chambers at 250 S. Main St. Representatives of the news media may obtain copies of this notice by contacting the City Clerk at City Hall, 250 S. Main St Peculiar, MO 64078 or by calling 816-779-2221. All proposed Ordinances and Resolutions will be available for viewing prior to the meeting in the Council Chambers.*

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. City Clerk – Read the Board of Alderman Statement
5. Unfinished Business –
  - A. Bill No. 2015-22 - AN ORDINANCE BY THE BOARD OF ALDERMEN TO AMEND THE OFFICIAL 2008 COMPREHENSIVE PLAN OF THE CITY OF PECULIAR BY ADOPTING THE COMPREHENSIVE PLAN UPDATE, 2015 TO THE CITY OF PECULIAR COMPREHENSIVE PLAN.  
2<sup>nd</sup> Reading
  - B. Bill No. 2015-23 - AN ORDINANCE AMENDING CHAPTER 400, ARTICLE IV, DISTRICTS BY RESCINDING SECTION 400.490 DISTRICT “H” HISTORIC OVERLAY AND ESTABLISHING A NEW SECTION 400.490 DISTRICT PECULIAR WAY DESIGN OVERLAY OF THE CITY OF PECULIAR MUNICIPAL CODE.  
2<sup>nd</sup> Reading
  - C. Bill No. 2015-24 – A ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AND ACCEPTING THE MISSOURI HIGHWAYS and TRANSPORTATION COMMISSION (MoDOT) SIGN PROGRAM AGREEMENT FOR THE 1-49 TREE CITY USA SIGNS (CASS COUNTY), MISSOURI.  
2<sup>nd</sup> Reading
  - D. Bill No. 2015-26 - AN ORDINANCE AMENDING THE POLICE ADVISORY BOARD ORDINANCE OF THE CITY OF PECULIAR, MISSOURI REPEALING CHAPTER 200 OF THE ORDINANCES OF THE CITY, AND ADOPTING A NEW CHAPTER 200 ESTABLISHING THE DUTIES OF THE BOARD, AND THE METHOD OF APPOINTMENT OF MEMBERSHIP THEREOF.  
2<sup>nd</sup> Reading
6. New Business –
  - A. Resolution 2015-54 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF ALICE REDDING TO THE POLICE ADVISORY BOARD.
  - B. Resolution 2015-55 - A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI REDUCING BUILDING PERMIT FEES FOR THE NEXT TWENTY (20) BUILDING PERMITS ISSUED FOR NEW SINGLE FAMILY DWELLINGS.
  - C. Bill No. 2015-27 - AN ORDINANCE AMENDING CHAPTER 500: GENERAL PROVISIONS OF THE PECULIAR MUNICIPAL CODE TO ESTABLISH A NEW CHAPTER 500: BUILDING AND CONSTRUCTION CODE OF THE CITY OF PECULIAR.  
1<sup>st</sup> Reading
7. Aldermen Concerns
8. Aldermen Directives
9. Adjournment

**City Administrator**  
*Brad Ratliff*

**City Clerk**  
*Janet Burlingame*

**City Engineer**  
*Carl Brooks*

**Business Office**  
*Trudy Prickett*



**Chief of Police**  
*Harry Gurin*

**City Planner**  
*Cliff McDonald*

**City Attorney**  
*Reid Holbrook*

**Parks Director**  
*Grant Purkey*

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078  
Phone: (816)779-5212 Facsimile: (816)779-1004

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**To:** Board of Aldermen  
**From:** Clifford L. McDonald  
**Date:** October 5th, 2015  
**Re:** Ordinance to Adopt the 2015 Comprehensive Plan Update

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#### **GENERAL INFORMATION**

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**Applicant:** City Staff

**Status of Applicant:** N/A

**Requested Actions:** The Board of Aldermen to consider the Second Reading of the Ordinance to adopt the 2015 Comprehensive Plan Update.

**Date of Application:** N/A

**Purpose:** The purpose is for the Board of Aldermen to consider the Second Reading of the Ordinance to adopt the 2015 Comprehensive Plan Update.

**Property Location (if applicable):** City wide.

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#### **PROPOSAL**

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See "Requested Actions" above.

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#### **PREVIOUS ACTIONS**

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The Planning Commission recommended approval and the Board of Aldermen formally adopted the City's current Comprehensive Plan in November, 2008. Gould Evans Associates, LC was awarded the contract to update the City's Comprehensive Plan August 18<sup>th</sup>, 2014; since that time the City has held several public workshops, public forums, solicited citizen comments by electronic survey and utilized the expertise of the Technical & Steering Committees to ensure this update reflects the future goals and desired growth of the City of Peculiar.

The Planning Commission held a Public Hearing on September 10<sup>th</sup> on the Comprehensive Plan Update 2015; no one spoke against the update nor have any formal protests been received. The Commission unanimously approved the Comprehensive Plan Update on September 10<sup>th</sup> and forwarded their recommendation to the Board of Aldermen for approval.

The Board of Aldermen held a Public Hearing on September 21st on the Comprehensive Plan Update 2015; no one spoke against the update nor have any formal protests been received. The Board subsequently approved the First Reading of the Ordinance to adopt the Comprehensive Plan Update 2015.

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**KEY ISSUES**

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Perhaps the four areas addressed by the Comprehensive Plan Update with the most impact on the City's future development are:

1. *Fuctional Classification of Streets*
2. *Adopting the Complete Streets policy*
3. *Future Land Use Map*
4. *Amending Future Land Use Categories definitions.*

**STAFF COMMENTS AND SUGGESTIONS**

The Board of Aldermen approved a name change of 211<sup>th</sup> Street to Peculiar Way on September 21<sup>st</sup>, 2015; the Comprehensive Plan Update 2015 presented for the Board's approval has been updated to reflect this change.

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**STAFF RECOMMENDATION**

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Staff Recommends the Board of Aldermen strongly consider approving the Second Reading of the Ordinance to adopt this Comprehensive Plan Update 2015.

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**ATTACHMENTS**

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1. *Comprehensive Plan Update2015*
2. *Ordinance to Adopt*

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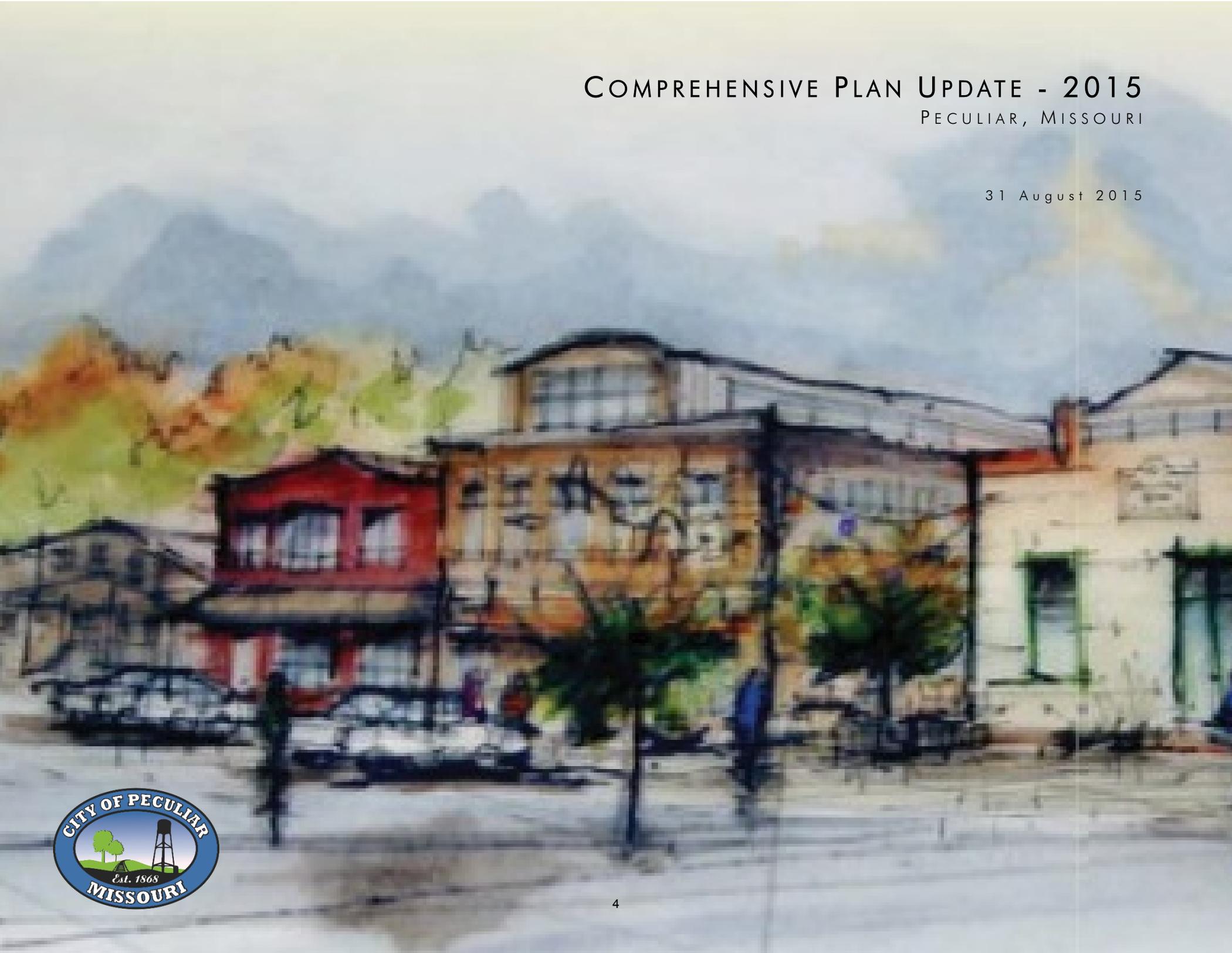
**STAFF CONTACT:**

Clifford L. McDonald,  
PH: 816-779-2226  
E-mail: cmcdonald@cityofpeculiar.com

# COMPREHENSIVE PLAN UPDATE - 2015

PECULIAR, MISSOURI

31 August 2015



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**Steering Committee:**

- Holly Stark, *Mayor*
- Tim Conway, *Planning Commission*
- Matt Hammack, *Planning Commission*
- Pat Roberts, *Alderman*
- Kelsie McCrea, *Alderman*
- Benda Conway, *DPACD*
- Mark Callison, *Business Owner*
- Dr. Kari Monsees, *Ray-Pec Schools*

**Technical Committee:**

- Clifford McDonald, *City Planner*
- Carl Brooks, *City Engineer*
- Grant Purkey, *Parks Director*
- David Shrout, *Water Department*
- Nick Jacobs, *Public Works*
- Chief Gurin, *Police Department*
- Gary Mallory, *Economic Development*

**Adopted:**

*Planning Commission* – 10 September 2015  
*Board of Aldermen* - ??

**Prepared By:**

gouldevans





## INTRODUCTION

The current Comprehensive Plan for the City was adopted in 2008 and has had minor updates since that time. A community based process was initiated to update the content of the comprehensive plan to address changes in the community since plan adoption and in anticipation of future change. Since 2008 the community growth and residential building has slowed dramatically as the national and local economies have slowed. Now, as the economy continues to rebound, the City of Peculiar is once again seeing growth and new opportunities. The recent designation of Interstate 49 will continue to impact the City of Peculiar, most directly through the construction of a new interchange at Peculiar Way. The new interchange will provide additional access and development opportunities for the City. To address the future change within the community the Comprehensive Plan update has focused on those most pressing issues. Those items and recommendations for improvements are addressed within this document.

## DEMOGRAPHICS / ECONOMICS

The future projections for the growth of Peculiar, MO will be based on 1.0% annual growth rate (Figure 1). This projection is a significant departure from the projection included in the 2008 Comprehensive Plan and more closely aligned with the recently completed market analysis for Peculiar. The reduction in population growth in the future is largely the result of the economic, and building slowdown of 2008. The future trend line is based on the 2010 census population defined for Peculiar of 4,608. Future populations based on this estimate would be as follows:

- 2012 – 4,794 (est.)
- 2020 – 5,069
- 2030 – 5,576
- 2040 – 6,133
- 2050 – 6,747

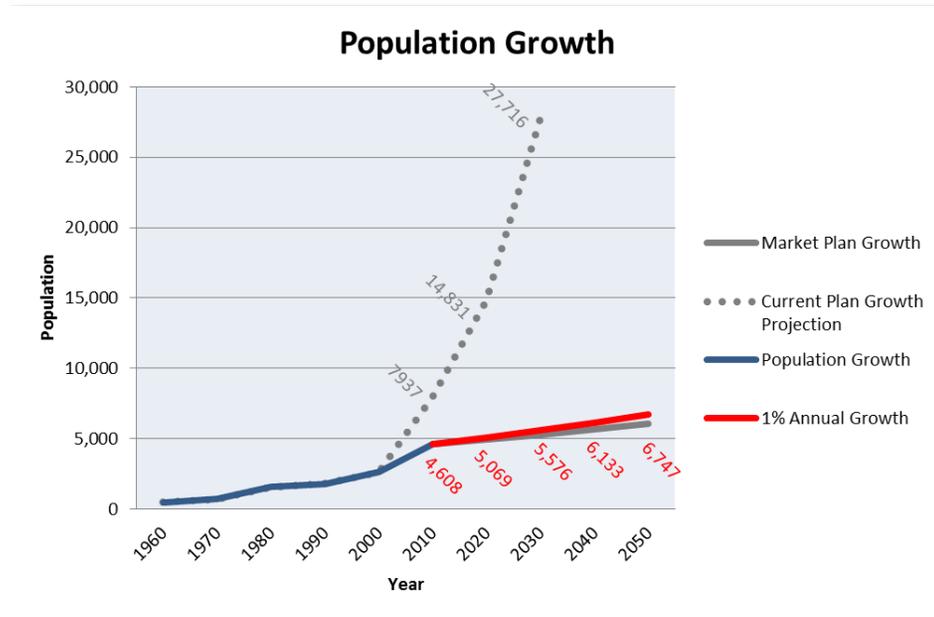


Figure 1: Population Projection, 2010 to 2050

The revised population projections align with the projections proposed in the Downtown Market Analysis & 211<sup>th</sup> Street Corridor Analysis completed for Peculiar in 2014. This study identifies a .8% annual population growth projection for the community. Based on the revised population projections, the economic forecasts from the market analysis can be used to project future growth and development. Figure 2 identifies the projected growth in residential and retail uses in the community for the next five years. As you can see modest growth is forecasted in the near future.

The market analysis identifies the addition of approximately 75 homes over the next five years, or 15 new homes annually. Based on this growth, combined with existing demand, the analysis identifies strong future demand for retail services in Peculiar, in excess of 365,000 square feet, which equates to a significant fiscal impact to the community.

Anticipated industrial development was estimated at one-million square feet, based on the current and future available industrial land. The future land use plan identifies a significant amount of land planned for industrial uses in the

northwest quadrant of the community. The process to have this area designated by the State of Missouri as a Certified Site is underway. This area is appropriate for a significant amount of industrial development based on the land available and the improved access provided by the Peculiar Way interchange.

The market analysis includes several residential, retail and industrial recommendations to maximize the potential market and market influence on the city. This recommendations are incorporated as the City's economic development policy and improvements based on their adoption and are incorporated as a part of this Comprehensive Plan.

<b>Projected new development (Residential, Retail and Industrial)</b>				
	Market Opportunity (sq. ft. or units)	Investment Created	Jobs Created	Annual Sales
<b>Residential</b>	73 homes 162,936 <sup>2</sup> sqft	\$11,132,500 <sup>3</sup>	219 <sup>4</sup>	n/a
<b>Retail</b>	365,000 sqft	\$51,539,250 <sup>5</sup>	799 <sup>6</sup>	\$61,320,000 <sup>7</sup>
<b>Industrial</b>	Not forecasted, 1,000,000 sqft example	\$105,550,000 <sup>8</sup>	1,720 <sup>9</sup>	n/a
<b>TOTALS</b>	<b>1,527,936</b>	<b>\$168,221,750</b>	<b>2,738</b>	<b>\$61,320,000</b>

Figure 2: Estimated Development Impact, 2014 to 2019

## CITY BEAUTIFICATION

In addition to the City Beautification elements already outlined in the Comprehensive Plan there are further enhancements that can contribute to the character of the community. Those improvements include:

### *Landscape Standards*

Improved landscaped standards within the zoning ordinance should be incorporated to complement additional public beautification improvements. Improvements to the landscape regulations should include expansion of landscaping and screening standards to residential development. Additionally the special screening requirements for commercial and industrial development, within the code, that address the site design along major streets should be expanded to cover all development along these corridors. The streets that are appropriate for additional design consideration include US 49 (71 Highway), Peculiar Drive, YY Highway, South East Outer Road, J Highway, Harper Road, C Highway, School Road and Peculiar Way.

### *Character Streets*

The implementation of the character street concepts, defined in the Transportation Network section of these updates, throughout the City will add to the character and quality of design within Peculiar. The concept is intended to provide street design that supports the function of adjacent development with access, but also with design elements that contribute to the character of the advanced design.

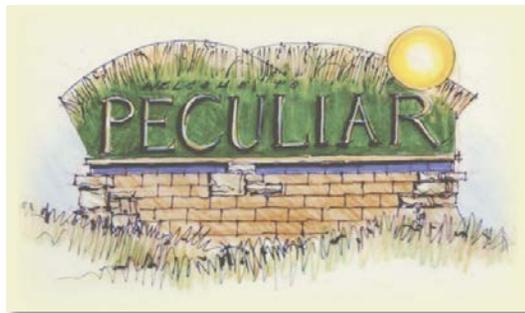


Figure 3: Entry Monument Rendering

## SPECIAL CHARACTER AREAS

### **Interstate 49 and Peculiar Way Interchange**

To address the anticipated development at the future Peculiar Way Interchange, the design polices and standards will be codified within the Peculiar Way Deign Overlay. The overlay will apply to development adjacent to interchange and along Peculiar Way.

### **Community Entrances**

In addition to the policies identified in the current plan the recommendations for delineating community entrances includes:

- The identification of each major entryway from Interstate 49 should be delineated with a gateway markers that reflect the rural character and modern amenities of the community.
- The entryways into Downtown Peculiar should be delineated with markers that reflect the small town, downtown community feel and the arts/cultural district theme.

## TRANSPORTATION NETWORK

The transportation network for Peculiar provides connectivity and accessibility throughout the community. The existing street network is comprised of streets that primarily serve local traffic with a few streets that are more significant regional traffic movers. A future interchange will be constructed at Peculiar Way which will relieve some peak hour congestion and improve east-west circulation within the community. The plan updates define those improvements to the transportation network including street classifications, Complete Streets policy and standards, Character Street typical cross-sections and application, and improvements to the multi-modal systems, including accommodations for pedestrians and bicycles.

### Street Classifications

Changes in the street classifications from the previous plan are proposed for Peculiar. The changes are intended to reflect the anticipated change in the traffic flow due to the construction of the Peculiar Way Interchange and growth of the community. The street classifications for

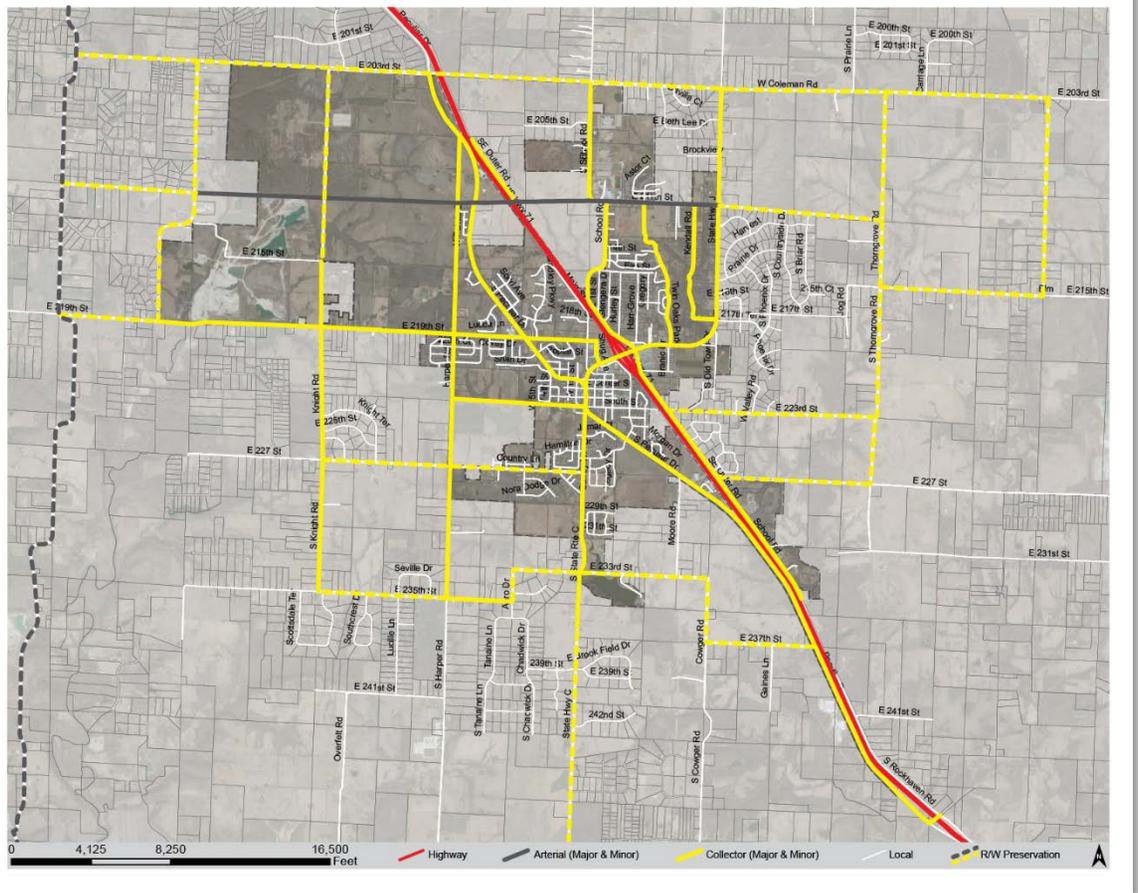


Figure 4: Functional Classification of Streets

	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Local (Residential)
# of Through Traffic Lanes	4-5	3-4	2-4	2-3	2
Width of Lanes (excludes curb and gutter)	10' – 12'	10' – 12'	10' – 12'	10' – 11'	10'
# of Parking Lanes	0-2	0-2	0-2	0-2	0-2
Parking Lane Width	8'	8'	8'	8'	7'
Width of Median (includes curb and gutter)	10' - 16' (turn lane no wider than 12')	0-10'	0-10'	0	0
Min. R/W Width	100'	80'	60'	60'	50'
Bike Facility	5' lane (min.)	5' lane (min.)	5' lane (min.)	5' lane (min.)	Share the road
Pedestrian Facility	2 (1 multi-use path + 1 sidewalk preferred)	2 (1 multi-use path + 1 sidewalk preferred)	2	2	1-2
Sidewalk Width (Min. / dependent on street type)	5' – 10'	5' – 10'	5' – 10'	5' – 10'	4' to 8'

Figure 5: Functional Classification of Streets Standards

Peculiar are delineated on Figure 5 and design standards are included in Figure 6.

**Complete Streets**

“Complete Streets” is an important concept for the City of Peculiar’s future transportation system and development. This concept considers all modes of travel equally in the planning and design of transportation networks. A complete streets policy should prioritize the ability to connect people to the community at the network scale, weather on foot, on bicycles, in cars or through transit. To achieve this, the complete streets policy should be applied according to

context, and in a manner where each street segment may serve a specific function in a larger network. This avoids one-size-fits-all “complete streets” that generically accommodate every mode but work well for none. The Complete Streets Design Guide (Figure 7) provides the necessary guidance to implement the complete street concept, by character street.

*Complete Streets Policy Statement*

The City of Peculiar will develop a safe, connected transportation system that accommodates all modes, including motorists, pedestrian, bicyclists, and transit riders and is

accessible to all users regardless of age or ability. To implement a complete streets network throughout Peculiar, the city will require the design and construction of appropriate complete street elements with each road way project undertaken. All projects including incremental changes – resurfacing, restoration and rehabilitation, transformative – reconstruction, and new construction will be evaluated for their ability to incorporate complete streets elements

that improve the transportation network and bring value to abutting development. Peculiar will benefit from the implementation of a completes streets network through

- promotion of public health,
- improved public realm,
- enhanced economic development,
- reduced transportation costs,
- enhanced community connectivity,
- improved environmental sustainability, and
- the creation of a more livable community.

COMPLETE STREETS DESIGN GUIDE					
DESIGN TYPE	STANDARD		NEIGHBORHOOD	ACTIVITY	NATURAL
Lanes / Lane Widths	The number of lanes and lane widths for any street section should be based upon the anticipated capacity, the desired vehicle speed, AND balanced with the need to accommodate other critical elements of complete streets* within the ROW. Each Street Design Type has different emphasis on priorities that best support the context. In general "lane widths between 10' and 12' are sufficient for rural and urban arterials," where 10' to 11' lanes are <b>preferred</b> for most urban and rural arterials with multi-modal priorities; 12' lanes should <b>only</b> be used on principal arterials where "higher-speed, free flowing" traffic is the only priority. <sup>1</sup> Lanes less than 10' can also work for low-volume or slow-speed streets, where frequent truck traffic is not anticipated, and other unique conditions. <sup>2</sup>				
Sidewalks	Most streets need sidewalks on both sides (except extremely low density areas, extremely high-traffic/high-vehicle oriented contexts, or where alternate facilities like a multi-use path are provided.) Typically wider is better – 5' is the minimum for two individuals to walk comfortably side by side; 8' is the minimum to support economic activity by pedestrians; 12' is the minimum to support social spaces along our streets. Sidewalks should be buffered from moving vehicle lanes by tree lawns, furniture/amenity areas, on-street parking or a combination of all of these.			8' minimum; 12' preferred (including paving between tree wells); 16' + ideal - recommended to support social spaces along streets at key locations.	Multi-use path preferred on arterials; 4'-5' min. on one side for collectors or local, or omitted as natural conditions warrant.
Bicycle Facility	Multi-use path preferred on arterial and major collectors; Bike-lane or sharrow preferred on minor collectors; acceptable on major collectors.			Sharrow acceptable; bicycle facilities can be omitted on limited segments where design speed is below 20 mph and bicycles comfortably mix with vehicles and/or where alternative parallel routes are located within 600'.	Multi-use path preferred on arterial; Bike-lane or sharrow acceptable on collectors.
Landscape / Amenity Area	Small or large shade trees in tree lawn; Trees within a landscape easement are acceptable as an alternative; At least 35% tree canopy over ROW; Tree lawn width 4' -6' for trees under 30' tall; 6' – 8' for trees 30' to 50' tall; 8'+ for trees over 50' tall.	Large shade trees in tree lawn; 70% to 100% tree canopy over ROW; Tree lawn width 4' -6' for trees under 30' tall; 6' – 8' for trees 30' to 50' tall; 8'+ for trees over 50' tall.		Small or large shade trees in tree wells; 24' s.f. min for tree wells; 36' s.f. + recommended); At least 50% tree canopy over ROW.	More dense, irregular and natural plantings of trees and shrubs; coordinated with sidewalks and/or bicycle facilities and drainage relating to the land forms; 70% to 100% tree canopy over ROW.
Street Furniture / Amenity Area	None; unless in or abutting park, civic spaces or commercial area.			Located in 6' + zone abutting curb and between tree-wells where on-street parking is provided; and/or located in first 6' along building frontage provided at least 6' clear zone for pedestrians provided.	None
Parking	Permitted with engineering review.	7' parallel permitted. (includes curb & gutter)		8' parallel required; 18' angled permitted on local or some collector applications. (includes curb & gutter)	None
Drainage	2' curb and gutter; or "green infrastructure" drainage (i.e. rain gardens and perforated curbs) with engineering review.				10' + natural swale; or "green infrastructure" drainage (i.e. rain gardens and perforated curbs) with special engineering review.

Figure 6: Complete Streets Design Guide

<sup>1</sup> ASHTO. Geometric Design of Highways and Streets, pg. 473, AASHTO, Washington D.C., 2004. The AASHTO "green book" is a guide intended to be used flexibly for different types of streets in different contexts. The Forward to the "green book" makes it clear that the dimensions are guides and not standards, and that ranges should not be used to imply that the larger end of a range is preferred. (AASHTO. Geometric Design of Highways and Streets, pg. xliii). Compare with, *National Association of City Transportation Officials, Urban Street Design Guide* – see "Lane Widths."

<sup>2</sup> ASHTO. Geometric Design of Highways and Streets, pg. 473, AASHTO, Washington D.C., 2004.

**Character Streets**

Within Peculiar, the development pattern ranges from rural/undeveloped properties and farmland, to suburban residential developments, and some urban development patterns.

Understanding land use context helps in the determination of mode priority. Street types serve a variety of functions that can result in a travel corridor that ranges from automobile oriented to pedestrian oriented. The application of the character street concept, by street type, is shown in Figure 7. The discussion of Character Areas in this Plan is used to identify context sensitive

solutions for different functionally classified roads. The applicable Character Area types in Peculiar include Natural, Neighborhood, and Activity. Each are further described below.

Natural

Natural streets are appropriate for areas that feature natural landscape or enhanced landscape design. The flexibility in cross-section design allows incorporation of natural features and promotion of environmentally sensitive cross-section design that creates or contributes to the character of the area. The future desire

for Peculiar Drive to be a rural boulevard character is an example of one corridor proposed for a Natural design.

Neighborhood

Neighborhood streets are appropriate to serve the residential neighborhoods throughout the community through improved street and connectivity design. They are typically designed for slower automobile traffic and prioritize pedestrian mobility through sidewalks and trails with streetscapes that establish the neighborhood character and create desirable frontages for housing.

Activity

Activity streets are appropriate for areas where there is, or desired to be, a significant amount of pedestrian activity. They typically prioritize on-street parking, pedestrian movement and amenities, and visibility and access for businesses fronting these streets. The increased connectivity within the area is a result of the interaction of pedestrians and slow-moving cars that create an active environment. Downtown Peculiar is one example of where Activity Streets are encouraged.

Functional Class	Standard	Natural	Activity	Neighborhood
Arterial (major & minor)	■	■	■	
Collector (major & minor)	■	■	■	■
Local	■	■	■	■

Figure 7: Character Street Application

### Standard

Standard street designs are appropriate where no particular development or urban design character warrants other street design considerations. Standard roadway design can be used in all areas outside of the City's Special Character Areas.

*Illustrative typical street sections that address the functional classification, complete streets and character street components of street design can be found in the appendix.*

### Strategic Improvement and Connections

Within city limits, there are several existing corridors that play an important role in the circulation of traffic in the community and will play an even more significant role as the city continues to grow and develop. These strategic corridors include C Highway, Peculiar Drive, Peculiar Way, White Oak Street, Twin Oaks Parkway, and the potential to add a grade separated crossing of I-49 south of the current city limits. The strategic improvements and connections recommended for these corridors, Figure 8, focus on either creating special places or improving connectivity on routes that traverse



Figure 8: Transportation Improvements

the city limits. This strategy recognizes that transportation is not just a means to get from point A to point B but rather is an experience in and of itself and that quality of infrastructure is a direction reflection of the community character and values.

#### *Peculiar Drive*

Peculiar Drive is a significant road for the community. It is the town's namesake street and will be a gateway drawing traffic from the future Peculiar Way interchange into the Downtown area. For this reason, Peculiar Drive is recommended to retain its natural character but must also be designed in a manner to safely accommodate increased vehicular traffic and people walking and biking along the corridor. The recommended design for Peculiar Drive is a Natural Collector Complete Street with multi-use trail.

#### *Peculiar Way*

Since the adoption of the previous Comprehensive Plan, the City and Missouri Department of Transportation (MoDOT) have planned for a future interchange at the Peculiar Way alignment. This proposed interchange



**Figure 9: Peculiar Way Interchange Design**

includes a diverging diamond interchange design with sidewalks to accommodate pedestrians crossing I-49. Figure 9 illustrates the planned design of the future Peculiar Way interchange.

Significant amounts of commercial and industrial development are proposed along the corridor. This will have a significant economic and traffic impact for the community; therefore, managing access near the new interchange to ensure it functions correctly will be important. The proposed mixed use development areas should limit the amount of direct driveways that connect to Peculiar Way; rather these developments should have a drive or road that allows for

internal circulation to occur within each development. The industrial land uses should be provided access at Harper Road and Knight Road. Where truck access is provided, a four-way stop or future signalized intersection may be needed to allow safe turning movements for truck traffic.

The recommended design for the future Peculiar Way corridor is a Standard Arterial Complete Street from Y Highway to J Highway and a Neighborhood Collector Complete Street from J Highway to Thorngrove Road. This street should be designed to safely accommodate heavy truck traffic as well as personal vehicles, bicycles, and pedestrians.

#### *Twin Oaks Parkway*

Twin Oaks Parkway is an existing north-south Local street that extends north from J Highway connecting to several residential neighborhoods before ending abruptly. This plan recognizes Twin Oaks Parkway as an important secondary north-south route to reduce Local traffic's dependency on J Highway. This plan recommends extending Twin Oaks Parkway to the north from its current terminus to Peculiar Way. The design of the new extension should at a minimum meet the existing cross-section design; however, it is recommended that this future route be designed as a Neighborhood Collector Complete Street.

#### *Nodal Improvements*

Several locations throughout the community require strategic improvements at key locations or nodes. These intersection improvements must handle multimodal traffic while considering what works best within the future development context. The specific locations for nodal improvements are illustrated in Figure 8 and include the intersection of YY Highway/219<sup>th</sup> Street and Peculiar Drive, J and C Highways from Twin

Oaks Parkway to Jamar Street, School Road at Peculiar Way, and the Bradley Crossing area.

#### YY Highway/219<sup>th</sup> Street & Peculiar Drive

At the intersection of YY Highway/219<sup>th</sup> Street and Peculiar Drive two Collector Complete Streets intersect. Peculiar Drive is designated for a Natural character where YY Highway/219<sup>th</sup> Street will likely be designed to a Standard Collector or possibly Neighborhood Collector design. The intersection of two significant routes near Downtown is anticipated to handle a significant amount of traffic from future development. Furthermore, these routes are the main connections from west peculiar to the I-49 interchange at C and J Highways. Add to that the proposed commercial node at this intersection and the likeliness for a significantly large intersection increases. Although large intersections can circulate significant amounts of vehicular traffic, they can be detrimental to pedestrian and bicycle activity. Best practices for safety and access for pedestrians and bicycles including appropriate signage, lighting and pavement markings are a high priority for this intersection; all while retaining the Natural community character.

#### I-49 & C and J Highways Interchange

A study was commissioned to prepare potential operational and safety improvements for the segment of Route C between Peculiar Drive and Schug Avenue in Peculiar, Missouri. The study included an assessment of the existing operational and safety conditions and along Route C, and identification of potential improvements to address deficiencies.

Based on the data that was collected, the study segment of Route C is generally operating satisfactorily overall. However, there are some areas of concern, which are summarized below:

- The five-leg intersections create some driver confusion because they are not a standard type of intersection. The skew angle of the Peculiar Drive approaches makes it difficult for drivers to perceive safe crossing gaps, thereby resulting in the potential for higher accident rates.
- A number of rear end crashes have occurred on Route C behind vehicles stopped to turn left at Schug Avenue and at Legend Drive.



Figure 10: Long-term Improvements, Missouri C

- Lengthy delays and long queues form during the peak hours on the eastbound approach of the Route C and North Street intersection.
- Long delays are projected in the future at several side street approaches to the Route C corridor. Improvements are needed to allow for side street traffic to access Route C in the future.

Improvements were identified for two time frames. In the short term, it would be appropriate to eliminate the five-leg intersections with Peculiar Drive and add left-turn lanes at several intersection approaches. In the long term, traffic volumes are projected to increase, and traffic control improvements will be needed to improve operations for side street traffic accessing Route C. Construction of a dual lane roundabout at the intersection of Route C and Main Street would provide acceptable levels of service at a location that is accessible for many drivers in the western portion of Peculiar.

It is recommended that the additional findings from this study be incorporated as part of this Plan.

#### Bradley Crossing

Bradley Crossing is a previously platted area of land that sits west of I-49 at the intersection of Main Street and Bradleys Parkway. Significant commercial development is proposed for the area north of Bradley Crossing. It is recommended that both Bradley Parkway and Main Street be extended to tie to the transportation network. Main Street would continue northwest and connect to Peculiar Drive. Bradleys Parkway would continue north and tie into the planned commercial development and eventually connect to Peculiar Way.

#### School Road at Peculiar Way

The offset alignment of School Road north and south of Peculiar Way is anticipated to be an issue in the future as the community continues to grow and develop and as traffic continues to increase. The proposed design of this portion of the transportation network does not call for the realignment of School Road as there are adjacent properties that would be impacted by this realignment. If turn movements become significant enough this may require addition of turn bay lanes for right turn movements or could

potentially be a signal control intersection where a single green light gets drivers through both intersections simultaneously.

*Future I-49 Grade Separated Crossing*  
 As development continues to occur in Peculiar, Raymore and Cass County, the current reliance on J Highway and I-49 will become an issue if no secondary I-49 crossing opportunities are planned or constructed. Adding the Peculiar Way interchange will relieve some immediate and future congestion of the interchanges. However, a long-term strategy for the City is to begin the process of identifying future grade separated crossings (without on- and off-ramps) to provide Local access to areas east and west of I-49. Potential future overpass locations include 203<sup>rd</sup> Street and other alignments further south (e.g. 227<sup>th</sup>, 233<sup>rd</sup> or 237<sup>th</sup>). Another option would be to capitalize on the existing overpass located at approximately the 249<sup>th</sup> Street alignment. These crossings will become very important as development occurs and traffic increases in the immediate vicinity of the I-49 interchanges.

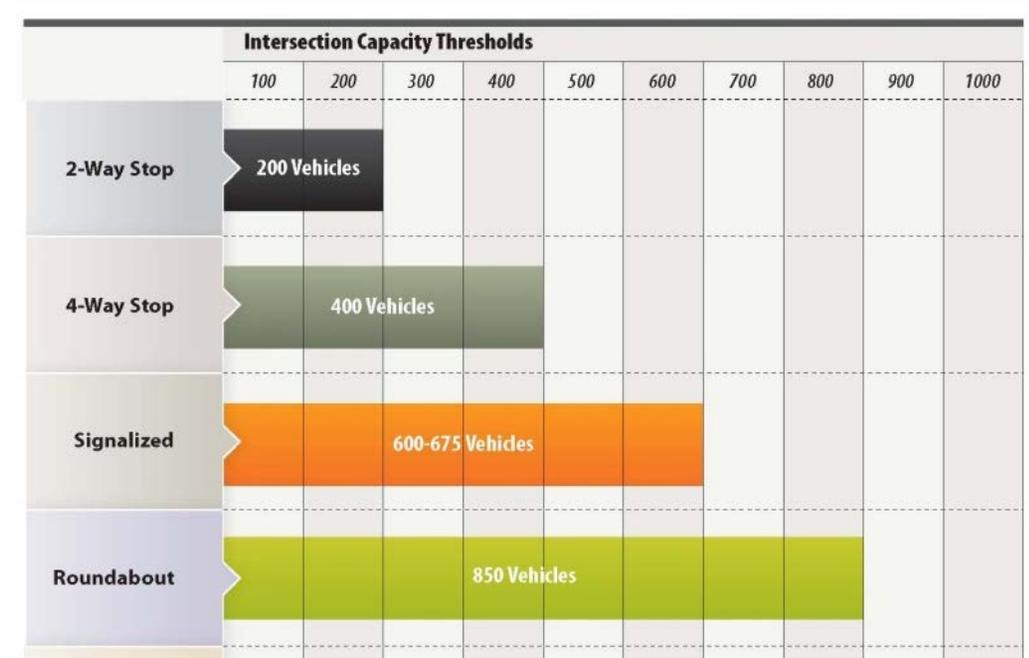


Figure 11: Intersection Capacity by Type

*Throughput*

The proposed functional classification of streets identified in the previous Comprehensive Plan provided limited throughput for circulation to areas outside the city limits. This Plan includes a roadway network that addresses how each route could potentially tie into the Cass County roadway network and eventually connect to the roadway networks of surrounding cities.

Additionally, this Plan has laid out an Arterial and Collector grid street network that will provide Local circulation alternatives to reduce the dependency on I-49 and J Highway for circulation within the City and nearby areas. The Plan recommends that Peculiar Way be extended to the west from Peculiar Drive to Y Highway. Additionally Peculiar Way should be extended to the east from J Highway to Thorngrove Road, at

which point travelers could continue on 203<sup>rd</sup> or 215<sup>th</sup> Street and connect to 291 Highway. A second, more costly alternative would be to extend Peculiar Way from J Highway to 291 Highway, a distance of approximately 3.5 miles.

#### *Signalized Intersections*

As intersection improvements are made, consideration for the safety and accommodation of all transportation modes is important. For a signalized intersection, signal poles along with its respective mast arms and signal cabinets need to be designed specifically for each location. Given that many of the roadways would be constructed as either a two-lane or three-lane roadways during the interim condition, the equipment associated with the signalized intersection would have to be removed when the roadways are upgraded to its ultimate configuration. In addition, there have been many technological improvements in recent years as it relates to hardware equipment at signalized intersections and these would have to be upgraded or improved over time. Figure 11 provides a “rule of thumb” for intersection capacity by intersection type. This Plan does not specifically address intersection types for each

intersection in the Transportation Network. This level of analysis and understanding is best reserved for at the site level.

### **Pedestrian and Bicycle Facilities**

This section focuses on the provision of alternate modes including providing safe and convenient means for people to walk and bicycle in the community. This section includes identification of the Alternate Mode Network, identification of Safe Routes to Schools focus areas, a discussion on a future regional trail, and neighborhood and commercial connectivity guidelines that encourage bicycling and walking.

#### *Alternative Mode Network*

The identification of Complete Streets as well as off-street trails or paths and the local sidewalk network is important in determining where people can safely walk or bike in the community. Figure 12 illustrates the Alternative Mode Network. The orange lines represent high priority Complete Streets, including C Highway, J Highway, Peculiar Way, YY Highway/219th Street, 223rd Street and Schug Avenue. Green lines indicate the MetroGreen trail, red lines indicate multi-use paths or trails, and the blue polygons indicate Safe Routes to School Focus Areas.

#### *Safe Routes to School*

Each year the Missouri Department of Transportation (MODOT) and the Mid-America Regional Council (MARC) allocate a set amount of funding for the Safe Routes to Schools (SRTS) program. This program helps fund the addition and repair of infrastructure that would support students' choice to bicycle or walk to school. The previous Comprehensive Plan identified the need for sidewalks in the Downtown area that would provide walking and bicycling options for students travel to or from school. This Plan identifies two Focus Areas for future SRTS funding including the Downtown and areas surrounding the school campus at Peculiar Way and School Road. Any existing sidewalk or any street that needs a future sidewalk that falls within these Focus Areas should meet the capture area expectation for SRTS funding. The SRTS Focus Areas are illustrated in blue on Figure 12.

#### *Regional Trail*

The Mid-America Regional Council (MARC) previously identified a regional trail route that cuts through the City of Peculiar connecting the community to a larger, regional trail network.

The latest alignment of this proposed trail crosses near the future Peculiar Way interchange. It is the recommendation of this Plan that the implementation timeline for the MetroGreen trail be expedited so the trail can be constructed at the same time as the Peculiar Way interchange construction. The MetroGreen trail is illustrated in green on Figure 12. The trail would run south along School Road, then C Highway, and continue south on Peculiar Drive.

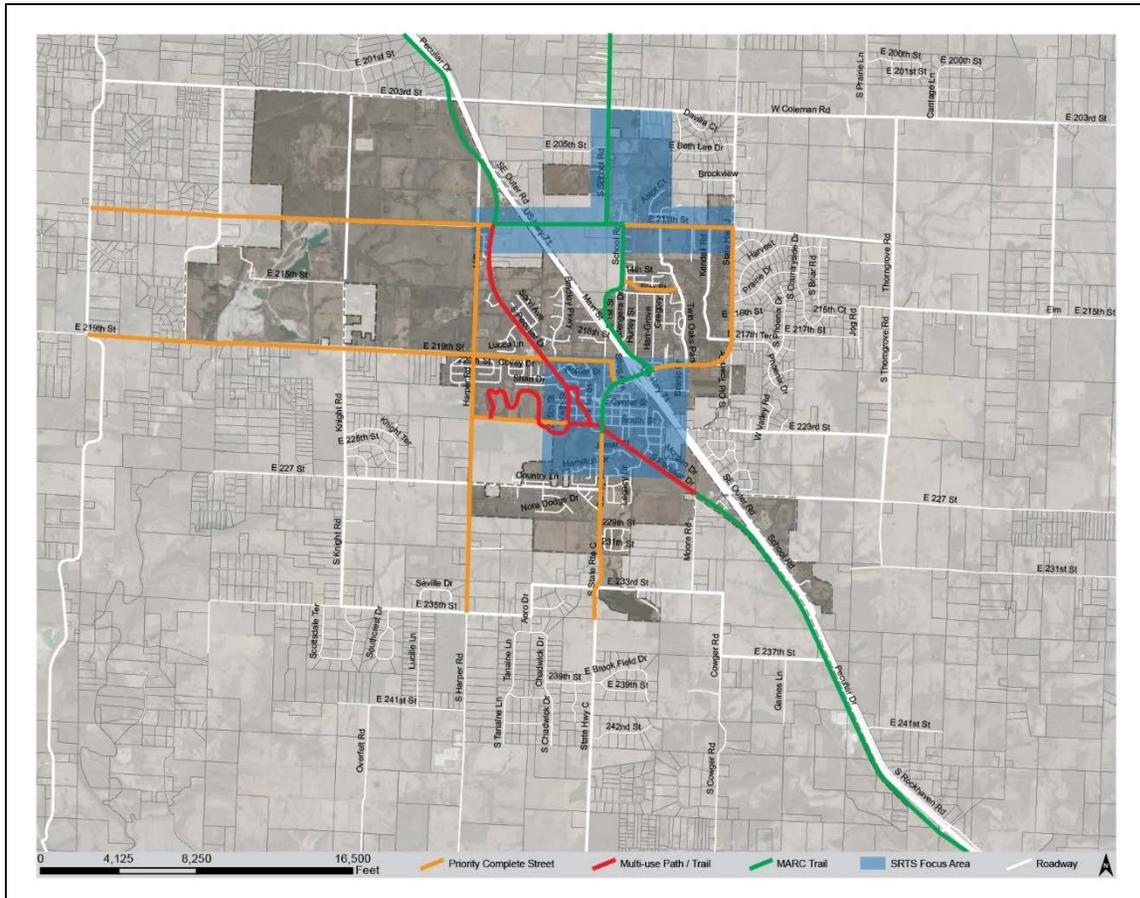


Figure 12: Alternate Mode Network

*Neighborhood & Commercial Connectivity Guidelines*

Infrastructure improvements are not always paid solely by the City. Many communities require developers to pay their fair share including installing sidewalks and lighting. In addition to these basic improvements this Plan recommends

that additional items be considered in the design and construction of infrastructure including detached sidewalks, bicycle racks, street and pedestrian lighting, and overall neighborhood connectivity. Each of these components are recommended for both publicly-paid and developer-paid infrastructure.

**Detached Sidewalks**

All sidewalks along Arterial and Collector streets should be detached from the curb. The buffer between the curb and sidewalk should be an allocated amenity zone that can provide space for a landscape strip, street trees, streetscaping, utilities, and street signage. The buffer between the street curb and the sidewalk provides an easily accessible space for buried utilities, provides clearance space to more easily meet the Americans with Disabilities Act (ADA) design standards for slope grade, and improves the real and perceived safety of the pedestrian environment. When right-of-way is available, detached sidewalks are the preferred facility type.

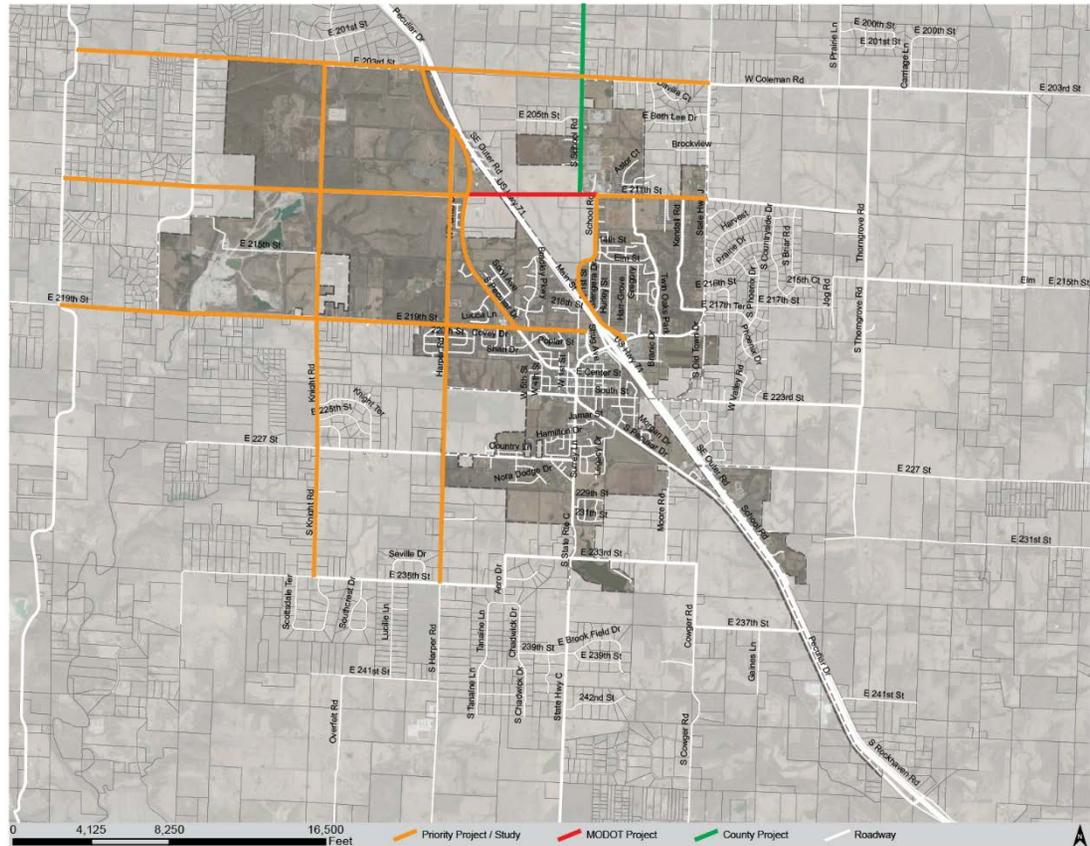
**Bike Racks**

Bike racks provide a means for parking and secure storage of bicycles at destinations throughout the community. They are a key component to encourage use of bicycle facilities. Throughout Peculiar there is a lack of safe and secure bicycle parking facilities. Bicycle racks that fit universal bicycle design standards can be

installed in the landscape or furniture zone of the sidewalk so that they do not obstruct the path of pedestrians.

**Street and Pedestrian Lighting**  
 Street and pedestrian lighting is an important feature along pedestrian and bicycle routes and at crossing locations for the safety and comfort of pedestrians and bicyclist. Additionally, adequate lighting promotes safety and security and increases the quality of life of a community by extending the hours in which activities can safely take place along a street. Pedestrian-oriented street lighting can be implemented using a variety of designs and configurations.

**Neighborhood Connectivity**  
 Connectivity within and between neighborhoods is important in encouraging pedestrian and bicycle travel. This means laying out streets within and between neighborhoods that would provide a direct route of travel between origin and destination. This point is further discussed in the Implementation section of this Chapter, as it



**Figure 13: Priority Improvement Projects**

largely involves the ongoing execution of subdivision regulations.

**Street Improvement Projects**

Recommended priority improvements have been identified that will improve transportation connectivity and accessibility to, from and within

Peculiar. This includes identification of priority improvements to accommodate 30-year projections for growth and the anticipated travel pattern changes. Figure 13 illustrates the recommended Priority Improvements. Figure 14 summarizes these improvements.

Road	Recommendation(s)
Missouri C	<ul style="list-style-type: none"> <li>Design and install sidewalk improvements along Missouri C Highway, between Interstate 49 Interchange and Jamar Street.</li> </ul>
School Road	<ul style="list-style-type: none"> <li>Cass County is paying for 55% of the reconstruction of School Road between 203rd and 211th; anticipated completion date summer 2017. Recommend a Complete Street Collector design.</li> <li>Recommend School Road south of Peculiar Way to J Highway to be a Complete Street Collector design.</li> </ul>
Peculiar Way	<ul style="list-style-type: none"> <li>MODOT will be constructing the new Peculiar Way interchange and the associated roadway between Peculiar Drive and the east leg of School Road; anticipated completion late 2016. Street and interchange design already determined.</li> <li>Recommend that west of Peculiar Drive to Y Highway be designed to serve industrial users with a Complete Street Arterial design.</li> <li>The previously completed Peculiar Way Corridor Study covers specifics related to anticipated traffic impacts between J Highway to Y Highway.</li> <li>Recommend the City continue to pursue U.S. Department of Transportation TIGER grant to target construction of the remainder of the roadway between J Highway and Y Highway.</li> </ul>
Peculiar Drive	<ul style="list-style-type: none"> <li>Recommend that between 203<sup>rd</sup> Street and YY/219<sup>th</sup> Street be designed as a Natural Complete Street Collector with a trail.</li> </ul>
Harper Road	<ul style="list-style-type: none"> <li>Recommend that between Peculiar Drive and 235<sup>th</sup> Street be designed as a Complete Street Collector.</li> </ul>
Knight Road	<ul style="list-style-type: none"> <li>Recommend that between 203<sup>rd</sup> Street and 235<sup>th</sup> Street be designed as a Complete Street Collector.</li> </ul>
YY/219 <sup>th</sup> Street	<ul style="list-style-type: none"> <li>Recommend that between Y Highway to Schug Road be designed as a Complete Street Collector.</li> </ul>
203 <sup>rd</sup> Street	<ul style="list-style-type: none"> <li>203rd Street will likely need to be expanded as both the City of Peculiar and the City of Raymore continue to grow and develop.</li> <li>There is an opportunity to collaborate and share the cost of this roadway with the City of Raymore.</li> <li>The next step would be conducting a Corridor Study to determine the right-of-way alignment, property impacts, and potential roadway design configurations.</li> <li>Study should consider the feasibility of a separated grade crossing of I-49 (no highway access) to provide improved circulation between the east and west extents of both cities.</li> </ul>

Figure 14: Priority Improvement Projects

### Transportation Polices and Standards

#### Future Ballot Measure

The City and City Council should use the successes of this planning process to return to the voters for their approval of General Overhead (GO) bonds for street improvements. The Public Works Department should continue to work with City Management and City Council to

determine the right bonding amount and the minimum commitment to local roads.

#### Access Management Standards

Access management to private parcels and public roadways is important as it directly relates to safety of motorists, pedestrians and bicyclists. Access management is one of the most successful ways a community can protect its investments in the transportation system. Access

management techniques generally preserve capacity, reduce the number of conflict points where potential crashes may occur and make it easier for people to walk and bicycle. Additionally, access management in terms of cross access across adjacent parcels is also very important as it preserves roadway capacity for those users not traveling between adjacent parcels. Application of the best practices of access management has benefits for motorists,

bicyclists, pedestrians, transit riders, business people, government agencies, and communities. The desired outcomes of access management are streets that:

- Are safer for vehicular and pedestrian traffic;
- Allow motorists to operate vehicles with fewer delays, less fuel consumption, and fewer emissions;
- Provide reasonable access to properties;
- Maintain their functional integrity and efficiency, helping to protect the investment of taxpayer dollars;
- Reflect coordination between land use and transportation decisions; and
- Are used for the purposes (functions) for which they are designed.

It is the recommendation of this Plan that the City work to establish Access Management Standards for Arterial streets and Major Collector street and that the City implement these standards by codifying it in the City’s development regulations.

*Access Management Strategies*

There are three main access management implementation mechanisms. Planning-based

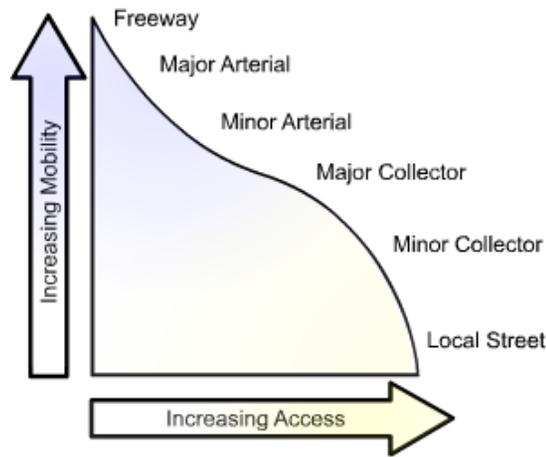


Figure 15: Mobility vs. Access

approaches typically develop functional classification, roadway system, or corridor based practices that specify access management characteristics. Regulatory methods are used to apply permitting procedures to manage access for development. Design-based approaches define engineering standards and methods. Each separate implementation mechanism is a piece of an overall strategy that makes a successful access management program. Various strategies have differing benefits. A successful Access

Management Program may use measures from all three main implementation mechanisms. Figure 15 illustrates how mobility and access affect one another. Traditionally, as the functional classification of a road increases, its access to adjacent land decreases while mobility increases. The lower functionally classified streets have low mobility but high probability of access adjacent land. Access Management is an important component of transportation systems. Not only does access management allow streets to function as they are intended to function, but it improves safety.

<i>Sewer Rates - Effective</i>	<i>No. of Active Meters</i>	<i>07/01/2013</i>	
		<i>\$ per 1,000 gallons</i>	
		<i>First</i>	<i>Over</i>
<b><i>Within City Limits</i></b>	1,424	\$15.00	\$6.85
<b><i>Business/ Government</i></b>	87	\$20.00	\$8.35
<b><i>Outside City Limits</i></b>	20	\$50.00	\$9.35
<b><i>PWSD #2 or #10</i></b>	180	\$15.00	\$6.85

Figure 16: Sewer Service Summary

### COMMUNITY FACILITIES

The Community Facilities section focuses on the provision and expansion of public utilities to the existing city limits and the anticipated growth areas. These utilities include sewer, water, technology, stormwater, and implementation/projects.

#### Sewer

The City maintains four separate rate categories for customers including customers within the city limits, business and government entities, customers outside the city limits, and customers within Public Water and Sewer District (PWSD) #'s 2 and 10. As of May 2014, the total number of active meters was 1,711. Figure 16 summarizes sewer service categories, the number of active meters, and the cost charged per 1,000 gallons.

In 2014 the City of Peculiar conducted a Sewer Rate Forecast Study which included a review and analysis of the Summary Sewer Rate Scenarios for fiscal years 2014 through 2019. The City's current challenges include inflation of operating expenses, inflation of project costs, and capacity

issues brought on by residential and commercial development. The scenarios conducted as part of the 2014 Study attempted to resolve the issue of expenses and capital costs. The results of the scenario analysis and recommended approach are summarized in Figure 17.

Following completion of the 2014 Sewer Rate Forecast Study the City pursued and received an

engineering water supply grant from the Missouri Department of Natural Resources (DNR) Financial Assistance for Engineering Report Services in the amount of \$28,000. The grant required a 20% match by the City and is being used to conduct a study of the sewer system capacity. This sewer study is currently being conducted and has a target completion in Spring of 2015. Additionally, the City is currently

	<i>Scenario</i>				
	<i>Recommended</i>	<i>A1</i>	<i>A2</i>	<i>B1</i>	<i>B2</i>
<b><i>Depreciating Reserve</i></b>	Yes	No	Yes	No	Yes
<b><i>Capital Cost Included</i></b>	Yes	No	No	Yes	Yes
<b><i>Maintenance Cost</i></b>	<i>Funded</i>	<i>Underfunded</i>	<i>Underfunded</i>	<i>Underfunded</i>	<i>Underfunded</i>
<b><i>Yearly (6) Average Rate Increase</i></b>	4.96%	1.38%	3.72%	7.97%	10.48%
<b><i>Largest 1 Year Rate Increase</i></b>	\$0.55	\$0.75	\$1.97	\$3.00	\$4.50

Figure 17: 2014 Sewer Rate Forecast Study Findings

In FY 2016-17, the City could connect to KC water supply in an effort to save customers the additional cost of water charged to the City by no longer purchasing water from Cass PWSD #2. Kansas City has a 24-inch diameter transmission main that extends south of the intersection of Highway J and Hubach Hill Road to the Raymore elevated storage tank. To reach a connection point adjacent to the Raymore elevated tank would require approximately 5 miles of main to be installed north of the City along Route J with two possible end points ... We believe this connection to be in the best interest of our customers ... Although rates continue to increase, the rate is much lower with a direct connection with Kansas City than staying with Cass PWSD #2.

- City of Peculiar

pursuing a service contract with the City of Belton for use of their treatment plant located at Mullen Road and Peculiar Way.

**Water**

In 2014 the City of Peculiar conducted the most recent Water Rate Study to determine the anticipated revenue, expenses, active meters and inflation rates for water services provided in the



Figure 18: New KCMO Waterline

city limits. Water rate increases occurred in October of 2013 and 2014 and are scheduled to increase again in October 2015 and 2016.

Currently the City holds a contract with Cass PWSD #2 (Cass 2) to provide 700,000 gallons/day for the next 20-25 years; however, the City is currently pursuing a contract to source potable water directly from the City of Kansas City, Missouri (KCMO). The results of several studies indicated the best course of action to reduce the cost of providing water service within the city is to pursue a water service contract with the KCMO as a direct

potable water source. This pending contract will include a 12" transmission line up J Highway and will provide 1,000,000 gallons/day. This contract will become "live" in September 2017. At that time the Cass 2 supply will become a reserve for future development primarily

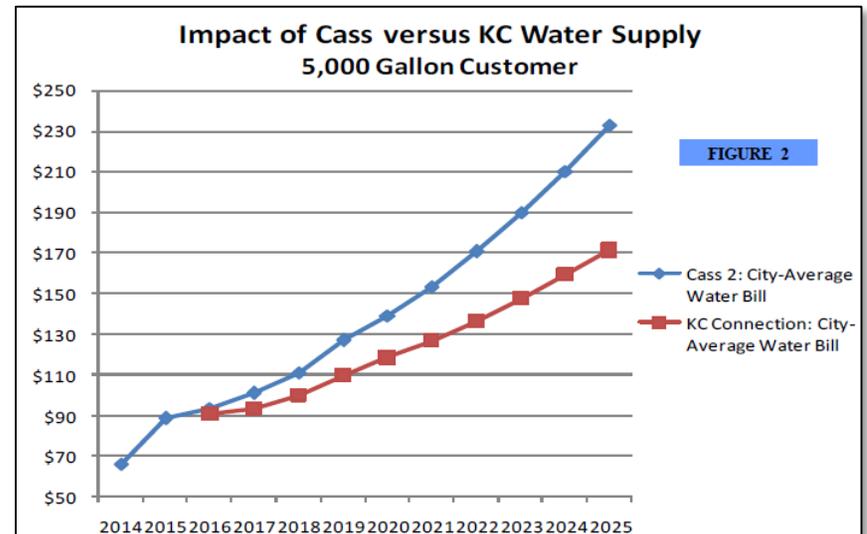


Figure 19: Inflation Rate / Cost Comparison, Cass 2 & KCMO

targeting the northwest corner of the community. Figure 189 illustrates the location of the new water line. Figure 19 illustrates how the anticipated inflation rate for water supply will be reduced under the new contract with KCMO.

The 2013 Water Rate Study included a Summary of Recommended Improvements which is provided in Figure 21. Additionally, the Water Rate Study provided check list for future water system tasks including:

- Continue to pursuit of DNR State Revolving Loan Funding;
- Install 8" minimum diameter for new water mains;
- Continue to replace 2" and 3" water mains as funds allow;
- Eliminate dead end mains with looping as funds allow; and
- Update plan for new subdivisions, commercial or industrial.

### Stormwater

In 2006 the City conducted a Stormwater Master Plan which identified deficiencies and needed improvements. In 2012 MS4 Permitting was established for stormwater plans in the City. The Board of Alderman passed the resolution and have since established ordinances to meet these challenges.

Summary of Recommended Improvements	Cost	Priority
Supply Improvement	\$3,772,389	
12" on Peculiar Dr., Hurley St. to Main St., north to E. North St.	\$640,393	1
8" in Spencer Addition	\$369,941	2
8" on Harr Grove Rd. between Elm St. and Highway J	\$292,059	3
8" on Elm St. between Gregory and School Rd.	\$261,482	4
8" on Gregory St. and Kayla St. from Harr Grove and Gregory	\$184,248	5
12" on Peculiar Dr, between Maple Ave. and Willow St.	\$452,156	
12" on E. Broadway between E. 3rd St. and N. Main St.	\$184,046	
12" on E. 3rd St. between E. South St. and Legend Ln.	\$278,154	
Tank Mixing Systems (2)	\$100,000	
Emergency Generator	\$35,000	
<b>Total</b>	<b>\$6,569,868</b>	

Figure 20: Recommended Water System Improvements



## FUTURE LAND USE

### Land Use Designations

The broad categories of land use indicated on the future land use map, Figures 22 and 23, are defined by their *primary uses*: those land uses that most reflect the intensity and character of the category and which are generally acceptable throughout the area; and *secondary uses*: those land uses that are supportive of the primary uses, and with appropriate limitations, location considerations, and development conditions can reflect the intensity and character of the category as well. Additionally, the land use categories intentionally provide some flexibility to respond to market conditions that may evolve over the course of this plan, provided that the future land uses and development are consistent with the vision, goals and strategies of the plan.

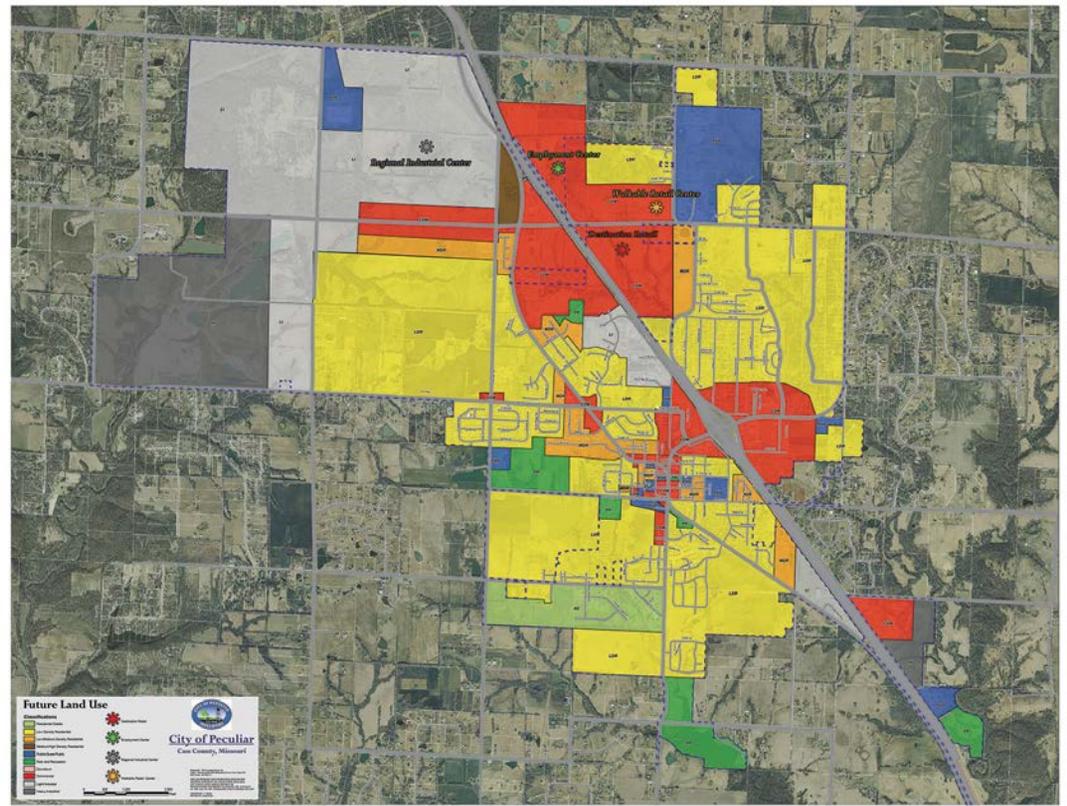


Figure 22: Future Land Use Map

**CATEGORY: Residential Estate (RE)**

*Description:*

**Residential Estate** land use provides for large-lot and very large lot residential development where a full range of municipal services may not be available. This category is intended to allow flexibility of choice for in .5 units per acre to 20+ acres per unit. There should be no expectation of municipal infrastructure to these areas, including roads, unless located near or adjacent to existing or planned municipal services or until an urban development pattern is established. The residential estate development pattern is intended to retain a rural character, and in areas close to urban services should not hinder the future growth and development of the city at greater intensities. This category is also applicable where it is determined to have unique or sensitive natural areas including stream corridors, tree stands, wetlands, natural habitat areas or other opportunities to preserve natural amenities or areas.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

- Agriculture
- Natural Space / Recreation Area
- Residential – minimum lot size 2 acres

*Secondary Uses:*

- Cluster residential development opportunities may exist and should be evaluated on a case-by-case basis.
- Institutional uses – places of worship or schools.
- Accessory Uses – see *development criteria*.

*Location Criteria:*

- Location in areas where City services (water and sanitary sewer) will be difficult and/or costly to provide.
- Location in areas determined to have unique or sensitive natural areas, including stream corridors, tree stands, wetlands, and natural habitat areas. The larger lots allow for greater potential to preserve nature through the use of conservation easements and common open space.
- Development should occur in areas out of the floodplain, away from prime agricultural lands, and otherwise more accessible to road network.

*Development Criteria:*

- Gross densities of 1 to 5 unit(s) / acre may be clustered on the site with net densities remaining less than .5 units per acre.
- Low impact design strategies should be used for design and construction to minimize building and site development impact on hydrology, topography and other natural features.
- Accessory buildings may be allowed at a scale between typical suburban development and farm buildings.
- Accessory uses should be designed to reflect the design and scale of the primary structure and surrounding development.

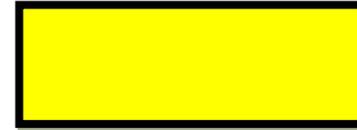
**CATEGORY: Low Density Residential (LDR)**

*Description:*

**Low Density Residential** represents a prevailing development standard in housing and neighborhood design within Peculiar. Suburban residential land uses typically accommodate low to medium density residential development, including single-family patterns of 1 to 4 units per acre. These uses are located throughout town to provide convenient access to transportation routes, commercial areas, jobs, schools, parks and recreation areas, and public services. Low density residential development is typically served by City infrastructure and should also accommodate appropriately scaled uses such as places of worship, schools, parks and other civic and institutional uses.

Similar to residential estate, cluster development is an opportunity to preserve land and capitalize on associated infrastructure cost, by increasing net densities.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

- Single-family Residential - 1- 4 units per acre

*Secondary Uses:*

- Single-family Residential - 1 to 5 acre lots
- Home Occupations
- Parks – neighborhood scale
- Public / quasi-public uses such as community center/club house, places of worship, school, or other neighborhood support uses.

*Location Criteria:*

- Lower density uses should be limited to small percentage of lots within neighborhoods or smaller subdivisions where local transportation connections are difficult due to location or topography and consistent with the goals and objective of the Comprehensive Plan.
- As focal point and central to a neighborhood associated with the intersection of Collector Streets or higher classification; **OR**
- At edges of defined neighborhoods along arterials streets.

*Development Criteria:*

- Buildings, access points and parking areas should have a similar relation to neighborhood streetscapes as the primary single-family uses.
- Development should reflect a similar scale to single-family uses. Where adjacent buildings are more than 150% of the height or building footprint of single-family uses, additional setbacks, buffers and usable open spaces should facilitate transitions.
- Development of secondary uses should not result in a negative impact to surrounding uses and neighborhoods, including utility systems and traffic.
- The design of secondary uses should strive to complement and enhance the existing character of surrounding uses and neighborhoods.
- Pedestrian connectivity is important; the public sidewalk system should provide adequate opportunities for residents to walk to destinations or for enjoyment.
- Parks should be designed with usable space for recreational activities and gather spaces.

**CATEGORY: Medium-Low Density Residential**

*Description:*

The **Medium-Low Density Residential** land use allows for a greater density of residential development, typically in the range of 3 to 10 units per acre in forms such as small-lot single family homes, duplexes, four-plexes and townhomes and other small scaled multiple family residential housing. Urban residential housing incorporates a mix of housing types in a neighborhood setting. Similar to other residential land uses, appropriately scaled uses such as places of worship, schools, parks and other civic and institutional uses should also be accommodated within the Medium-Low Density Residential land use category. These areas should provide a mixture of housing styles and types and should be located throughout town where uses can serve as transitions that buffer and/or screen lower density residential uses from commercial uses and major streets.

Medium-high density development may be appropriate in specific situations. Townhome, walk-up, flat and single-family attached development of condominium (ownership) or apartment (rental) type and higher-density single-family of a 9 to 15 unit per net acre density may be appropriate along primary transportation corridors or adjacent to commercial or industrial development. To be effective the scale, design, and transitions between uses should enhance and protect the existing fabric of the adjacent uses and neighborhoods. These uses are allowed as secondary uses and should adhere to the location and development criteria below.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

- Single Family and Multi-family Residential – 3 to 10 units per acre

*Secondary Uses:*

- Residential - duplexes, four-plex, townhouses and small-scaled residential formats at higher densities.
- Home Occupations.
- Public / quasi-public uses such as parks & open space, community center/club house, places of worship, school, or other neighborhood support uses.

*Location Criteria:*

- At edges of defined neighborhoods along arterials; **OR**
- As transitions to adjacent commercial / industrial, institutional uses and employment centers.
- As focal point and central to a neighborhood associated with the intersection of Collector Streets or higher classification; **OR**
- At edges of defined neighborhoods along arterials and minor arterials.

*Development Criteria:*

- Buildings, access points and parking areas should have a similar relation to neighborhood streetscapes as the primary single-family uses.
- Buildings should reflect a similar scale to primary single-family uses; where adjacent buildings are more than 150% of the height or building footprint of primary single-family uses, additional setbacks, buffers and usable open spaces should facilitate transitions.
- Development of secondary uses should not result in a negative impact to surrounding uses and neighborhoods, including utility systems and traffic.
- The design of secondary uses should strive to complement and enhance the existing character of surrounding uses and neighborhoods.
- Open spaces should be located in prominent locations along prominent streets or in front of prominent buildings.
- Connections to the City's trail system should be incorporated.
- Pedestrian connectivity is important; the public sidewalk system should provide adequate opportunities for residents to walk to destinations or for enjoyment.

**CATEGORY: Medium-High Density Residential**

*Description:*

The **Medium-High Density Residential** land use allows for a greater density of residential development, typically in the range of 9 to 15 units per acre in forms such as small-lot single family homes, duplexes, townhomes and multi-family residential housing. Medium-high density residential housing should incorporate a mix of housing types in a neighborhood setting and act a transition between lower density residential and commercial uses. Medium-high density residential formats should also be integrated into downtown as well as activity and commercial centers where appropriate. Similar to other residential land uses, appropriately scaled uses such as places of worship, schools, parks and other public / quasi-public uses should also be accommodated within the medium-high density residential land use category.

Appropriately scaled office, retail and services are allowed in the medium-high density residential land use category. To be effective the scale, design, and transitions between uses should enhance and protect the existing fabric of the adjacent uses and neighborhoods. These uses are allowed as secondary uses and should adhere to the location and development criteria below.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

- Single Family and Multi-family Residential – 9 to 15 units per acre

*Secondary Uses:*

- Residential - duplexes, townhouses and apartments - 8 to 20 units per acre

- Public and quasi-public uses such as parks, community center/club house, places of worship, school, or other neighborhood support uses.

- Small-scaled convenience retail / service and office uses.

*Location Criteria:*

- At edges of defined neighborhoods along arterials; **OR**
- As transitions to adjacent commercial / industrial, institutional uses and employment centers.

- As focal point and central to a neighborhood associated with the intersection of Collector Streets or higher classification; **OR**
- At edges of defined neighborhoods along arterials and minor arterials.

- Concentrated at nodes – intersections of collector street classifications or higher; in areas that are supportive of and complementary to the neighborhood scale.
- No closer than ½ mile from similar non-residential centers; serving market area of approximately 1 mile or less

*Development Criteria:*

- Buildings, access points and parking areas should have a similar relation to neighborhood streetscapes as the primary single-family uses.
- Buildings should reflect a similar scale to primary single-family uses; where adjacent buildings are more than 150% of the height or building footprint of primary single-family uses, additional setbacks, buffers and usable open spaces should facilitate transitions.
- Open spaces should be located in prominent locations along prominent streets or in front of prominent buildings.
- Pedestrian connectivity is important; the public sidewalk system should provide adequate opportunities for residents to walk to destinations or for enjoyment.

- No greater than 5 acres in area total – may be shifted to one quadrant or centered on 4 quadrants of intersections;
- No more than 30,000 square feet of non-residential space total; average tenant space of 1,500 to 3,000 square feet; 1 anchor up to 10,000 square feet.
- Contains pedestrian amenities: plazas, wide sidewalks, on-street parking; limited and well-screened on-site parking; street-front buildings; limited vehicle access and circulation points
- Buildings should reflect a similar scale to residential uses; where adjacent buildings are more than 150% of the height or building footprint of primary single-family uses, additional setbacks, buffers and usable open spaces should facilitate transitions.
- The design of secondary uses should strive to complement and enhance the existing character of surrounding uses and neighborhoods.
- Transitions between secondary and primary uses that minimize the impacts of noise, light, traffic, operations and intensity of development should be incorporated in the site design of secondary uses. Acceptable buffering can include fencing (stone, wood, and masonry), solid plantings, berming or other methods that complement the development character.

**CATEGORY: Commercial**

*Description:*

**Commercial** land uses are currently located around Peculiar primarily along major transportation corridors. The commercial land use designation provides the opportunity for the development of general retail, office and service uses that serve neighborhoods, the community and the region.

Future development of suburban style and large scale commercial businesses that rely on traffic for their business will locate in two areas, Highway C at Interstate 49 and the future interchange at Peculiar Way and I-49. Smaller and local business should be encouraged to locate in the downtown area and at nodes of commercial development. Commercial uses that serve existing and future neighborhoods should be encouraged to develop within mixed-use centers.

*Map Code:*



*Example*



**APPROPRIATE LAND USES:**

<i>Primary Uses:</i>	<i>Location Criteria:</i>	<i>Development Criteria:</i>
<ul style="list-style-type: none"> <li>• Retail / Service</li> <li>• Office</li> <li>• Public / quasi-public</li> <li>• Park, Recreation &amp; Open Space</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial sites should be located adjacent to arterials which provide needed ingress and egress in order to avoid congestion.</li> <li>• The location of major commercial uses should be coordinated with (future) mass transit routes, higher density residential, centers of employment, and other intensive uses.</li> <li>• Commercially-generated traffic should not feed directly onto local residential streets.</li> <li>• Commercial uses should be located on key corridors and intersections as identified by the plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Ingress / egress points from arterial streets should be combined to support multiple commercial uses and properties.</li> <li>• Cross access easements should be required to reduce the trips on the arterial street network between uses.</li> <li>• The scale of commercial development should respect the scale of surrounding neighborhoods and development.</li> <li>• Commercial development should have required site design features which limit noise, lighting, and other activity so as to not adversely impact surrounding residential areas and adjacent uses.</li> <li>• Transitions between commercial development and less intense adjacent uses and neighborhoods should minimize the impacts of noise, light, traffic, operations and intensity of the commercial uses</li> </ul>
<i>Secondary Uses:</i>	<i>Location Criteria:</i>	<i>Development Criteria:</i>
<ul style="list-style-type: none"> <li>• Light Industrial</li> </ul>	<ul style="list-style-type: none"> <li>• Light industrial uses should be located along arterial streets which provide needed ingress and egress.</li> <li>• Light industrial development should have required site design features which limit noise, lighting, traffic and other activity so as to not adversely impact surrounding residential areas and adjacent uses.</li> </ul>	<ul style="list-style-type: none"> <li>• Light industrial uses should be of a scale and character of the surrounding commercial and neighborhood uses.</li> <li>• Transitions between light industrial uses and less intense adjacent uses and neighborhoods should minimize the impacts of noise, light, traffic, operations and intensity of the industrial uses.</li> <li>• Limited connectivity between commercial and industrial uses should be maintained to reduce the pedestrian/automobile and truck conflicts.</li> </ul>

**CATEGORY: Light Industrial**

*Description:*  
 Light Industrial uses are generally considered as one of the higher intensive uses of land because of their operations and greater community impacts. Light industrial uses include those uses that are typically related to warehousing, distribution, fabrication and parts assembly and rely on large land areas and large single story buildings. They are typically dependent on the acquisition and distribution of goods and this typically occurs through truck and rail. The impact to the transportation system by these types of uses can be substantial, and should be anticipated as development occurs.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

<i>Primary Uses:</i>	<i>Location Criteria:</i>	<i>Development Criteria</i>
<ul style="list-style-type: none"> <li>• Light Industrial</li> <li>• Warehousing / Distribution</li> <li>• Rail and Support Facilities</li> <li>• Manufacturing (small scale)</li> </ul>	<ul style="list-style-type: none"> <li>• Uses should be located in proximity to support services with good access to major arterials, truck route, highways, utility trunk lines, along railroad spurs, near airports, and as extensions of existing industrial uses.</li> <li>• Traffic from this category of land use should not feed directly onto local streets in residential areas.</li> <li>• Uses should be generally located away from existing or planned residential areas or at a minimum provide buffers from residential uses.</li> </ul>	<ul style="list-style-type: none"> <li>• Cross access easements should be required to reduce the trips on the arterial street network between uses.</li> <li>• Transitions between light industrial development and less intense adjacent uses and neighborhoods should minimize the impacts of noise, light, traffic, operations and intensity of the industrial uses.</li> <li>• Light industrial uses shall emit a minimal amount of noise, odor, waste, and other operational by-products.</li> <li>• The design and exterior surface treatments should reinforce existing development patterns; in newly developing areas design themes should strengthen the overall image of the development consistent with the character of Peculiar</li> </ul>
<i>Secondary Uses:</i>	<i>Location Criteria:</i>	<i>Development Criteria</i>
<ul style="list-style-type: none"> <li>• Office</li> <li>• Retail/Service</li> </ul>	<ul style="list-style-type: none"> <li>• Limited to support of Light Industrial uses (general office and retail/service uses as principle use should be focused in downtown or mixed-use centers); <b>OR</b></li> <li>• Included as part of an overall campus integrating a number of different employment intensive uses.</li> </ul>	<ul style="list-style-type: none"> <li>• Transitions between commercial development and less intense adjacent uses and neighborhoods should minimize the impacts of noise, light, traffic, operations and intensity of the commercial uses.</li> </ul>

**CATEGORY: Heavy Industrial**

*Description:*

Heavy Industrial and manufacturing uses opportunities and are generally considered the most intensive use of land because of operational impacts or functions. In Peculiar a unique opportunity exists for the creation of an industrial park to attract and grow industry and business. A focus on clean, high-tech uses could still attract uses that would be categorized as heavy industrial for their production needs.

Additionally, heavy industrial uses are typically those uses that are manufacturing, fabrication and production related, such as assembly plants and more intense manufacturing uses and can include grain processing, ethanol production and bio-diesel plants. These uses typically require large land areas and large single story buildings.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

<i>Primary Uses:</i>	<i>Location Criteria:</i>	<i>Development Criteria</i>
<ul style="list-style-type: none"> <li>• Heavy Industrial / Manufacturing / Processing</li> <li>• Airport</li> <li>• Rail and Support Facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Uses should be located in proximity to support services with good access to major arterials, truck route, belt highways, utility trunk lines, along railroad spurs, near airports, and as extensions of existing industrial uses.</li> <li>• Traffic from this category of land use should not feed directly onto local streets in residential areas.</li> <li>• Uses should be generally located away from existing or planned residential areas or at a minimum provide buffers from residential uses.</li> </ul>	<ul style="list-style-type: none"> <li>• Cross access easements should be required to reduce the trips on the arterial street network between uses.</li> <li>• Transitions between industrial development and less intense adjacent uses and neighborhoods should minimize the impacts of noise, light, traffic, operations and intensity of the industrial uses.</li> </ul>
<i>Secondary Uses:</i>	<i>Location Criteria:</i>	<i>Development Criteria</i>
<ul style="list-style-type: none"> <li>• Light Industrial / Warehousing</li> <li>• Office</li> <li>• Retail/Service</li> <li>• Employment Centers</li> </ul>	<ul style="list-style-type: none"> <li>• Limited to support of Industrial uses (general office and retail/service uses as principle use should be focused in downtown or commercial areas); <b>OR</b></li> <li>• Included as part of an overall campus integrating a number of different employment intensive uses.</li> </ul>	<ul style="list-style-type: none"> <li>• Transitions between light industrial / office / commercial development and less intense adjacent uses and neighborhoods should minimize the impacts of noise, light, traffic, operations and intensity of the uses.</li> </ul>

**CATEGORY: Public / Quasi-Public**

*Description:*

The **Public / Quasi-public** land use category consists of those institutional land uses including government centers and facilities, educational facilities, and other public or semi-public uses and places like "places of worship", hospitals, schools, libraries and cemeteries. Municipal and public safety uses, including fire and police, are also allowed in this district. New development in this category should be integrated with residential neighborhoods or as part of commercial development at a scale appropriate to the context in which they are developed.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

<i>Primary Uses:</i>	<i>Location Criteria</i>	<i>Development Criteria:</i>
<ul style="list-style-type: none"> <li>• Government Uses</li> <li>• Medical Facilities</li> <li>• Schools</li> <li>• Libraries</li> <li>• Places of Worship</li> <li>• Public Safety Facilities (Fire and Police)</li> </ul>	<ul style="list-style-type: none"> <li>• Public facilities such as branch libraries, post offices, and schools that serve residential areas should be grouped together with neighborhood centers, and located near parks or linear park system when possible.</li> <li>• Public facilities including libraries, parks, and fire, police and EMS stations should be located according to population as well as distance and response time standards as established in adopted facility plans.</li> <li>• Public and semi-public facilities should have convenient access to arterials, public transportation, and major utility trunk lines.</li> <li>• Large scale facilities, including high schools, hospitals, central library, and large worship buildings should be located on arterial street and situated as to discourage traffic in surrounding neighborhoods.</li> </ul>	<ul style="list-style-type: none"> <li>• The scale of development should respond to surrounding neighborhood development or provide transitional buffering to reduce visual impact on surrounding properties.</li> <li>• Transitions between civic and institutional uses and surrounding neighborhoods should minimize the impacts of noise, light, traffic, operations and scale of the use.</li> <li>• The design of civic and institutional uses should strive to complement and enhance the existing character of surrounding uses and neighborhoods.</li> <li>• Structures should model appropriate architectural design elements, high quality construction techniques, and appropriate materials and finishes.</li> </ul>

**CATEGORY: Parks, Recreation & Open Space**

*Description:*

The **Parks, Recreation & Open Space** category includes public parkland, recreational uses and publicly-owned open space. These areas may be used for recreational purposes (active and passive) or may be land held for future public use. Privately held recreational land, like private golf courses, are also included in this category.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

- Parks (Active and Passive)
- Recreational Uses
- Linear Parks
- Open Space

*Location Criteria:*

- Should be in proximity to neighborhoods and residential population.
- Park and recreation opportunities should be included in all levels of mixed-use centers.
- Open space should be preserved where natural features, including floodplains and slopes, make development difficult and to protect natural resources.

*Development Criteria:*

- Neighborhood Parks should be integrated in the neighborhood and provide a focal / gathering point for residents and activities.
- Linear parks should provide connections throughout and between neighborhoods and connections to the overall park system.

CATEGORY: Employment Center							
<p><i>Description:</i> The <b>Employment Center</b> designation refers to a development that will cater to large scale employers, provide numerous office buildings and flexible configurations, and attract high-paying, professional jobs to Peculiar.</p>	<p><i>Map Code:</i></p> 	<p><i>Example:</i></p> 					
	<p><b>APPROPRIATE LAND USES:</b></p> <table border="1"> <thead> <tr> <th><i>Primary Uses:</i></th> <th><i>Location Criteria:</i></th> <th><i>Development Criteria:</i></th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>Office Park – Office Parks include small offices and service use enclaves which have similar but lower level intensity uses than a Corporate Campus. These uses generally do not require a high level of visibility or access.</li> <li>Corporate Campus – Corporate Campuses feature a mix of office types, including multi-tenant mid-rise offices, single-tenant corporate offices, medical and post-secondary research facilities, and office support services such as retail, restaurants, and hotels. A Corporate Campus is designed around an integrated master plan. Visibility and access are very important.</li> <li>Industrial Park – Industrial Parks provide for research and development facilities, light manufacturing, and office/warehouse uses that form the backbone of corporate campus uses. Visibility is important, but excellent access is necessary, especially for large truck traffic. Large distribution centers, warehouses, truck terminals, and outdoor storage are inappropriate in an Industrial Park.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>The Employment Center designated area is located along the west side of Interstate 49, north of the future Peculiar Way interchange. The Employment Center designation includes office parks, corporate campuses, and industrial parks.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>See commercial land use development criteria and Peculiar Way Corridor Overlay District regulations.</li> </ul> </td> </tr> </tbody> </table>		<i>Primary Uses:</i>	<i>Location Criteria:</i>	<i>Development Criteria:</i>	<ul style="list-style-type: none"> <li>Office Park – Office Parks include small offices and service use enclaves which have similar but lower level intensity uses than a Corporate Campus. These uses generally do not require a high level of visibility or access.</li> <li>Corporate Campus – Corporate Campuses feature a mix of office types, including multi-tenant mid-rise offices, single-tenant corporate offices, medical and post-secondary research facilities, and office support services such as retail, restaurants, and hotels. A Corporate Campus is designed around an integrated master plan. Visibility and access are very important.</li> <li>Industrial Park – Industrial Parks provide for research and development facilities, light manufacturing, and office/warehouse uses that form the backbone of corporate campus uses. Visibility is important, but excellent access is necessary, especially for large truck traffic. Large distribution centers, warehouses, truck terminals, and outdoor storage are inappropriate in an Industrial Park.</li> </ul>	<ul style="list-style-type: none"> <li>The Employment Center designated area is located along the west side of Interstate 49, north of the future Peculiar Way interchange. The Employment Center designation includes office parks, corporate campuses, and industrial parks.</li> </ul>
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**CATEGORY: Destination Retail**

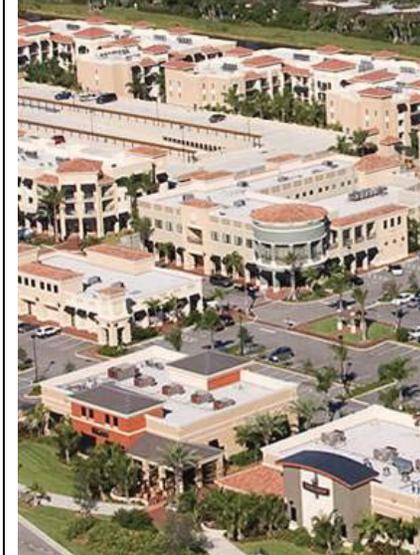
*Description:*

The **Destination Retail** designation is intended for large-scale retail uses that serve a regional trade area and generate a significant amount of visitors. Examples of destination retail developments in the Kansas City area include Village West and Zona Rosa.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

- Large and very large retail establishments
- Unique and one-of-a-kind establishments, entertainment venues, and other uses that generate large volumes of traffic
- High density residential uses are also appropriate to mix within these developments
- Service commercial uses
- Smaller retail stores

*Location Criteria:*

- Location on a highway due to high vehicle trip generation.
- Generally not compatible with low density residential neighborhoods; medium density residential uses should be located at the north end of the Peculiar Way interchange area along the south side of 209th Street and at the east end of the area along School Road.

*Development Criteria:*

- See commercial land use development criteria and Peculiar Way Corridor Overlay District regulations.
- Sites that are generally larger than 10 acres in size.
- The design and exterior surface treatments should reinforce a common theme for the development, one that strengthens the overall image of the development consistent with the character of Peculiar.
- Pedestrian scale and orientation will be an important design consideration, maximizing pedestrian access throughout the site.
- Large-scale commercial developments should provide a mix of use types, including residential uses above the first floor, where appropriate.

**CATEGORY: Regional Industrial Center**

*Description:*

The **Regional Industrial Center** designation is intended to provide for all types of manufacturing, assembly, storage and distribution, and research and development activities in settings ranging from campus-like industrial parks to heavy industrial areas.

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

- All types of manufacturing and processing uses (limited where necessary to ensure compatibility between adjoining land uses)
- Business support services
- Retail and service commercial uses necessary to support manufacturing and processing activities and their employees
- Necessary public utility and safety facilities
- Other similar and compatible uses

*Location Criteria:*

- Businesses that locate here would benefit from the close proximity of the power generating capability of a KCP&L electrical substation, as well as future improvements to Peculiar Way and an interchange at 71 Highway.

*Development Criteria:*

- See commercial land use development criteria and Peculiar Way Corridor Overlay District regulations.

**CATEGORY: Walkable Retail Center**

*Description:*

The **Walkable Retail Center** designation is intended to provide a local scale, pedestrian friendly commercial center, providing retail, restaurants and services. The proximity of the center to the Raymore / Peculiar School District campus makes it an ideal destination for visitors to the campus. Similarly, it will be a local destination for residents of the north portion of Peculiar.

**NEW CATEGORY**

*Map Code:*



*Example:*



**APPROPRIATE LAND USES:**

*Primary Uses:*

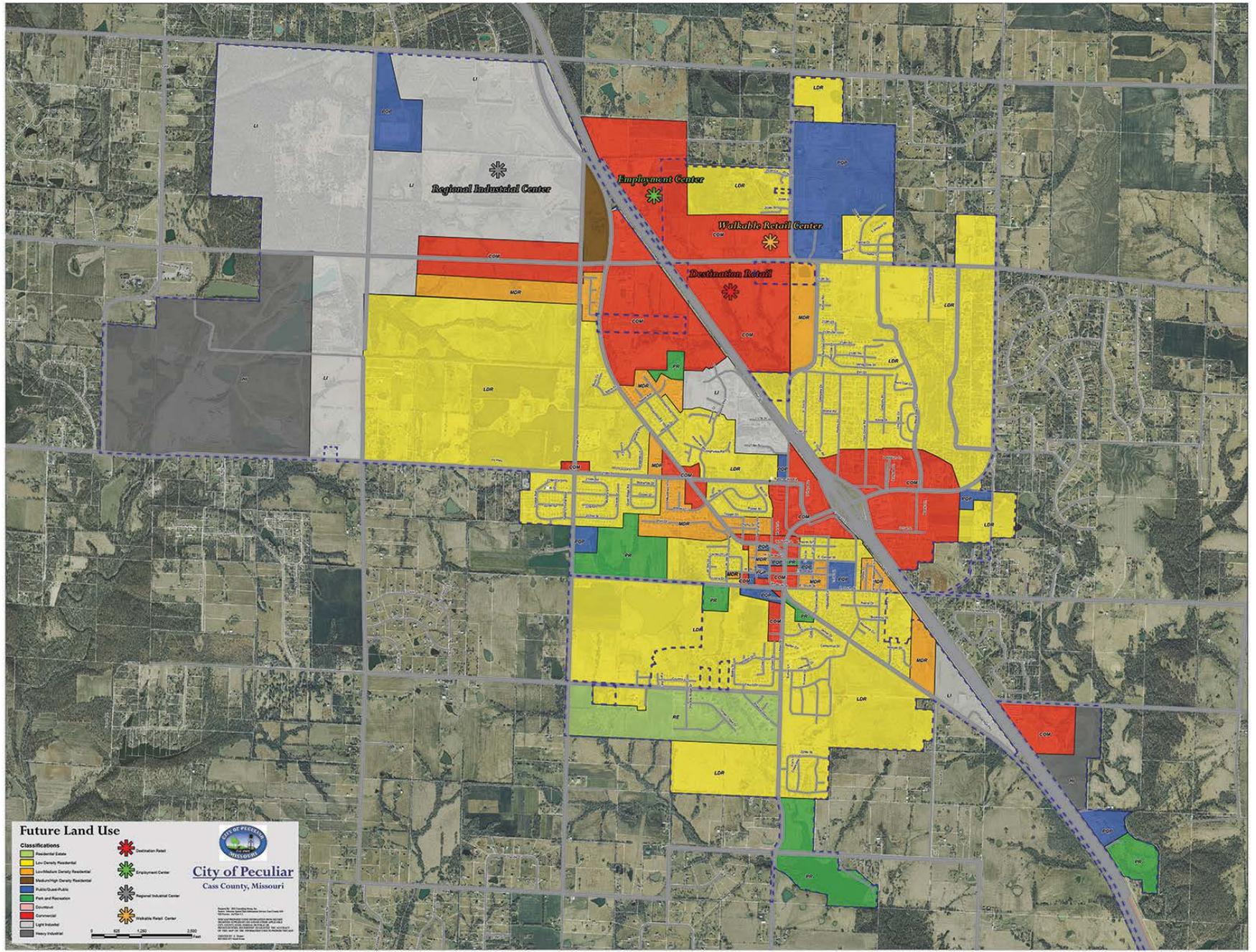
- Retail
- Business support services
- Civic Spaces
- Other similar and compatible uses

*Location Criteria:*

- Access from a Collector or Arterial roadway.

*Development Criteria:*

- Smaller, well connected block development pattern.
- Smaller scale development/buildings
- Pedestrian friendly street design



38 Figure 23: Future Land Use Plan

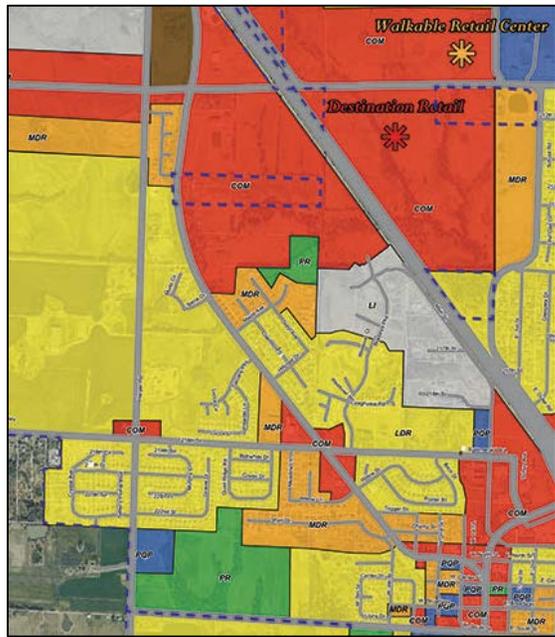


Figure 24: Land Use Pattern, Peculiar Drive

*Land Use Changes*

Several changes to the Future Land Use Map are recommended to update the Comprehensive Plan. There are specific areas of the community in which change is occurring or likely to occur, and those areas need additional guidance for future development. The areas delineated below

help to define the current and future development patterns of Peculiar through their development use and character. In addition to the updated land use definitions, the guidance provided here will assist in creating places within Peculiar that people value.

Peculiar Drive

Peculiar Drive was once the primary means of access to Peculiar and the Downtown. Since the improvement of US 71 and subsequently I-49, Peculiar Drive has become a secondary means of access for the community and provides local access to downtown. The continued development of commercial uses in downtown, at the Highway C and I-49 interchange and the future commercial development at the new Peculiar Way and I-49 Interchange, as well as the reduced traffic volumes along Peculiar Drive a less desirable location for commercial development. As such, the future land use of the Peculiar Drive roadway, Figure 24, north of Downtown Peculiar should be residential with a node of commercial development located at the YY Highway (219th Street) intersection. Commercial development at this node should be neighborhood in scale and provide supporting

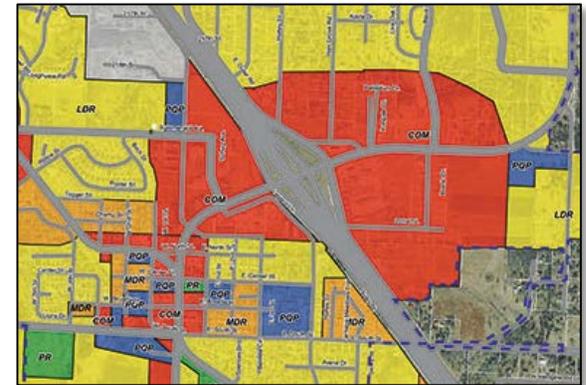


Figure 25: Land Use Pattern, Highway C

services to meet the daily needs of residents. The reconfiguration of Peculiar Drive, discussed in the transportation section of the updates, will support such a change in land use and change the character of the area.

Highway C

The continued development of Highway C with commercial uses is recommended. However, the development pattern established along Highway C, Figure 25, needs to respond to and be supported by the improved and consolidated access to the adjacent properties proposed in the transportation recommendations. The City of Peculiar and the Missouri Department of Transportation (MODOT) are currently studying improvement of the access and connectivity of that section of Highway C. An improved transportation network and commercial development pattern with provide improved access to the community and Downtown as well

as visually support Highway C as a gateway to Peculiar.

Bradley Crossing

The new certified site industrial area, west of the new Peculiar Way interchange will provide the necessary land and incentives to bring larger manufacturing and production facilities, and jobs, to Peculiar. However, to diversify the local economy and jobs base, smaller, potentially more specialized industrial uses will need space in Peculiar. The current industrial uses and the lie north on J Highway west of I-49, at the south end of Bradley Crossing should continue to de development in a smaller scaled industrial use manner and expanded north to occupy all of Bradley Crossing. This represents a change in the land use designation of the northern part of Bradley Crossing from commercial” to “industrial.” (Figure 26) This change is also warranted by the focus on future commercial development at the 21th Street Interchange and Downtown Peculiar.

Peculiar Way

- Interchange – The land use pattern in conjunction with the new Peculiar Way

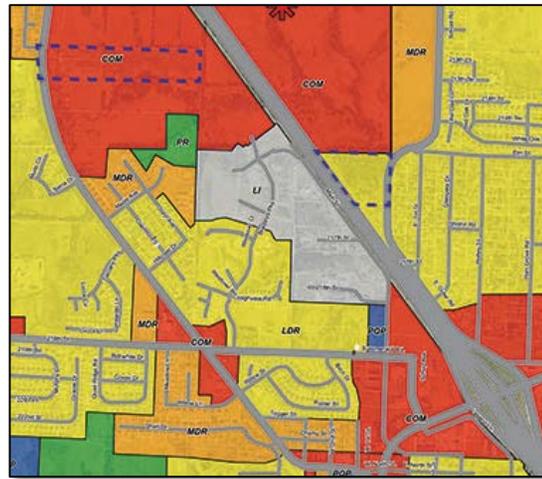


Figure 26: Land Use Pattern: Bradley Crossing

Interchange, Figure 27, will be realigned from the pattern promoted by the current plan. The past land use pattern proposed was based on the anticipated rapid growth of the community and providing a regional destination for commercial services. The area adjacent to the interchange, in all four quadrants, will focus on commercial development that provides goods and service to the community and region as well as jobs to the local economy.

The land use patterns for the Peculiar Way interchange will be:

- o Southeast Quadrant – The primary focus of this area will be destination retail that will serve the community and the region. This area will focus on the provision of goods and services as well as providing an expanded job based for the community, in the service sector.
- o Northeast Quadrant – The primary focus of development in this quadrant will be the establishment of an employment center for jobs in Peculiar. This area will also be home to a smaller scale, walkable retail center. Because of the adjacency to residential neighborhoods, and the Raymore-Peculiar School district complex to the east, this area is a good location to connect to the surrounding residents as well as capture visitors to the community drawn by school district activities.
  - o Northwest Quadrant – The focus of this area will be office and industrial uses created and expanded job and economic based for Peculiar. The designation of much of this area, west of Harper

Road, as a State of Missouri Certified Industrial site provides broader awareness of the area for future development. The attraction of high-tech, specialized manufacturing will elevate the quality jobs in the community and provide additional resources. Immediately adjacent to the highway commercial, particularly office uses are most appropriate to create a strong jobs base in the community. A final piece of medium to high-density residential, proposed by the previous plan, is appropriate to provide housing opportunities in proximity to jobs and services in the northern part of Peculiar.

- o Southwest Quadrant – The focus of this area is on establishing a regional employment and office location that can attract jobs to Peculiar and support industrial development to the north.

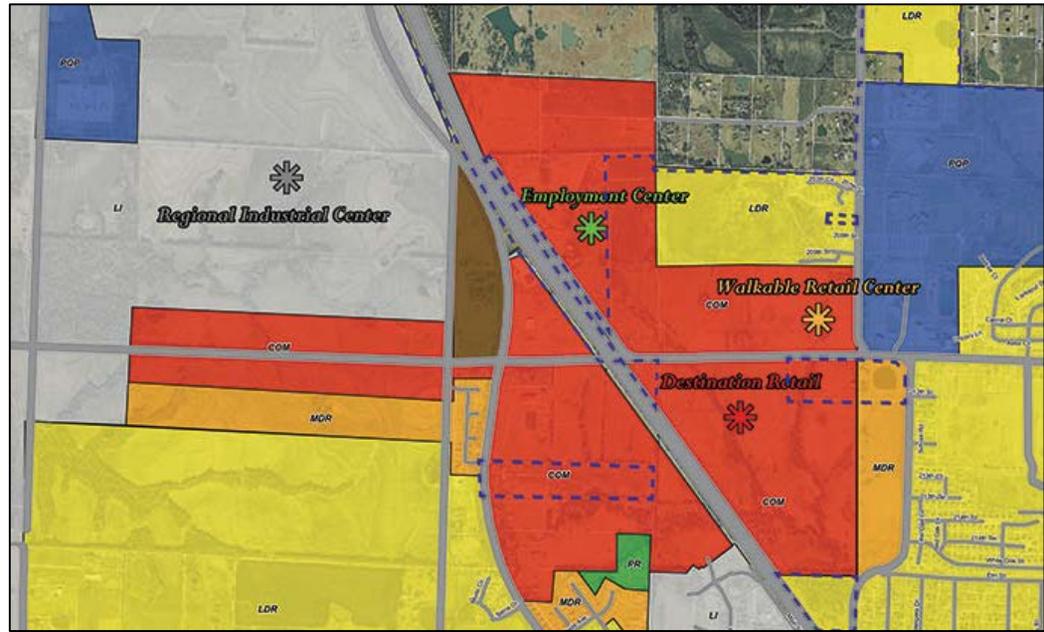


Figure 27: Land Use Pattern, Peculiar Way Corridor

- Peculiar Way Corridor (west) - A significant change from the previous planning effort designates the Peculiar Way Corridor, specifically west of Harper Road from commercial uses to medium/high density residential development, to support a nodal pattern of commercial development along that corridor. Future development of residential along that corridor should be buffered from the surrounding commercial and industrial uses, to provide a higher-density residential neighborhood for people to live in proximity to jobs and services. Future commercial nodes could be established, as Peculiar Way is extended to the west, at an extend Knight Road, and/or further to the west at an extended Mullen Road or Y Highway.
  - o Northwest Industrial Area – The construction of the 211st Interchange at I-49 will provide the access necessary for the future growth and development of the Peculiar to the north. This improvement will also support the development of future industrial land uses in the northwest quadrant of the community. An area of significant size will be designated for the future development of industrial use with a

focus on high-tech and specialized manufacturing and supported by warehousing and offices uses. The process is underway to have this area designated as a State of Missouri Certified Industrial site. The certification will afford development professional and perspective businesses to review sites within Missouri, and consistent information for various sites, for compatibility with their needs. The certification will also provide a statewide level of visibility for the development site and Peculiar as an industrial development location.

- significant population within 1 to 2 miles proximity,
- easy accessibility and well connected by all modes of transportation, most importantly walking and bicycling,
- a sizeable area of land , 20 to 30 acres, and
- a diversity of both passive and active recreational areas and uses.

The provision of parkland and recreational space, to residents and visitors, is an important element of the Peculiar community and should be a priority to support future growth and development.

#### Parkland

The future growth of Peculiar will necessitate the addition of parkland in the community to provide recreation space and amenities for residents. While not specifically identified on the land use map, parkland should be incorporated into, or accessible to, future development as well as a location for a future community scaled park identified. An ideal location for a community park would include:

## APPENDIX

### Street Sections

Each cross-section is defined by the color blocks indicating the various components of the street. Within each color block are numerical values representing the width, or range of acceptable width, of each component, measured in linear feet. Figure 28 illustrates the legend used to understand the typical sections that are provided on the following pages.

- Green = pedestrian/ amenity/ utility zone,
- Orange = sidewalks
- Light gray = curb and gutter
- Purple = parking lanes
- Blue = bike lanes
- Black to White Gradient = shared lanes (where bicyclists and vehicles share the lane)
- Asphalt gray = through vehicular lanes
- Brown = left turn lane
- Brown with Gray Outline = raised median

The Character Area context, as defined in the plan, is listed to the right of the section component.

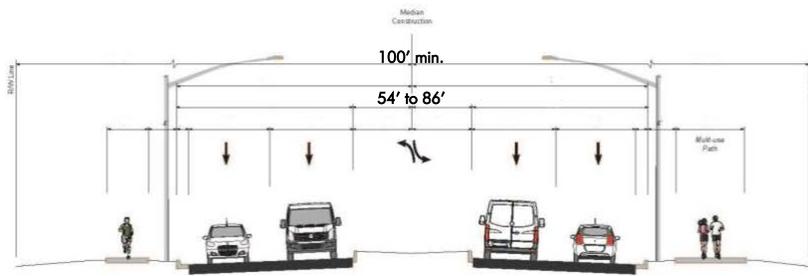


Figure 28: Street Section Legend

### Arterials

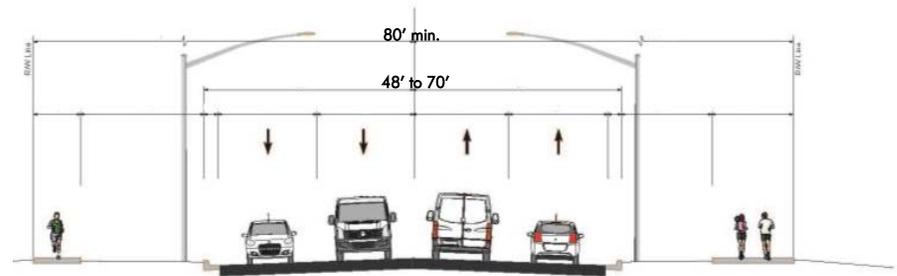
Arterial roadways are streets with continuity throughout the city and connect to a larger region, connecting freeways to traffic generators. They are designed for significant volumes of traffic over long distances and often include truck traffic. The illustrations provided demonstrate potential cross-sections for Major and Minor Arterial roadways.

### 5 Lane Major Arterial



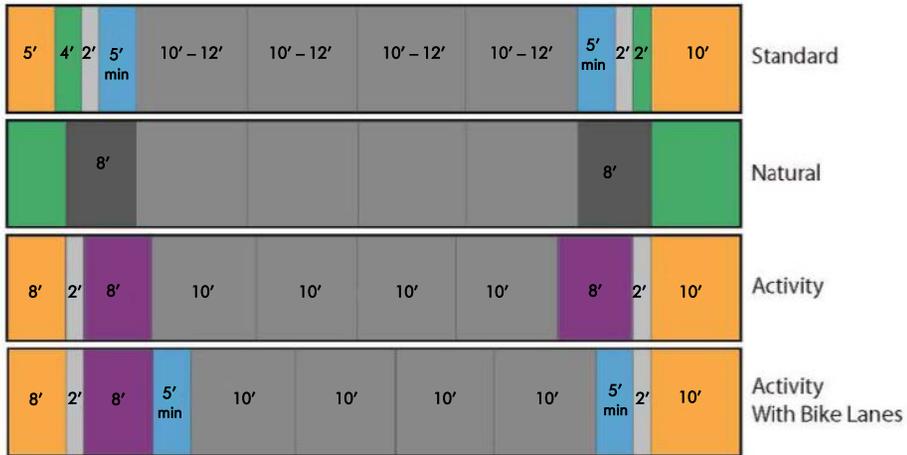
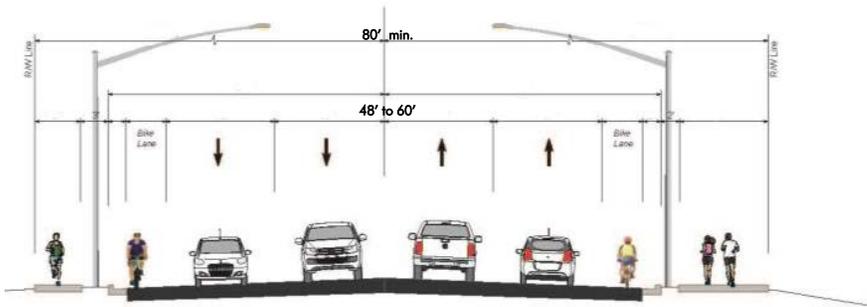
5' min	4' min	2'	10' - 12'	10' - 12'	10' - 16' (turn lane 10' to 12')	10' - 12'	10' - 12' 2'	4' min	5' min	Standard		
8'	8'							8'	8'	Natural		
8'	5' min							5' min	8'	Natural With Bike Lanes		
10' min	2'	8'	10'	10'		10'	10'	8'	2'	10' min	Activity	
8' min	2'	8'	5'	10'	10'	10'	10'	5'	8'	2'	8' min	Activity With Bike Lanes

### 4 Lane Major Arterial

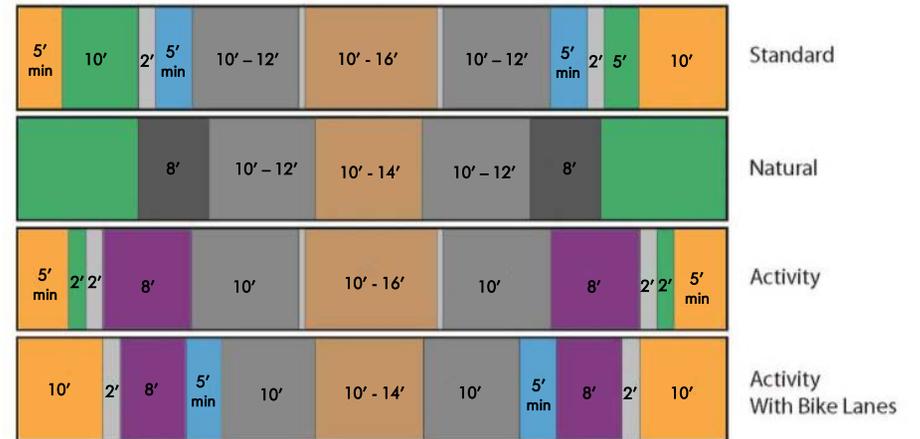
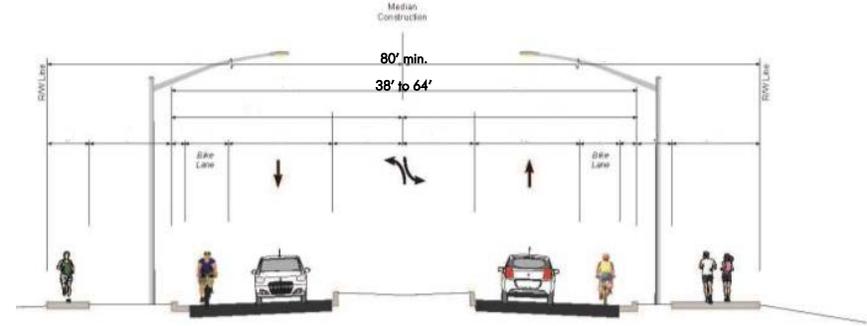


5' min	2'	10' - 12'	10' - 12'	10' - 12'	10' - 12'	2'	10' min	Standard				
8'						8'	8'	Natural				
8'	5' min					5' min	8'	Natural With Bike Lanes				
10' min	2'	8'	10'	10'	10'	10'	8'	2'	10' min	Activity		
8' min	2'	8'	5'	10'	10'	10'	10'	5'	8'	2'	8' min	Activity With Bike Lanes

## 4 Lane Minor Arterial



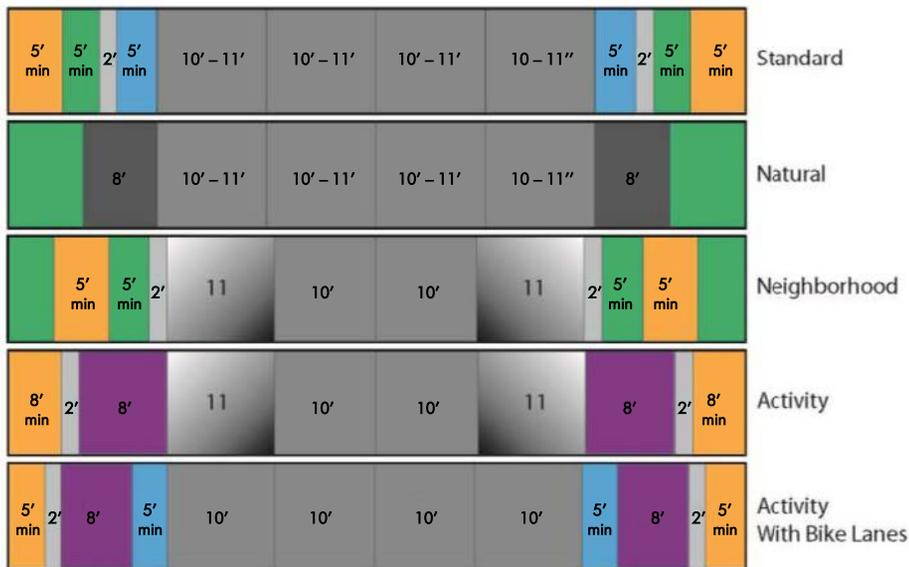
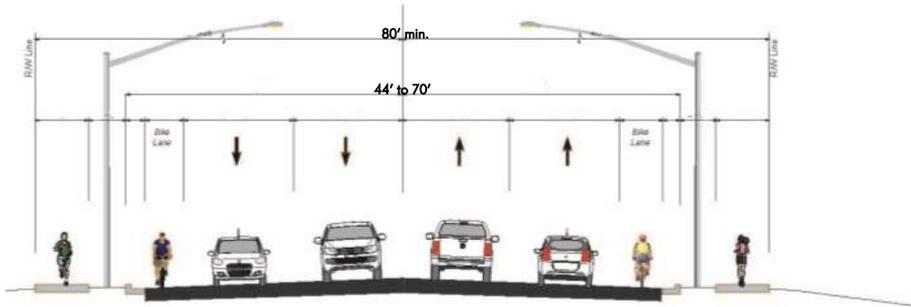
## 3 Lane Minor Arterial



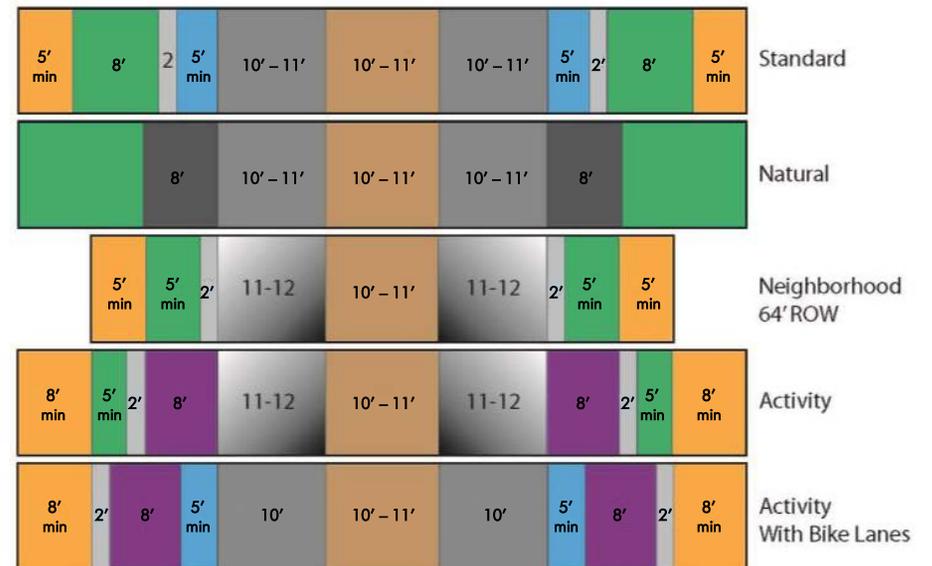
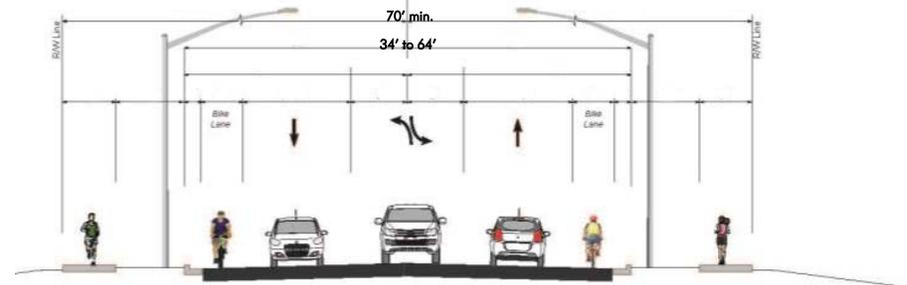
### Collector

There are two categories of Collector streets. Major Collectors are streets designed for moderate traffic volumes and typically cover a considerable distance across a community. Minor Collectors are streets designed for moderate traffic volumes that typically cover a smaller distance. The illustrations provided demonstrate potential cross-sections for Major and Minor Collector roadways.

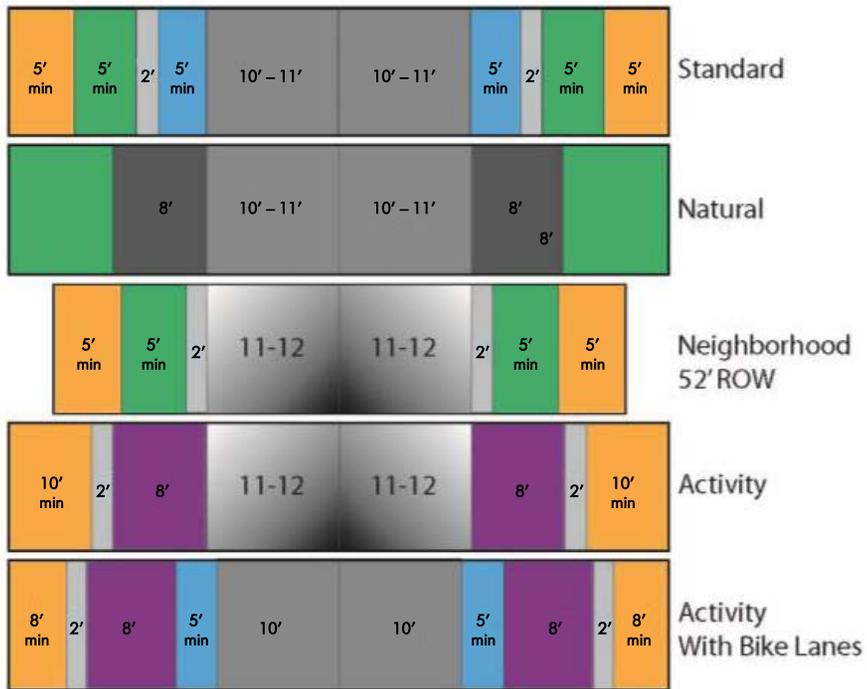
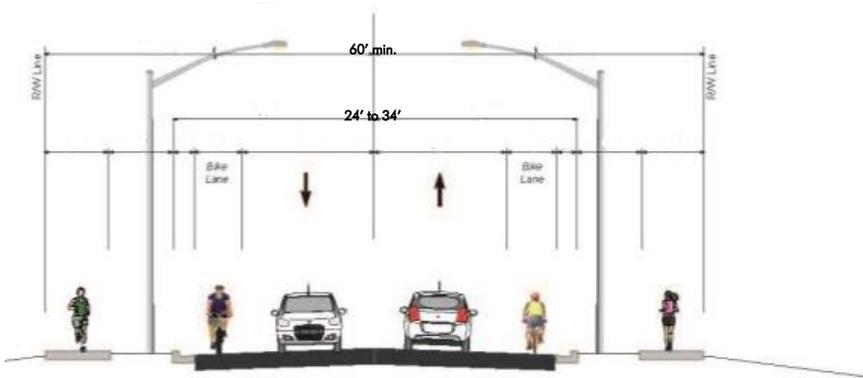
### 4 Lane Major Collector



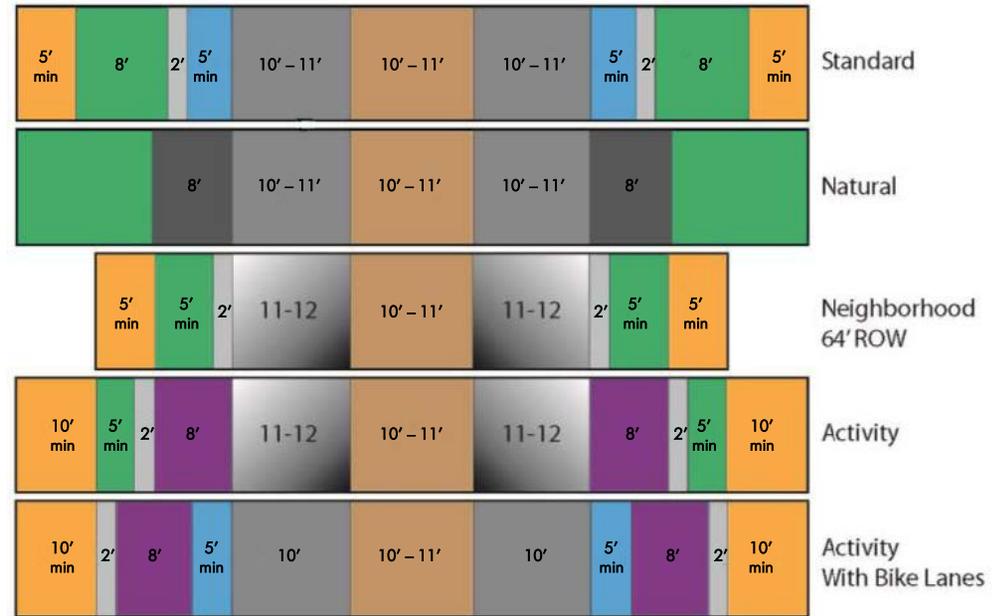
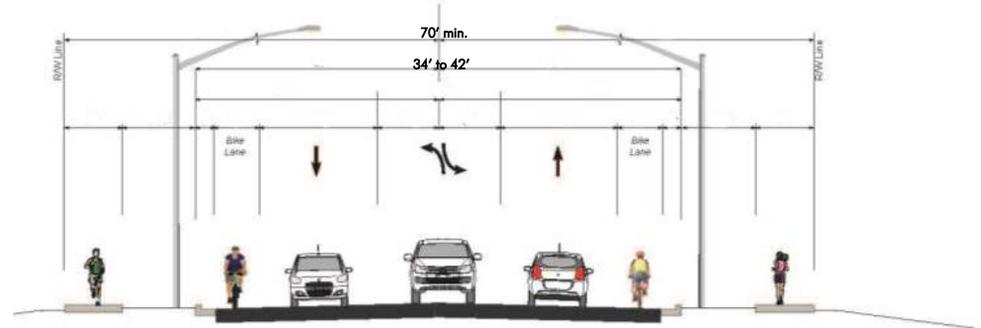
### 3 Lane Major Collector



## 2 Lane Major Collector



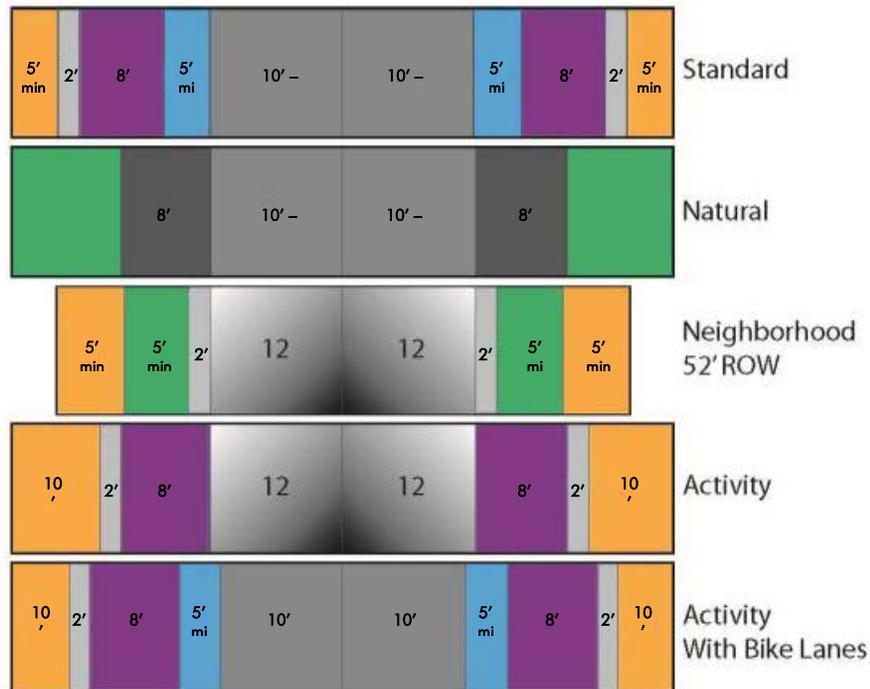
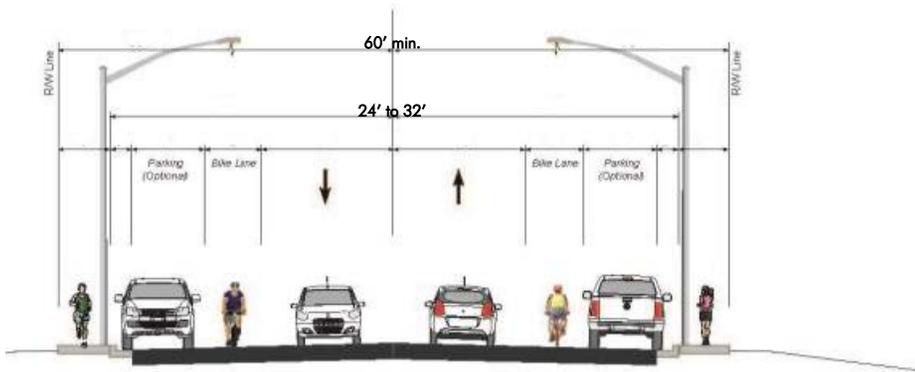
## 3 Lane Minor Collector



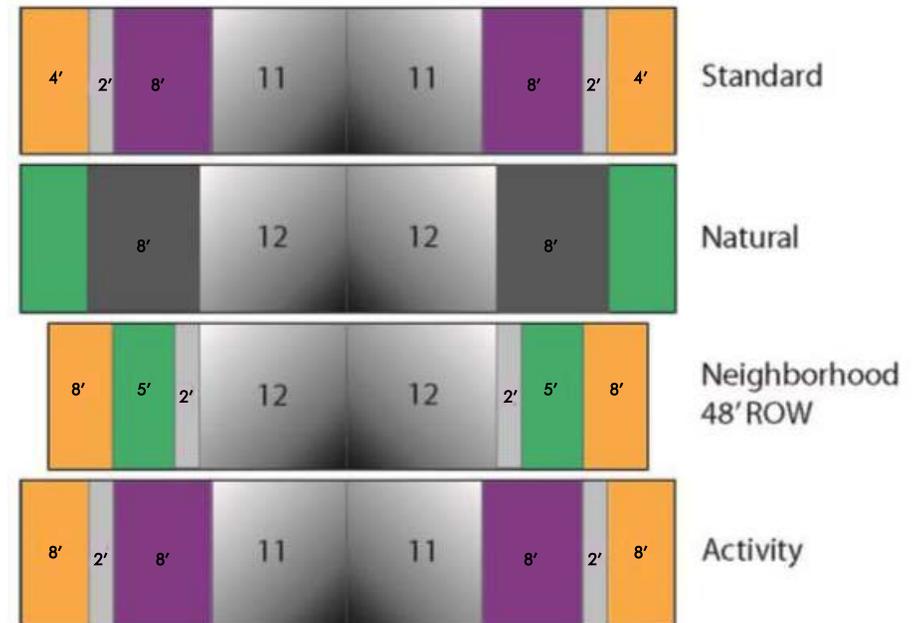
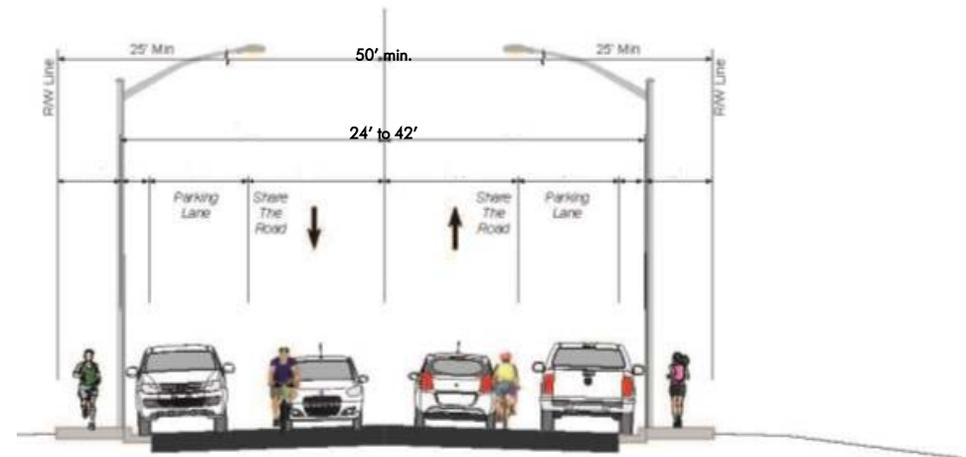
### Local

Local streets are intended to cover short distances. They often have high connectivity and are design for low traffic speeds and volumes. The illustration provided demonstrates a variety of configurations for Local street cross sections.

## 2 Lane Minor Collector



## 2 Lane Local



**BILL NO. 2015-22**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE BY THE BOARD OF ALDERMEN TO AMEND THE OFFICIAL 2008 COMPREHENSIVE PLAN OF THE CITY OF PECULIAR BY ADOPTING THE COMPREHENSIVE PLAN UPDATE, 2015 TO THE CITY OF PECULIAR COMPREHENSIVE PLAN.**

**Whereas**, Sections 89.310, 89.340 and 89.350, Revised Statutes of Missouri, authorizes the City of Peculiar to prepare a Comprehensive Plan; and

**Whereas**, the City of Peculiar has retained Gould Evans, P.C. to prepare an Update to the 2008 Comprehensive Plan which includes maps, reports and updates to the City’s Demographics/Economics, Transportation Network and Future Land Use Map; and

**Whereas**, a public hearing was held on September 10, 2015 by the Planning Commission regarding the Comprehensive Plan Update and they have recommended approval and adoption; and

**Whereas**, a public hearing was held on September 21, 2015 by the Board of Aldermen; and

**Whereas**, The City of Peculiar has determined that it would be in the best interest of the health, safety and welfare of the City and its residents to amend the Official 2008 Comprehensive Plan by adopting the Comprehensive Plan Update, 2015, as shown in Exhibit “A”.

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

**SECTION I:** To amend the City’s Official 2008 Comprehensive Plan by adopting the Comprehensive Plan Update, 2015 as shown in Exhibit “A”.

**SECTION II:** To adopt the Future Land Use Map which is an integral part of the Comprehensive Plan Update 2015 as the Official Future Land Use Map of the City of Peculiar.

**SECTION III:** That this ordinance shall be in full force and effect from and after its passage and approval.

**SECTION IV:** The effective date of this ordinance shall be \_\_\_\_\_, 2015.

**First Reading: September 21, 2015                      Second Reading: \_\_\_\_\_**

**BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON  
ITS SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015, BY THE  
FOLLOWING VOTE:**

Alderman Ford \_\_\_\_\_  
Alderman Hammack \_\_\_\_\_  
Alderman McCrea \_\_\_\_\_

Alderman Ray \_\_\_\_\_  
Alderman Roberts \_\_\_\_\_  
Alderman Turner \_\_\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Holly Stark, Mayor

\_\_\_\_\_  
Janet Burlingame, City Clerk

**City Administrator**  
*Brad Ratliff*

**City Clerk**  
*Janet Burlingame*

**City Engineer**  
*Carl Brooks*

**Business Office**  
*Trudy Prickett*



Municipal Offices – 250 S. Main Street, Peculiar, MO 64078  
Phone: (816)779-5212 Facsimile: (816)779-1004

**Chief of Police**  
*Harry Gurin*

**City Planner**  
*Cliff McDonald*

**City Attorney**  
*Reid Holbrook*

**Parks Director**  
*Grant Purkey*

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**To:** Board of Aldermen  
**From:** Clifford L. McDonald  
**Date:** October 5th, 2015  
**Re:** Ordinance to Amend Chapter 400, Section 400.490, and Adopt the Peculiar Way (211<sup>th</sup> Street) Design Overlay District

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### GENERAL INFORMATION

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**Applicant:** City Staff

**Status of Applicant:** N/A

**Requested Actions:** The Board of Aldermen are being presented with the amendment to Chapter 400, Zoning Regulations to adopt a new Zoning District, Peculiar Way Design Overlay. The Ordinance to adopt this new Overlay District is being presented for its Second Reading.

**Date of Application:** N/A

**Purpose:** The purpose is for the Board of Aldermen to consider approving the Second Reading of the Ordinance to adopt the proposed Peculiar Way (211<sup>th</sup> Street) Design Overlay District.

**Property Location (if applicable):** 211<sup>th</sup> Street Corridor

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### PROPOSAL

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See "Requested Actions" above.

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### PREVIOUS ACTIONS

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The Planning Commission recommended approval and the Board of Aldermen formally adopted the City's current Comprehensive Plan and Zoning Regulations in November, 2008 which identify the Zoning Districts of the City. Gould Evans Associates, LC was awarded the contract to update the City's Comprehensive Plan August 18<sup>th</sup>, 2014; and develop a new Zoning District to direct future development along the 211<sup>th</sup> Street corridor adjacent to the new intersection. The City has held several public workshops, public forums, solicited citizen comments by electronic survey and utilized the expertise of the Technical & Steering Committees to ensure this district reflects the future goals and desired growth of the City of Peculiar.

On September 10<sup>th</sup>, 2015 the Planning Commission held a public hearing on the proposed amendment to Chapter 400, Zoning Regulations, to adopt the new 211<sup>th</sup> Street Design Overlay District; no one spoke against the proposed amendment nor has a formal protest been received by the City. At this meeting the

Planning Commission voted unanimously in favor of adopting the proposed ordinance for the 211<sup>th</sup> Street Design Overlay District.

On September 21<sup>st</sup>, 2015 the Board of Aldermen held a public hearing on the proposed amendment to Chapter 400, Zoning Regulations, to adopt the new 211<sup>th</sup> Street Design Overlay District; no one spoke against the proposed amendment nor have any formal protests been received by the City. At this meeting the Board voted unanimously to approve the First Reading of the ordinance for the 211<sup>th</sup> Street Design Overlay District.

On September 21<sup>st</sup>, 2015 the Board of Aldermen also approved changing the name of 211<sup>th</sup> Street (from Harper Road east to School Road) to Peculiar Way. The Ordinance being presented tonight for its Second Reading has been updated to reflect this name change.

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## **KEY ISSUES**

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Chapter 400: Zoning Regulations, Article IV: Districts is numerically full, there is no room to add yet another District. To provide space to incorporate the new 211<sup>th</sup> Street Overlay District I am proposing deletion of District "H" Historic Overlay; no property in Peculiar is designated as such, additionally a Historic District is both expensive and time consuming to administer.

The 211<sup>th</sup> Street Design Overlay District has been set up similar to the City's existing District C-P Planned Business, and requires developers/applicants to provide a sketch (site-plan) that defines the proposed development. Unlike the C-P District, the proposed overlay district includes development, use and site design criteria by which any development proposal will be reviewed. The criteria are not specific standards for each element, which provides the city flexibility in the development pattern, type and design it wants to see. This not only provides flexibility in terms of the necessary guidance the community desires for the type, quality and scale of development, but also increases the expectations of the decision makers and developers/applicants.

## **STAFF COMMENTS AND SUGGESTIONS**

Staff suggests the Board of Aldermen review the proposed Ordinance to adopt the Peculiar Way Overlay District.

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## **STAFF RECOMMENDATION**

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Staff Recommends the Board of Aldermen strongly consider approving the Ordinance to amend Chapter 400, Section 400.490 and adopt the Peculiar Way Design Overlay District with its Second Reading being presented October 5th, 2015.

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## **ATTACHMENTS**

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1. *Ordinance to Amend Chapter 400, Section 400.490 and adopt a new Peculiar Way Design Overlay District*

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## **STAFF CONTACT:**

Clifford L. McDonald,  
PH: 816-779-2226  
E-mail: cmcdonald@cityofpeculiar.com

**BILL NO. 2015-23**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 400, ARTICLE IV, DISTRICTS BY RESCINDING SECTION 400.490 DISTRICT “H” HISTORIC OVERLAY AND ESTABLISHING A NEW SECTION 400.490 DISTRICT PECULIAR WAY DESIGN OVERLAY OF THE CITY OF PECULIAR MUNICIPAL CODE.**

**WHEREAS**, the update to the City of Peculiar Comprehensive Plan has identified a need to provide development and design guidance for the land in and around the new Peculiar Way – I-49 Interchange in the City of Peculiar, and

**WHEREAS**, the Steering and Technical Committees for the City of Peculiar Comprehensive Plan Update have recommended amendments to CHAPTER 400, SECTION 400.490 to establish the necessary development and design requirements along the Peculiar Way Corridor by creating a new SECTION 400.490, DISTRICT PECULIAR WAY DESIGN OVERLAY of the City of Peculiar Municipal Code, and

**WHEREAS**, the Planning Commission (“Commission”) recommended approval of the changes to Chapter 400, Section 400.490 of the City Municipal Code to establish a new Peculiar Way Design Overlay District following a Public Hearing held September 10, 2015.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 400, ARTICLE IV: DISTRICTS, SECTION 400.490 OF THE PECULIAR MUNICIPAL CODE BE AMENDED AND ESTABLISHED AS FOLLOWS:**

**SECTION I:** That Section 400.490 District “H” Historic Overlay be removed in its entirety and replaced with the following:

**Section 400.490 District Peculiar Way Design Overlay.**

**A. General Provisions**

1. *Intent.* The intent of this section is:
  - a. To guide the pattern and design of development adjacent to the interchange and along the Peculiar Way Corridor, to reflect the character of the community.
  - b. To coordinate site development with streetscape and street design requirements, whether the streetscape and street design types are existing, constructed in association with development, or planned as future city improvements.
  - c. To coordinate development efficiently across adjacent sites including consideration for existing conditions and planned or anticipated development on

these sites.

- d. Ensure that individual sites are developed in an efficient and coordinated manner, meeting the design requirements of this Section, and designed to most effectively meet the multiple purposes, intents, and design objectives of the various sub-sections.
  - e. To ensure the over-all development of this district corresponds to the requirements outlined in Section 400.490.E Design Overlay Table.
2. *Place Types.* The City of Peculiar desires to provide goods and services to its residents and visitors to the community in this area through the following distinct Place Types:
- a. Walkable Retail – smaller to medium scale commercial center engaged in the sale of household merchandise, specialty merchandise, restaurants and consumer products and typically involving between 5,000 and 25,000 square feet of gross leasable area. These uses are characterized by a target market area of less than 1 mile radius for most of its on premise sales.
  - b. Destination Retail – Commercial uses primarily engaged in the sale of household merchandise, specialty merchandise or general consumer products and typically involving between 25,000 and 100,000 square feet, or more, of gross leasable area. Large scale retail uses are characterized by a target market area that may be greater than 1 mile radius for the on premise component of its sales. Destination Retail Centers may include services uses that provide support for adjacent residential uses or businesses which may involve more than 3,000 square feet of gross leasable area. Examples include copy centers, large banks, or other similar services.
  - c. Mixed-Use Employment – Office and light industrial development that creates a campus environment to connect multiple development sites into a cohesive setting and pattern.
    - (1) Small Office - uses include those uses where individual units of gross leasable area are typically between 3,500 and 20,000 square feet, and where each owner or tenant typically employs between 20 and 100 employees on premises. Examples include large professional service offices such as accountants, architects, insurance, law, real estate, or other similar businesses.
    - (2) Large Office - uses, or complexes, include individual units of gross leasable area that may be more than 20,000 square feet in a single building or group of buildings, and each owner or tenant may typically employ more than 100 employees on premises. Examples include major professional

service firms or large corporate offices.

(3) Light Industrial - uses include those where byproducts such as smoke, odor, dust or noise are not discernable from outside of the building in which it is located. Distribution and deliveries can occur from general consumer delivery services or limited commercial truck access. Examples include research labs or facilities, small electronics or computer assembly and manufacturing, furniture assembly.

d. Neighborhood Retail – small scale, commercial center engaged in the sale of household merchandise and general consumer products and typically involving between 2,000 and 5,000 square feet of gross leasable area. Neighborhood retail uses are characterized by a target market area of less than ½ mile radius for most of its on premise sales. An exception can be made for one anchor tenant or grocery store, of less than 45,000 square feet within a Neighborhood Center.

3. *Place Type Application.* The place types are allocated for the Peculiar Way interchange area according to the Place Type Map which defines the Peculiar Way Design Overlay District and its boundaries.

a. West Peculiar Mixed-use Employment – the area designated as West Peculiar Mixed-Use Employment shall be restricted to Light Industrial uses as defined in in Section 400.490. A.2.c.

4. *Planned Zoning.*

District Peculiar Way Design Overlay is a planned zoning district that overlays and amends underlying zoning classifications. Any conflict between the standards and guidelines in this section and the underlying zoning shall be resolved in favor of this section. Applications under the District Peculiar Way Design Overlay require submittal of sketch plans and development plans in accordance with the procedures and criteria for the "C-P district and Chapter 400, Article XI: Review and Approval Procedures.

## **B. Development Pattern and Structure**

1. *Block Size.*

The block size defines the pattern and compactness of development and encourages walkability where the blocks are small.

- a. Small Block – blocks of 2.5 to 4 net acres in size.
- b. Medium Block – blocks of 4 to 6 net acres in size.
- c. Large Block – blocks 6 to 10 acres; larger only as limited exceptions or where internal access streets within the block mimic the A-street, B-street or C-street connections.

## 2. *Street Type / Streetscape*

The street type and streetscape design define the street network that shapes the public realm, and transitions and differences in street types help define distinct places.

- a. A Street. "A Streets" prioritize pedestrian activity and create value for buildings and business that front directly on them. In general "A Streets" shall have the following design features: Wide sidewalks (12'-20'); On-street Parking (8' parallel or 18' angled); Slow speeds (below 20mph target) and narrow travel lanes (10'); Frequent street trees planted in tree wells within sidewalks (25' to 40' on center); Seating area and other public amenities along the sidewalk or associated with businesses; and Frequent cross-walks in association with short blocks.
- b. B Street. "B Streets" have a balance between all modes of transportation (cars, pedestrians, bicycles and transit) and promote access and connections to key places. In general, "B Streets" shall have the following design features: Sidewalks (6' – 10'); On-street parking (8' parallel were appropriate); Moderate speeds (20-30 mph) and travel lanes (10'-11'); Bicycle lanes where appropriate; and a landscape buffer (6'- 10') with street trees between the street and sidewalk (or in tree wells if on-street parking provides the buffer between vehicles and pedestrians).
- c. C Street. "C Streets" provide access throughout the areas, and support important land uses that require a higher degree of vehicle access and connections. Due to the difficult site designs and compromised streetscapes that result, these streets are typically on edges or secondary networks of more valuable places. In general, "C Streets" shall have the following design features: Sidewalks ((6'-10') or trail (10'+) where appropriate; Moderate to high speeds (25 – 40 mph) and moderate to wide travel lanes (11' – 12'); and a landscape buffer (10'+) with street trees or landscape berms between the sidewalk or trail and road.

## 3. *Civic Space/Landscape*

Civic space and landscape design creates an extension of the public realm and establishes transitions between public spaces and private development. The design of these spaces can create gathering places, establish an aesthetic character for the area, and/or screen and buffer more intense elements of site or building designs.

- a. Formal Space - Formal spaces are primarily designed for people to gather and are designed with a high degree of pedestrian amenity and ornamentation. These spaces are small and strategically located, typically along important street frontages as an extension of the public right-of-way or as a focal point of surrounding blocks. They include landscape elements, but also have a significant amount of hardscape. Examples include courtyards, plazas or squares.
- b. Open Space – Open spaces are primarily designed to promote an aesthetic character or buffer or screen elements of a site from adjacent areas, and are

designed with a high degree of landscape amenity. These spaces are incorporated into sites for either ecological or aesthetic functions. Examples include buffers, berms, tree or landscape islands, greens or any natural storm water BMP.

- c. Campus Space – Campus spaces are larger-scale and coordinated landscaped areas designed to tie together larger and more dispersed projects into a common theme. These spaces compliment the street network as an extension of the public realm and though accessible to bicycles and pedestrians, include a large amount of landscape amenity (which can be natural or formal). Examples include greens, trails and greenways, lawns and other landscaped or garden-like amenities.
- d. Natural Area – Natural areas are landscape areas preserved or restored for their natural or ecological function. These spaces are located based on inherent opportunity of the site but become an organizing element and amenity for surrounding development patterns. Examples include greenways, stream buffers, forested areas, or any natural storm water BMP.

## **C. Uses**

### 1. *Scale of Use*

- a. Small Scale – uses that require less than 5,000 square feet of space.
- b. Medium Scale – uses that require between 5,000 and 60,000 square feet of space.
- c. Large Scale – uses that require more than 60,000 square feet of space.

### 2. *Mix of Uses*

- a. Retail – use category is for businesses engaged in the exchange of merchandise for general consumers, and nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, where lots or buildings are primarily designed for exposure to the public-at-large.
- b. Services - Service uses include businesses engaged in the exchange of professional skills, advice, personal care or other resources, and the nature of the exchange generally requires frequent interactions with the clients, customers or patrons on the premises, and where lots or buildings may require access or exposure to the public-at-large.
- c. Employment - Employment uses include businesses engaged in administrative, clerical, professional operations and support, and light industrial/manufacturing where products or services are of the nature that generally, when compared to retail uses, do not require daily on premise interactions with the clients, customers or patrons, and where lots and buildings are not primarily designed to maximize exposure to the public-at-large. Operations may require

commercial vehicle access for distribution and deliveries.

- d. Civic – Civic uses include uses serving a broad and general public and community interest to enhance daily cultural, social or recreation opportunities for area landowners and residents. Civic uses may include uses that are public and accessible to all citizens; common and accessible by rights associated with ownership; or private and accessible by membership or general association.
- e. Residential - Residential uses include all types of dwelling units used for permanent residence, including a variety of lot types, building types, and unit types, that may vary in the kind and classes of buildings based on the character of the neighborhood.

## **D. Site Design**

### *1. Building Type / Orientation*

- a. Small Footprint – Small footprint buildings allow for compact development patterns that add vitality by placing a larger amount and wider variety of uses within close proximity to a key destination. In general, small-footprint buildings are no greater than 3,000 square feet (footprint), however a series of these buildings may be joined by common walls along a block face.
- b. Large Footprint – Larger footprint buildings accommodate destination uses. However due to the larger impact and difficult site design and building access and orientation challenges, these buildings need to be carefully sited to not disrupt urban design and development patterns of nearby areas. In general, large-footprint buildings are typically single story (or extended single story) and greater than 50,000 square feet.
- c. Street Front – Street-front building orientation over-rides conventional setbacks and places the building along the front lot line. This helps define the public realm and streetscape as important space, and adds activity and vitality to the streetscape with pedestrian activity. In general, Street-front building orientation includes the following design features: Front “build-to” line (0’ – 10’); Building frontage on at least 80% of the lot frontage/“build-to” line, except that up to 50% may be set back to provide outside civic space along the frontage; and Building orientation to the street (front entrance features and active street level uses).
- d. Enhanced Façade – Enhanced Facades create quality and visual interest along the building frontage and typically accompanies street-front building orientation. In general, enhanced facade design includes: Primary entrances (1 entrance at least every 50 linear feet); Transparency (at least 70% windows between 2’ and 10’ from street level; 25% - 40% on each story above street level); Limited blank wall space (walls with no windows and doors – no more

than 30 liner feet and 600 s.f.); Pedestrian scale ornamentation and details – especially associated with primary entrances or to animate “blank wall” space.

2. *Building Materials*

All building shall be constructed according to the following materials standards. Material use by category, primary, secondary or trim/accent, as identified in Table D-2, will be dependent on the place type identified in sub-section A.2 and in accordance with the percentage specified in sub-sections D.2.a through D.2.d.

**Table D-2: Permitted Materials by**

<b>Permitted Materials by Category</b>	<b>Primary</b>	<b>Secondary</b>	<b>Trim / Accent</b>
<b>Masonry</b>			
Brick, solid / modular	X	X	Any of the Primary or Secondary Materials may be used as a trim or accent material.
Brick, veneer / overlay		X	
Stone	X	X	
Stucco, genuine	X	X	
Stucco, synthetic (EIFS)			
Concrete / CMU, detailed	X		
Concrete, plain / split faced		X	
Cement Fiber Board		X	
<b>Metal</b>			
Architectural		X	
Corrugated, lap, aluminum			
<b>Glass</b>			
Clear / Architectural	X	X	
Opaque / Mirror		X	
<b>Wood</b>			
Genuine		X	
<b>Other synthetics</b>			
Vinyl			X
Plastic			X

a. Walkable Retail –

- (1) Principal / Enhanced Façades – will be designed with a minimum of 80% primary materials / 20% secondary materials.
- (2) Other Facades - will be designed with a minimum of 60% primary materials / 40% secondary materials.

b. Destination Retail

- (1) Principal / Enhanced Façades – will be designed with a minimum of 70% primary materials / 30% secondary materials.

(2) Other Facades - will be designed with a minimum of 60% primary materials / 40% secondary materials.

c. Employment Center –

(1) Principal / Enhanced Façades – will be designed with a minimum of 70% primary materials / 30% secondary materials.

(2) Other Facades - will be designed with a minimum of 50% primary materials / 50% secondary materials.

d. Neighborhood Retail

(1) Principal / Enhanced Façades – will be designed with a minimum of 80% primary materials / 20% secondary materials.

(2) Other Facades - will be designed with a minimum of 60% primary materials / 40% secondary materials.

3. *Parking and Access*

a. Restricted Access – no vehicular access is allowed along the block face, access is provided from a side street or rear alley / parking lot. Typically applied to A Streets.

b. Limited Access – no more than one vehicular access point is allowed along the block face, additional access is provided from a side street, rear alley or adjacent B or C Street types.

c. On-street Parking – parking along the block face within the right-of-way, can be parallel or angled depending on the size of the right of way. Typically on-street parking is associated with A Street types to encourage a higher level of pedestrian connectivity.

d. Secondary Parking – Parking that is behind the building. Parking may be accessed by a drive way from the block face or from side or adjacent streets.

e. Small Lot – a parking field that does not exceed 25 parking spaces, that may be in front of, beside or behind the building and extensively landscaped to buffer parking from view.

## E. Design Overlay Table

	Walkable Retail	Destination Retail	Mixed-Use Employment	Neighborhood Retail
<b>DEVELOPMENT PATTERN &amp; STRUCTURE</b>				
Block Size				
Small Block	R	at least 60% of area	O	O
Medium Block	O		P	P
Large Block	L	limited to perimeter of development	O	L
				must reinforce pattern of campus open space
				D
Street Type / Streetscape				
"A" Street	R	min. 25%	P	R
"B" Street	O	25% to 50%	P	15% to 50%
"C" Street	L	max. 25%	O	remainder
				min. 10%
				50% to 65%
				max. 40%
				R
				O
				D
				min 50%
				max 50%
				max 10%
Civic Space / Landscape				
Formal Spaces	R	small, and at least 1on every block; OR larger spaces can serve abutting blocks	O	O
				mixed with open spaces and associated with high-activity buildings
				R
				small, and at least 1on every block;
Open Space	O		R	for buffer/screening; min 15%
				large areas / connectivity; min 5%
				D
Campus Space	D		O	P
				create natural setting; min 15%
				D
Natural Area	L	for resource protection	P	O
				protection/connectivity
				L
				for resource protection
<b>USES</b>				
Scale of Use				
Small Scale	R	under 2,500 sq. ft.	L	at development entry
				L
				associated with formal open space and high-activity buildings
				R
				under 2,500 sq. ft.
-Medium Scale	L	limited to B streets	L	at development entry
				P
				L
				One anchor tenant or grocery on B or C street
Large Scale	L	on perimeter of dev.	P	O
				D

	Walkable Retail			Destination Retail			Mixed-Use Employment			Neighborhood Retail			
Mix of Uses													
Retail	R	min 75%		R	min 75%		L	max 20%; associated with formal open space and high-activity buildings			R	min 60%	
Service	C	max 25%		O	max 25%		O	max 20%			O	max 40%	
Employment	O	small scale/2 <sup>nd</sup> floor		D			R	min 60%			O	Max 25%	
Civic	O	max 25%		L	max 10%		O	max 25%			P	min 10% - max 25%	
Residential	L	not of first floor		D			L	on perimeter of dev.			L	not of first floor	
<b>SITE DESIGN</b>													
Building Type / Orientation													
Small Footprint	R			O			O				R		
Large Footprint	L			O			O				D		
Street Front	R/P	R on "A streets"; P on "B streets"		P			L	on "A streets"			R		
Enhanced Facade	R			O/P	P on "A" or "B streets"		O/P	P on "A" or "B streets" or any frontage on Campus Open Space			R		
<b>Building Materials</b>													
Façade Type		Principal / Enhanced	Other		Principal / Enhanced	Other		Principal / Enhanced	Other		Principal / Enhanced	Other	
Primary Materials		80%	60%		70%	60%		70%	50%		80%	60%	
Secondary Materials		20%	40%		30%	40%		30%	50%		20%	40%	
<b>Parking / Access</b>													
Restricted Access	R			P			P				R		
Limited Access	L	"B" or "C Streets" only		O			O				L	"C streets" only	
On-Street Parking	R/P	R on "A streets"; P on "B streets"		O	only on "A" streets		O				R/P	R on "A streets"; P on "B streets"	
Secondary Parking	O			O			O				L	Behind building or on perimeter of dev.	
Small Lot	P			O			P				R		

**Table Key:**  
R = Required  
P = Preferred  
O = Optional  
L = Limited  
D = Discouraged

**SECTION II:** That the City of Peculiar Official Zoning Map be amended to reflect the new Peculiar Way Design Overlay District, the boundaries of which are defined by the Place Type Map (attach 1).

**SECTION III:** The effective date of this ordinance shall be \_\_\_\_\_, 2015.

**First Reading: September 21, 2015**

**Second Reading: \_\_\_\_\_**

**BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015, BY THE FOLLOWING VOTE:**

Alderman Ford \_\_\_\_\_  
Alderman Hammack \_\_\_\_\_  
Alderman McCrea \_\_\_\_\_

Alderman Ray \_\_\_\_\_  
Alderman Roberts \_\_\_\_\_  
Alderman Turner \_\_\_\_\_

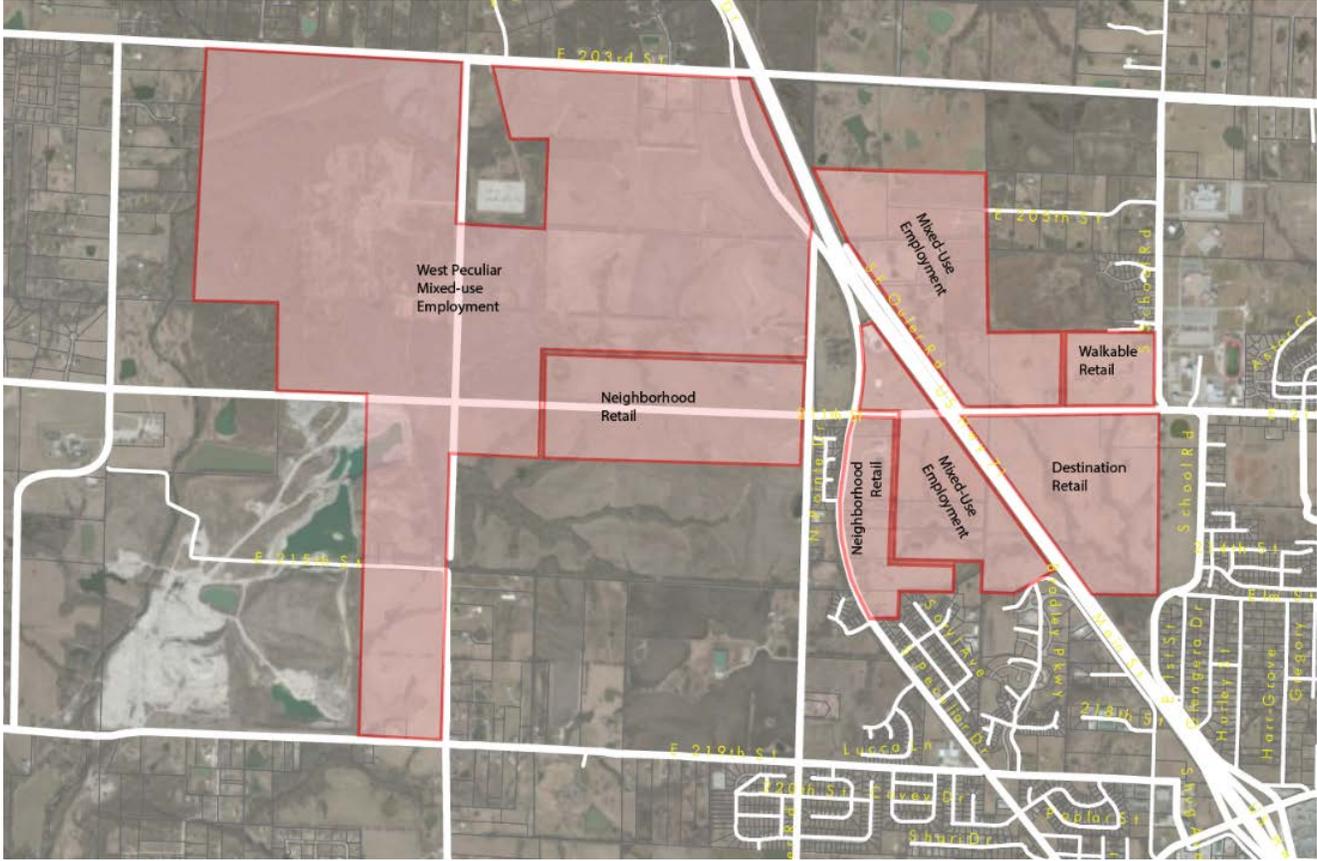
APPROVED:

ATTEST:

\_\_\_\_\_  
Holly Stark, Mayor

\_\_\_\_\_  
Janet Burlingame, City Clerk

Place Type Map



**City Administrator**  
*Brad Ratliff*

**City Clerk**  
*Janet Burlingame*

**City Engineer**  
*Carl Brooks*

**Business Office**  
*Trudy Prickett*



**Municipal Offices – 250 S. Main Street, Peculiar, MO 64078**  
**Phone: (816)779-5212 Facsimile: (816)779-1004**

**Chief of Police**  
*Harry Gurin*

**City Planner**  
*Cliff McDonald*

**City Attorney**  
*Reid Holbrook*

**Parks Director**  
*Grant Purkey*

---

**To:** Mayor & Board of Aldermen  
**From:** Carl Brooks, City Engineer (cbrooks@cityofpeculiar.com)  
**Date:** September 30, 2015  
**Re:** Ordinance No. 2015-24, Mayor & Board of Alderman (BOA) Acceptance of the Missouri Highways and Transportation Commission (MoDOT) Sign Program Agreement for the I-49 Tree City USA Signs

---

**GENERAL INFORMATION**

---

**Applicant:** City Staff  
**Requested Actions:** Approval of ordinance  
**Purpose:** Acceptance of the Missouri Highways and Transportation Commission (MoDOT) Sign Program Agreement for the I-49 Tree City USA Signs  
**Property Location:** I-49 and 211<sup>th</sup> Street Southbound Lanes and I-49 and 223<sup>rd</sup> Street Northbound Lanes

---

**PROPOSAL**

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The commission proposes to construct a Tree City USA highway sign in the above two (2) locations.

---

**PREVIOUS ACTIONS**

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None

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**KEY ISSUES**

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The City of Peculiar shall construct, install, maintain, and if the sign is damaged beyond repair or stolen, replace the sign(s). In the event that MoDOT incurs any costs, then MoDOT shall be reimbursed by the city. The “City of Peculiar” was awarded “Tree City USA” by The National Arbor Day Foundation. “Tree City USA” is awarded to cities who meet four specific standards which are; have an Arbor Day Observation and Proclamation, establishing a Tree Board, and Tree Ordinance and establish a Community Forestry Program with an annual budget of at least \$2 per capita.

---

**STAFF COMMENTS AND SUGGESTIONS**

---

The city attorney’s office has reviewed the agreement and finds the agreement acceptable.

---

**STAFF RECOMMENDATION**

---

City staff recommends the approval of the MoDOT Sign Program Agreement for the I-49 Tree City USA Signs is accepted by ordinance by the Mayor and the BOA; and respectively request a second reading.

---

**ATTACHMENTS**

---

Ordinance 2015-24 MoDOT Sign Program Agreement for the I-49 Tree City USA Signs

---

**BILL NO. 2015-24**

**ORDINANCE NO. \_\_\_\_\_**

**A ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING AND ACCEPTING THE MISSOURI HIGHWAYS and TRANSPORTATION COMMISSION (MoDOT) SIGN PROGRAM AGREEMENT FOR THE 1-49 TREE CITY USA SIGNS (CASS COUNTY), MISSOURI**

**WHEREAS**, the Board of Aldermen approved City staff to apply for the Missouri Highways and Transportation Commission (MoDOT) Sign Program Agreement for the I-49 Tree City USA Signs on behalf of the Park Board, and

**WHEREAS**, both the City of Peculiar and the Park Board take great civic pride in their community, and

**NOW THEREFORE**, be it ordained by the Board of Aldermen of the City of Peculiar, Missouri as follows:

**Section 1.** The approval of the Missouri Highways and Transportation Commission (MoDOT) Sign Program Agreement for the I-49 Tree City USA Signs in the amount of \$x,000.00.

**Section 2.** The Mayor is authorized to execute this ordinance acknowledging the City of Peculiar as a receiptant of the “Tree City USA”

**Section 3. Effective Date.** The effective date of this Ordinance shall be the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

First Reading: September 21, 2015

Second Reading: \_\_\_\_\_

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, BY THE FOLLOWING VOTE:

Alderman Ford \_\_\_\_\_  
Alderman Hammack \_\_\_\_\_  
Alderman McCrea \_\_\_\_\_

Alderman Ray \_\_\_\_\_  
Alderman Roberts \_\_\_\_\_  
Alderman Turner \_\_\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Holly J. Stark, Mayor

\_\_\_\_\_  
Janet Burlingame, City Clerk

## MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AGREEMENT FOR SIGNING INSTALLED AND MAINTAINED BY APPLICANT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission"), whose address is P.O. Box 270, 105 W. Capitol, Jefferson City, Missouri 65102, and the **City of Peculiar** (hereinafter, "Applicant"), whose address is **250 S. Main Street Peculiar, MO, 64078**.

WITNESSETH:

WHEREAS, Applicant requests approval from the Commission to install and maintain certain signs further described below in **Cass County, Missouri Interstate 49** in the general vicinity of **I-49 and 211 South Bound and I-49 and 223<sup>rd</sup> North bound**; and

WHEREAS, the Commission is willing to approve the Applicant's request subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) LOCATION AND DISPLAY: The Applicant hereby requests that the Commission allow Applicant to construct, install and maintain the following sign(s):

- Blue Star Marker(s)
- Buckle-Up Signs(s)
  - Community Awareness Sign(s)
    - DARE Sign(s)
    - Drug Free School Zone Sign(s)
    - Tree City USA Sign(s)
    - Disaster Resistant Community Sign(s)
    - Storm Ready Community Sign(s)
    - Other Community Awareness Sign(s) approved by the Commission's State Traffic Engineer
  - Local Reference Signs
    - City Hall/County Courthouse Signs(s)
    - Police Station/Sheriff's Department Sign(s)
    - City/County Park Sign(s)
    - Library Sign(s)
    - Recycle Center Sign(s)
    - Compost Site Sign(s)
    - Other Local Reference Sign(s) approved by the Commission's State Traffic Engineer
- Bus Stop/Mass Transit Sign(s)
- Neighborhood Watch Sign(s)
- Noise Ordinance Sign(s)
- Other sign(s) approved by the Commission's State Traffic Engineer

(A) The sign(s) design will follow the guidelines and regulations of the *Federal Manual on Uniform Traffic Control Devices* (MUTCD) and the Commission's *Signing Manual* for size, color and reflectorization. The sign(s) shall read as displayed in Exhibit A.

(B) The sign(s) will be generally located as illustrated in Exhibit B. The Commission will approve final location prior to installation.

(C) The signs will be displayed:

Year round

Seasonally

from \_\_\_\_\_ to \_\_\_\_\_

If the sign(s) is/are to be displayed seasonally, that the Applicant shall cover or remove the sign(s) during periods of non-use.

(2) INSTALLATION: The signs shall be installed on a post supplied by the applicant and shall not be attached to Commission's pole or traffic control devices. The post shall include a breakaway post assembly, in accordance with Commission requirements. The Applicant shall provide plans with the specific location details of the sign installation for approval by the Commission prior to installation. All costs associated with this installation shall be borne by the Applicant.

(3) TRAFFIC CONTROL: All work zone signs and traffic control devices to be used during installation and maintenance shall be in accordance and comply with the latest revision of the Manual on Uniform Traffic Control Devices for Streets and Highways or as directed by the District Engineer or his authorized representative

(4) PERMIT: Before beginning installation work, the Applicant shall secure a permit from the Commission's District Engineer for the installation of the proposed sign(s). The Applicant shall comply with any additional requirements placed on the issuance of the permit by the District Engineer. The Applicant may provide written authority to the Commission's District Engineer enabling its contractor to obtain the permit as an agent for the Applicant. If required, separate permit(s) for future maintenance will be issued.

(5) COSTS: If this request is approved, all costs associated with the construction, installation, maintenance, or relocation of the sign(s), including, but not limited to work zone signing and traffic control during construction will be borne entirely by the Applicant, with no cost incurred by the Commission. In the event the Commission incurs any costs in association with the performance of this Agreement, the Applicant shall reimburse the Commission for those costs.

(6) HIGHWAY SPECIFICATIONS: All work done pursuant to this Agreement shall be in accordance with applicable portions of the latest editions of the Missouri Highways and Transportation Commission's *Standard Specifications for Highway Construction* and the *Standard Plans for Highway Construction*. The Applicant shall provide a copy of its contractors certification of material used to the Commission.

(7) MAINTENANCE: Applicant shall maintain signs following the guidelines of the *Federal Manual on Uniform Traffic Control Devices* (MUTCD) and the Commission's *Missouri Signing Manual* for reflectivity, alignment, and placement. The Commission may request maintenance of the signs by the Applicant, at the Applicant's expense, and the Applicant shall promptly comply with the Commission's request for maintenance of the signs. Failure by the Applicant to complete requested maintenance within 14 calendar days from Commission's request shall be grounds for removal of all signs installed by the Applicant.

(8) MAINTENANCE BY APPLICANT WITHIN COMMISSION RIGHT OF WAY: In order to coordinate maintenance activities on the sign(s), the Applicant shall notify the Commission either by telephone, telefax, or in writing, prior to performing maintenance work within Commission right of way. Such notification shall be made to the Commission's District Engineer or a designated assistant, and shall include the location and nature of the work to be performed. Any maintenance activities done by the Applicant which involves closing one or more of the through lanes, affects the safety of the traveling public, or which will cause permanent changes to the configuration of the improvement, may require a permit from the Commission. The Applicant will be informed of whether or not a permit is required at the time the Applicant notifies Commission of the proposed maintenance activities. The Applicant shall comply with any additional condition placed upon the issuance of the permit.

(9) REMOVAL:

(A) If the Applicant fails to comply with the provisions stated herein regarding the maintenance responsibilities, the Commission may remove the sign(s).

(B) If the Commission, in its sole discretion, determines that the sign(s) is no longer justified, the Commission may remove the sign(s).

(C) If the Commission, in its sole discretion, determines that the sign(s) should be removed or eliminated as part of a highway or transportation project, the Commission may remove the sign(s).

(D) If the Commission, in its sole discretion, determines that the removal of the sign(s) from the Commission's right of way is in the best interests of the state highway system, the Commission may remove the sign(s).

(E) If the Commission removes the sign(s) in accordance with any provision of this Agreement, the Commission will not reimburse the Applicant for the cost or value of the sign(s).

(10) APPLICANT'S RESPONSIBILITIES: The Commission may request the Applicant modify the sign(s) when necessary to comply with changed standards that might be promulgated or adopted at the Applicant's cost and Commission may request the Applicant to relocate the signs to accommodate the need to install signs the Commission, in its sole discretion, deems more appropriate at the Applicant's cost. Should the Commission make either request, the Applicant shall comply with the Commission's request within 14 calendar days.

(11) APPLICANT'S REPRESENTATIVE: The Applicant's City Administrator is designated as the Applicant's representative for the purpose of administering the provisions of this Agreement. The Applicant's representative may designate by written notice other persons having the authority to act on behalf of the Applicant in furtherance of the performance of this Agreement. All Notices or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

**Brad Ratliff  
City Administrator  
City of Peculiar  
250 S. Main Street Peculiar, MO, 64078  
Peculiar, MO 64078  
Telefax No.: 816-779-2224**

(12) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(13) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the Applicant shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the Applicant's wrongful or negligent performance of its obligations under this Agreement.

(B) The Applicant is required or will require any contractor procured by the Applicant to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,000,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(14) NO INTEREST: By placing and maintaining signs on the Commission's right of way, the Applicant gains no property interest in Commission's right of way. The Commission shall not be obligated to keep the sign(s) in place if the Commission, in its sole discretion, determines removal or modification of the sign(s) is in the best interests of the state highway system or the Commission.

(15) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the Applicant.

(16) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(17) ENTIRE AGREEMENT: This Agreement represents the entire understanding between the parties regarding this subject and supersedes all prior written or oral communications between the parties regarding this subject.

(18) ATTACHMENTS: The following Exhibits and other documents are attached to and made a part of this Agreement:

- (A) Exhibit A: Sign Display Detail
- (B) Exhibit B: Sign Location Layout

*[Remainder of Page Intentionally Left Blank; Execution and Signature Page Follows]*

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below:

Executed by the Applicant the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Executed by the Commission the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION

APPLICANT

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_  
Secretary to the Commission

By \_\_\_\_\_

Title \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Commission Counsel

Copies:      Applicant  
                 District  
                 Traffic Division  
                 Commission Secretary

**EXHIBIT A**  
**Sign Display Detail**  
*Attach and Number Additional Sheets if Necessary*

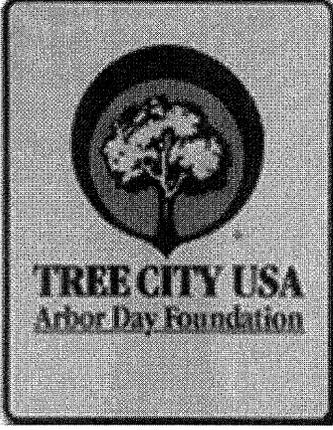
Sign No:	1	Size:	24" x 30"	Quantity:	2	Sign No:	2	Size:	Quantity:	
										
Sign No:	3	Size:		Quantity:		Sign No:	4	Size:	Quantity:	
Sign No:	5	Size:		Quantity:		Sign No:	6	Size:	Quantity:	

EXHIBIT B  
Sign Location Layout



City Administrator  
*Brad Ratliff*

City Clerk  
*Janet Burlingame*

City Engineer  
*Carl Brooks*

Business Office  
*Trudy Prickett*



Chief of Police  
*Harry Gurin*

City Planner  
*Cliff McDonald*

City Attorney  
*Reid Holbrook*

Parks Director  
*Grant Purkey*

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078  
Phone: (816)779-5212 Facsimile: (816)779-1004

**To:** Board of Aldermen  
**From:** Chief Harry Gurin  
**Date:** September 30, 2015  
**Re:** Amend Ordinance - Police Board

**GENERAL INFORMATION**

**Applicant:** BOA  
**Status of Applicant:** N/A  
**Requested Actions:** Approval amended ordinance  
**Date of Application:** September 15, 2015  
**Purpose:** Change of eligibility of board members and terms  
**Property Location (if applicable):**

**PROPOSAL**

Staff proposes a change of eligibility of board members to “at large” positions, rather than ward positions. In addition, staff recommends 3 year overlapping terms of board members.

**PREVIOUS ACTIONS**

The board was originally established with members from each ward. The original ordinance called for a one year term for all members.

**KEY ISSUES**

Key issues are changing terms of office and at-large positions for board members.

**STAFF COMMENTS AND SUGGESTIONS**

Staff believes 3 year staggered terms would add continuity to the board. In addition, at-large positions would help in filling vacant positions.

**STAFF RECOMMENDATION**

Staff recommends approval

**ATTACHMENTS**

Ordinance.

**STAFF CONTACT:** Chief Harry Gurin, 816-779-5102

**BILL NO. 2015-26**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE POLICE ADVISORY BOARD ORDINANCE OF THE CITY OF PECULIAR, MISSOURI REPEALING CHAPTER 200 OF THE ORDINANCES OF THE CITY, AND ADOPTING A NEW CHAPTER 200 ESTABLISHING THE DUTIES OF THE BOARD, AND THE METHOD OF APPOINTMENT OF MEMBERSHIP THEREOF.**

**WHEREAS** the City is authorized, under Rev. Stat. Mo. §§ 79.130 and 79.450 to enact ordinances, rules, and regulations not otherwise inconsistent with Missouri laws and "expedient for maintaining the peace, good government and welfare of the city and its trade and commerce;" and;

**WHEREAS**, this proposed ordinance will maintain the good government of the City of Peculiar by giving citizens the opportunity to serve on the Police Advisory Board and take an active role in the community.

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

**SECTION I.** That all of Chapter 200 ARTICLE II, POLICE COMMISSIONER of the Peculiar Municipal Code pertaining to Police Commissioner shall be deleted and a new Chapter 200 ARTICLE II POLICE ADVISORY BOARD shall be inserted with the following:

**ARTICLE II. POLICE ADVISORY BOARD**

**SECTION 200.110: ESTABLISHMENT AND PURPOSE**

- A. There is hereby established a Police Advisory Board, which may hereinafter be referred to as the "Police Board".
- B. **PURPOSE OF THE POLICE ADVISORY BOARD:** The purpose of the Peculiar Police Advisory Board is to afford the citizens of Peculiar an unbiased group of citizens who will review new ideas given to the Board by the Chief of Police and who will listen to grievances and complaints on police related matters who have the authority to determine the validity of such matters and who have the authority to recommend to the City Administrator the action necessary to correct valid complaints.

**SECTION 200.120: COMPOSITION OF THE POLICE BOARD:**

The Police Board shall consist of five (5) members (four (4) members from residents at large and one (1) Board of Alderman liaison who shall serve as Police Commissioner). The Mayor shall, with the approval of the Board of Alderman, appoint four (4) members from residents at large and one (1) Alderman to the Police Board who shall serve as Police Commissioner. Members of the Police Board shall be qualified voters of the City and shall have resided in the City for at least one year prior to their appointment.

**SECTION 200.130: TERM OF OFFICE:**

Police Board Members will be appointed for a three year term and Police Commissioner will be appointed for a one year term. Vacancies on the board due to resignations, removal or other reasons will be filled by appointment and confirmation for the period of the unexpired term.

**SECTION 200.140: DUTIES OF THE POLICE BOARD:**

To meet as required to provide input to the Chief of Police about new policies and procedures, to hear citizen complaints and grievances, to determine the validity of said complaints and grievances and to make such recommendations to the City Administrator they deem necessary as to the appropriate action to correct or eliminate a complaint or grievance. Recommendations shall be submitted in writing to the City Administrator. The City Administrator will take the Board's recommendation under advisement and subsequently administer the corrective action he/she deems necessary.

**SECTION 150: OFFICERS OF THE POLICE BOARD:**

The Police Board shall by a simple majority vote, elect a Co-Chairman and a Secretary who will keep minutes of meetings and notify members of upcoming meetings.

**SECTION 160: DUTIES OF THE POLICE COMMISSIONER:**

The Police Commissioner shall serve as Chairman of the Police Board shall preside over the meetings. He shall call meetings as he deems necessary to give valued input to the Chief of Police, and to hear complaints and grievances of the citizens of Peculiar. Police Board members and citizens who submit complaints shall be given 24 hours advance notice of meetings called. The Chairman shall convene the Police Board within 10 working days after receipt of a written grievance or complaint. Upon completion of the hearing, the Chairman shall forward in writing a report of the findings and recommendations to the City Administrator. The Police Commissioner will be an advisor to the Police Board and will serve as liaison between the Police Board and the Board of Aldermen.

**SECTION 170: DUTIES OF THE SECRETARY:**

The Secretary shall keep a written set of minutes of the meetings. A copy of these minutes will be furnished to the City Clerk for file and a copy for information shall be provided to the Chief of Police.

**SECTION 180: CHIEF OF POLICE:**

The Chief of Police may be asked to attend such meetings. If the Chairman of the Police Board deems his appearance is necessary, the Chief of Police shall attend. Since police matters will be discussed at most meetings, it would be prudent for the Chief of Police to be in attendance but it not a requirement.

**SECTION 190: COMPLAINT FORMS:**

Any citizen who has a complaint should contact the police department, obtain a complaint form, fill it out and submit it to the Chief of Police. If the Chief of Police has the authority to settle or resolve the complaint, he will take the necessary action to solve the problem. If said citizen is dissatisfied with the solution, the complaint will then be forwarded to the Police Board for review and action. The Board shall determine if the complaint is valid or invalid and if valid, process the complaint and submit their recommendations to the City Administrator for final action.

**SECTION II:** The effective date of this ordinance shall be \_\_\_\_\_, 2015.

**First Reading: September 21, 2015**      **Second Reading: \_\_\_\_\_**

**BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, BY THE FOLLOWING VOTE:**

<b>Alderman Ford</b>	_____	<b>Alderman McCrea</b>	_____
<b>Alderman Hammack</b>	_____	<b>Alderman Turner</b>	_____
<b>Alderman Ray</b>	_____	<b>Alderman Roberts</b>	_____

**Approved:**

**Attest:**

\_\_\_\_\_  
**Holly Stark, Mayor**

\_\_\_\_\_  
**Janet Burlingame, City Clerk**

City Administrator  
*Brad Ratliff*

City Clerk  
*Janet Burlingame*

City Engineer  
*Carl Brooks*

Business Office  
*Trudy Prickett*



Chief of Police  
*Harry Gurin*

City Planner  
*Cliff McDonald*

City Attorney  
*Reid Holbrook*

Parks Director  
*Grant Purkey*

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078  
Phone: (816)779-5212 Facsimile: (816)779-1004

**To:** Board of Alderman  
**From:** Chief Harry Gurin on behalf of Holly Stark, Mayor  
**Date:** September 30, 2015  
**Re:** Resolution 2015-54  
Appointment of Alice Redding to the Police Advisory Board

---

## GENERAL INFORMATION

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**Applicant:** Mayor  
**Status of Applicant:**  
**Requested Actions:** Appointment by Mayor to the Police Advisory Board.  
**Date of Application:** September 30, 2015  
**Purpose:** Appointment to Police Advisory Board  
**Property Location (if applicable):**

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## PROPOSAL

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As per Peculiar Municipal Code, Section 200.120

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## PREVIOUS ACTIONS

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In May 2014 the Board of Aldermen reestablished the Police Advisory Board.

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## KEY ISSUES

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This Resolution will appoint Alice Redding as an at-large member for a 3 year term to the Police Advisory Board. Per City Code. This Resolution will meet all requirements set in place by the Ordinance.

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## STAFF COMMENTS AND SUGGESTIONS

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None.

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## STAFF RECOMMENDATION

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Approval of Appointment by Mayor

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## ATTACHMENTS

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Resolution 2015-54

# City of Peculiar

## Boards / Commissions Application Form



Thank you for your interest in serving on one of the City's Boards/Commissions. Volunteers are essential to ensure our City government is responsive to the needs of the community. Please help us place you on the most appropriate commission by completing this questionnaire, you may attach your resume or additional information as needed.

Boards / Commissions of Interest: Police Board

Planning Commission     Parks & Recreation Board     Board of Adjustment     Peculiar Tree Board

Name: Alice Redding Home Phone: 816-779-5471  
Address: 11902 E 213<sup>th</sup> Court Alternate Phone:  
City, State, Zip: Peculiar, MO Email Address: a.redding87@yahoo.com  
Ward: 1)  2)  3)  (contact City Hall if you are unsure of your Ward)

Education: (Please mark the highest level completed)  
 High School (please list the High School you attended) \_\_\_\_\_  
 College (please list College/University and Degree) Southwest Baptist University

Current Employment:  
Employer: Raymore Peculiar Position: Teacher  
Address: \_\_\_\_\_ Work Phone: 816-892-1650

Have you previously served on a City Board or Commission?  Yes  No If Yes, please describe:

Are you currently registered to vote in the City of Peculiar?  Yes  No

Why do you want to serve on this Board/Commission? Because I have shown an interest in serving Peculiar Community

Please describe any business or property interest which might place you in a conflict of interest situation should you be appointed to this Board/Commission. \_\_\_\_\_

Are you related to any current member of the Board of Alderman?  Yes  No If Yes, please describe:

BOA Member Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Signature: Alice Redding Date: Aug. 12

Return Application to: City of Peculiar  
C/O City Clerk  
250 South Main Street  
Peculiar, MO 64078

**RESOLUTION 2015-54**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI APPROVING THE APPOINTMENT OF ALICE REDDING TO THE POLICE ADVISORY BOARD**

- WHEREAS,** Chapter 200 of the Peculiar Municipal Code establishes a Police Advisory Board consisting of five (5) members; and
- WHEREAS,** Chapter 200.120 of the Peculiar Municipal Code authorizes the Mayor to make appointments and to fill vacancies to the Police Advisory Board with approval by the Board of Alderman; and
- WHEREAS,** the Board of Aldermen have determined the need to appoint members to the Police Advisory Board; and
- WHEREAS,** Alice Redding meets the qualifications for appointment to this board as member at-large; and
- WHEREAS,** said appointment carries a term of 3 years that expires on October 5, 2018; and
- WHEREAS,** Mayor Holly Stark recommends the appointment of Alice Redding as member of the Police Advisory Board upon approval of the Board of Aldermen

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI:**

- Section 1 – Appointment: The Board of Aldermen approves the appointment of Alice Redding to the Police Advisory Board.
- Section 2 - Effective Date: This resolution shall become effective upon approval and passage by the Board of Aldermen.

**THIS RESOLUTION WAS ADOPTED BY THE FOLLOWING ROLL CALL VOTE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

Alderman McCrea \_\_\_\_\_  
Alderman Hammack \_\_\_\_\_  
Alderman Ford \_\_\_\_\_

Alderman Ray \_\_\_\_\_  
Alderman Roberts \_\_\_\_\_  
Alderman Turner \_\_\_\_\_

Approved: \_\_\_\_\_  
Holly Stark, Mayor

Attest: \_\_\_\_\_  
Janet Burlingame, City Clerk

**City Administrator**  
*Brad Ratliff*

**City Clerk**  
*Janet Burlingame*

**City Engineer**  
*Carl Brooks*

**Business Office**  
*Trudy Prickett*



**Chief of Police**  
*Harry Gurin*

**City Planner**  
*Cliff McDonald*

**City Attorney**  
*Reid Holbrook*

**Parks Director**  
*Nathan Musteen*

Municipal Offices – 250 S. Main Street, Peculiar, MO 64078  
Phone: (816)779-5212 Facsimile: (816)779-1004

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**To:** Board of Alderman  
**From:** Clifford L. McDonald  
**Date:** October 5, 2015  
**Re:** *Building Permit Fee Reduction for Twenty (20) Single Family Residences*

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### GENERAL INFORMATION

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**Applicant:** City Staff

**Status of Applicant:** N/A

**Requested Actions:** Board of Aldermen to consider approving a Resolution to issue a Memorandum to reduce Single Family Residence Building Permit Fees by \$2,000.00 for the next twenty (20) Single Family Residence Permits issued by the City.

**Date of Application:** October 5, 2015

**Purpose:** The purpose is for the Board of Aldermen to consider reducing the Cost of twenty (20) Building Permits for new Single Family Residence construction to help attract builders, generate more construction activity and promote future development.

**Property Location (if applicable):** City Wide

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### PROPOSAL

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See “Requested Actions” above.

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### PREVIOUS ACTIONS

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On March 2<sup>nd</sup>, 2015 the Board of Aldermen approved reducing the Building Permit Fee for the next twenty (20) Single Family Residence Permits by \$2,000.00. This was very successful - the City has already issued all of these twenty (20) these reduced Building Permits.

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### KEY ISSUES

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The Board of Aldermen should consider approving the Resolution to reduce Single Family Residence Building Permit Fees to continue to attract builders, promote construction and generate future development. The fees which are reduced are primarily “Administrative” in nature; no “Hard Costs” are incurred by any department of the City of Peculiar with this proposal.

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## STAFF COMMENTS AND SUGGESTIONS

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Nothing promotes new home construction better than having new frameworks going up. This would be a continued promotional action for the Board of Aldermen's consideration to instigate additional activity in Peculiar's housing market.

A number of items bear consideration in rendering this decision which are presented below for your information:

1. The City of Peculiar currently has an inventory of Four Hundred Thirty Three (433) Single Family Dwelling lots (District R-1) available for construction (see Atch 1).
2. Last year I contacted Community Development Officials and City Planners for Northern Cass County to compare Building Permit costs in the local area (see Atch 2); the City of Peculiar was the most expensive.
3. I recommend the \$2,000.00 Building Permit Fee reduction be achieved by reducing:
  - Building Permit Fee by \$1,374.55, or more (Fee for \$170,000 Bldg Cost)
  - Plumbing Inspection by \$15.00 (Fee is \$15.00)
  - HVAC Inspection by \$20.00 (Fee is \$20.00)
  - Electrical Inspection by \$10.00 (Fee is \$10.00)
  - Sewer Tap Fee by \$290.23 (Fee is \$2,100.00)
  - Water Tap Fee by \$290.22 (Fee is \$1,600.00).
4. The following Fees are not affected and remain fully funded:
  - East/West Growth (roads) (\$1,000.00)
  - Park Fee (\$300.00), and
  - Storm Water (\$300.00)
5. Lastly, a typical residence valued at \$140,000.00 generates approximately \$400.00/year in revenue for the City (\$250.00 City Tax and \$150.00 for Sanitary Sewer Bond payments). I can only support a Fee Reduction of \$2,000.00 as it takes approximately Five (5) Years for the City to recoup this investment.

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## STAFF RECOMMENDATION

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Staff Recommends the Board of Aldermen consider approval of the Resolution, or consider reducing the amount of the discount, to continue the Building Permit Fee reduction which has proved so successful.

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## ATTACHMENTS

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1. City of Peculiar, Available Lot Inventory
2. Cass County Building Permit Cost Comparison

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**STAFF CONTACT:** Clifford L. McDonald,  
PH: 816-779-2226  
E-mail: cmcdonald@cityofpeculiar.com

<b>Residential Subdivisions</b>		<b>Light Industrial Subdivisions</b>		<b>Commercial Subdivisions</b>	
<b>Subdivision</b>	<b>Available Lots</b>	<b>Subdivision</b>	<b>Available Lots</b>	<b>Subdivision</b>	<b>Available Lots</b>
Bradley's Crossing	45	Bradley's Crossing	11	Bradley's Crossing	5
Bridle Trail	0	Forest Scott Industrial Park	6	Irongate	8
Carriage Meadows	43	Kerr Industrial Park	10	Peculiar Junction	17
Centennial Farms	35	S. Peculiar Industrial Park	6	Twin Oaks	5
Copper Creek	37	Peculiar Junction	3		
<del>Fox's Den (41 lots)</del>	0				
Frontier Estates	4				
Harper Farm	13				
Harvest Hills	3				
Jenkins Estates	0				
North Pointe Village	27				
Olive Branch	42				
Quail Run	0				
Setter's Pointe	36				
Shadow Glen	29				
Tuscany	18				
Tuscany Estates	3				
Twin Oaks	60				
Windmill County Estates	38				
<b>Available Lots:</b>	<b>433</b>	<b>Available Lots:</b>	<b>36</b>	<b>Available Lots:</b>	<b>35</b>

**Last Update: September 29, 2015**

Single Family Residential, Home value \$120,000 approx 1,250 SF						
	<i>Peculiar</i>	<i>Raymore</i>	<i>Belton</i>	<i>Pleasant Hill</i>	<i>Harrisonville</i>	<i>Grandview</i>
Permit fees	\$ 1,106.00	\$ 480.00	\$ 705.00	\$ 1,105.75	\$ 372.00	\$ 680.00
Water Tap	1,600.00	2,263.00	3,490.00	1,700.00	838.74	1,860.00
inspection fee					100.00	
Sewer Tap	2,100.00	2,263.00	2,000.00	950.00	1,374.00	50.00
inspection fee					100.00	
Plumbing						
inspection fee	15.00					128.00
Electrical					1,565.00	
inspection fee	10.00	45.00				128.00
Mechanical						
inspection fee	20.00	35.00				128.00
Storm Water	300.00	-				
Misc. Deposit/Fees			115.00			
Park Fee	300.00	300.00	-	\$181.60		-
Growth/Impact Fee	1,000.00	1,794.00	809.01	\$1,010.00		-
Review/Final Inspection Fees		84.00				135.00
<b>Subtotal:</b>	\$ 6,451.00	\$ 7,264.00	\$ 7,119.01	\$ 4,947.35	\$ 4,349.74	\$ 3,109.00
<b>Fire District - APFF</b>	1,000.00	0.00	0.00	0.00	0.00	0.00
<b>Total:</b>	\$ 7,451.00	\$ 7,264.00	\$ 7,119.01	\$ 4,947.35	\$ 4,349.74	\$ 3,109.00
<b>With PWSD #10 Tap</b>	\$ 8,851.00	\$ 8,001.00				
<b>With PWSD #2 Tap</b>	\$ 10,351.00		\$ 8,129.01			

Note: PWSD 10's water tap Fee is \$3,000

Note: PWSD 2's water tap Fee is \$4,500

**APFF: Adequate Public Facilities Fee**

**RESOLUTION 2015-55**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI  
REDUCING BUILDING PERMIT FEES FOR THE NEXT TWENTY (20) BUILDING PERMITS  
ISSUED FOR NEW SINGLE FAMILY DWELLINGS.**

**WHEREAS,** The City of Peculiar has established charges and/or fees for City services which represent the City's cost(s) to process such permits and/or provide and maintain public infrastructure; and

**WHEREAS,** the City of Peculiar recognizes the competitiveness of the housing market in Northern Cass County and the recovering economy; and

**WHEREAS,** the City of Peculiar desires to stimulate the issuance of Building Permits for constructing Single Family Dwellings within the City to promote future growth and development.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF  
PECULIAR, MISSOURI**

**Section 1.** The City of Peculiar shall reduce Building Permit Fees for the next twenty (20) Building Permits issued for new Single Family Dwellings by Two Thousand Dollars (\$2,000.00) for each permit.

**Section 2.** A Building Permit issued with this reduced fee shall be rescinded by the City if construction does not start within sixty (60) days of the date of issue.

**Section 3. *Effective Date.*** The effective date of this Resolution shall be \_\_\_\_ day of \_\_\_\_\_, 2015.

Upon a roll call, said Resolution was adopted by the following vote:

Alderman Ford	_____	Alderman Ray	_____
Alderman Hammack	_____	Alderman Roberts	_____
Alderman McCrea	_____	Alderman Turner	_____

APPROVED:

ATTEST:

\_\_\_\_\_  
Holly Stark, Mayor

\_\_\_\_\_  
Janet Burlingame, City Clerk

**City Administrator**  
*Brad Ratliff*

**City Clerk**  
*Janet Burlingame*

**City Engineer**  
*Carl Brooks*

**Business Office**  
*Trudy Prickett*



**Chief of Police**  
*Harry Gurin*

**City Planner**  
*Cliff McDonald*

**City Attorney**  
*Reid Holbrook*

**Municipal Offices – 250 S. Main Street, Peculiar, MO 64078**  
Phone: (816)779-5212 Facsimile: (816)779-1004

**Parks Director**  
*Grant Purkey*

---

**To:** Board of Aldermen  
**From:** Clifford L. McDonald  
**Date:** October 5th, 2015  
**Re:** Ordinance to Amend Chapter 500: General Provisions, Establish a New Chapter 500: Building and Construction Code, and Adopt the 2012 ICC Building Codes

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### **GENERAL INFORMATION**

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**Applicant:** City Staff

**Status of Applicant:** N/A

**Requested Actions:** The Board of Aldermen to review the attached Ordinance which re-writes Chapter 500 and adopts the 2012 ICC (International Code Counsel) Building.

**Date of Application:** N/A

**Purpose:** The Board of Aldermen to consider the attached Ordinance which re-writes Chapter 500 and adopts the 2012 ICC (International Code Counsel) Building Codes presented for its First Reading on October 5<sup>th</sup>, 2015.

**Property Location (if applicable):** City wide.

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### **PROPOSAL**

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See "Requested Actions" above.

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### **PREVIOUS ACTIONS**

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The City of Peculiar is utilizing 2003 ICC Building Codes and the 1997 Uniform Mechanical Code for its Building and Construction Codes, these need to be updated for future construction and uniformity.

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### **KEY ISSUES**

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The Cities of Belton, Harrisonville, Lee's Summit and Raymore have all adopted 2012 ICC Building Codes as their standards for construction. The Ordinance submitted for your review represents a blend of the adopting ordinances of the Cities above.

The amendments to the Building Codes are almost standard between all of these cities and are reflected in the ordinance presented for adoption; nothing exceptional or non-standard is being required.

The Property Maintenance Code has numerous amendments to identify Peculiar's requirements and

incorporate previous amendments such as: right-of-way maintenance, parking on residential properties and Abandoned Residential Property Registration.

**STAFF COMMENTS AND SUGGESTIONS**

Staff suggests the Board of Aldermen review the proposed amendments to Chapter 500 in preparation for the Ordinance being presented for its First Reading on October 5th, 2015.

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**STAFF RECOMMENDATION**

Staff Recommends the Board of Aldermen review the proposed amendments to Chapter 500 and strongly consider approving the First Reading of the Ordinance to adopt these 2012 Building Codes October 5th, 2015.

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**ATTACHMENTS**

1. *Ordinance to Amend Chapter 500 and adopt the 2012 ICC Building Codes*

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**STAFF CONTACT:**

Clifford L. McDonald,  
PH: 816-779-2226  
E-mail: cmcdonald@cityofpeculiar.com

**BILL NO. 2015-27**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 500: GENERAL PROVISIONS OF THE PECULIAR MUNICIPAL CODE TO ESTABLISH A NEW CHAPTER 500: BUILDING AND CONSTRUCTION CODE OF THE CITY OF PECULIAR.**

**WHEREAS**, the City Planner has recommended amending Chapter 500: General Provisions, of the City of Peculiar Municipal Code to establish a new Chapter 500: Building and Construction Codes to incorporate 2012 International Code Council (ICC) Codes, and

**WHEREAS**, the City Engineer, City Attorney and Codes Enforcement Official have reviewed and approved the amendments to Chapter 500: General Provisions to establish the new Chapter 500: Building and Construction Code for the City of Peculiar and incorporate the new ICC Building Codes.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PECULIAR, MISSOURI THAT CHAPTER 500: GENERAL PROVISIONS, OF THE PECULIAR MUNICIPAL CODE BE AMENDED AS FOLLOWS:**

**SECTION I:** That Article IV Land-Disturbance Permits of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

**Article V Land-Disturbance Permits**

Remaining Sections 500.120 – 500.190 to remain unchanged now under Article V.

**SECTION II:** That Article III Fence Regulations of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

**Article IV Fence Regulations**

Remaining Section 500.110 to remain unchanged now under Article IV.

**SECTION III:** That Article II Building Permits of the Peculiar Municipal Code and Sections 500.080, 500.090 and 500.100 be removed entirely and replaced with the following language:

**Article III Building Permits**

**SECTION 500.080: - BUILDING PERMIT REQUIRED; EXCEPTIONS**

- A. Required permits; permit conditions.
  - 1. Generally; emergency work; conditions of permit.
    - a. It shall be unlawful to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, repair, remove, convert or replace any electrical, gas mechanical or plumbing system, the installation of which is regulated by this Chapter, or to cause any such work to be done, without making application to the

Building Official and obtaining the required permit; provided that the repairs, as defined in Section 500.0020(B), which do not involve any violation of this Chapter, and work as specified in subsection (B) of this Section, shall be exempted from this provision.

- b. Emergency work. In cases of emergency, the person or other entity doing work or causing work to be done may proceed with the work and file application for a permit within seventy-two (72) hours after commencement of emergency work. Emergency shall be considered to exist only in those situations wherein life, health and safety would be adversely affected if work were not commenced immediately, and the burden shall be upon the person claiming such emergency to exist to prove the existence of such emergency by clear and convincing evidence.
  - c. Insurance. Construction industry contractor permit holders shall keep in force insurance, issued by a company approved by the City Clerk's office, meeting the conditions set forth in Section 605.030(B) of the City Municipal Code.
  - d. Indemnity. Every person, firm, or corporation to whom permission has been granted under the terms of this Article and other ordinances to utilize public property for the permit work of any building, structure, or utility shall at all times assume full responsibility for such work and shall hold harmless and indemnify the City and the Building Official from any and all responsibility, liability, loss, or damage resulting to any persons or property or caused by or incidental to the permitted work.
  - e. Commencement and completion of work. See Section 500.095 in this Chapter pertaining to expiration and completion of granted permits.
2. Temporary structures and uses.
- a. The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than one hundred eighty (180) days. The Building Official is authorized to grant extensions for demonstrated cause.
  - b. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of the code as necessary to ensure the public health, safety and general welfare.
  - c. Permits for temporary electrical service installations not to exceed ninety (90) days duration may be granted for fairs, carnivals, exhibitions, exterior lighting for decorative display and similar purposes. Permits for temporary electrical service installations not to exceed one hundred eighty (180) days duration may be granted for construction jobs. The time limit shall be subject to renewal, if requested in writing and if the Building Official determines that the temporary permit is not being used to evade the requirements of permanent electrical service installation, will not adversely affect the public safety, or is justified because of circumstances not within the control of the permit holder.
  - d. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.
3. Special nighttime building permits.
- a. Notwithstanding any other provision of this Chapter or of any other provision of the City Code, no construction work, including excavation, demolition, hauling, dumping or filling, may be performed between the hours of 8:00 p.m. and 7:00 a.m. within five hundred (500) feet of an occupied residential structure located in an area zoned residential unless the Building Official issues a special building permit authorizing the work. The following types of construction work are exempted from the requirement of obtaining a special nighttime building permit:
    - 1. Emergency work authorized pursuant to Subsection (A)(1) of this Section.

2. Construction work being completely conducted inside a closed-in structure whenever such construction work does not involve the use of jackhammers, air compressors or other heavy equipment or continuing truck operations.
  3. Roofing during the months of June through September, both inclusive.
  4. Framing activities for conventional, wood-framed residential structures during the months of June through September, both inclusive.
- b. The Building Official shall address in each special building permit issued authorizing nighttime work the following items:
    1. Traffic routes to be used by construction equipment and trucks;
    2. Means of lighting the construction site or place of operation;
    3. Whether the noise level shall be a provision of the permit;
    4. The type of work to be done and the nature of the project; and
    5. Density of the residential area potentially affected by the nighttime work.
  - c. The Director of Public Works is authorized to assist the Building Official in establishing criteria for the issuance of a special building permit authorizing nighttime work.
- B. Exempted work. A permit shall not be required for the types of work in each of the separate classes of permit as listed in this Subsection. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the City Municipal Code or any other laws or ordinances of the City.
1. Building permits. A building permit shall not be required for the following:
    - a. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses provide the floor area is less than one hundred twenty (120) square feet.
    - b. Open arbors or pergolas.
    - c. Retaining walls which are not over four (4) feet (1219 mm) in height measured from grade on the low side of the wall, unless supporting a surcharge or impounding Class I, II, IIIA liquids.
    - d. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2:1.
    - e. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
    - f. Temporary motion picture, television and theater stage sets and scenery.
    - g. Non-fixed and movable cases, counters and partitions not over five (5) feet and nine (9) inches (1753 mm) in height.
    - h. Patios not more than thirty (30) (762 mm) inches above grade at any point and platforms and decks not more than thirty (30) inches (762 mm) above grade at any point, not attached to the primary structure and/or not over any basement or story below.
    - i. Window awnings supported by an exterior wall of a Group R3 and Group U occupancies when projecting not more than fifty-four (54) (1372 mm) inches.
    - j. Sidewalks and driveways not more than thirty (30) inches (762 mm) above grade, not over any basement or story below and not part of an accessible right-of-way route. Permits are required for all sidewalk and driveway installations and replacements in the right-of-way.
    - k. Prefabricated swimming pools accessory to a Group R3 occupancy, detached single family dwellings, where the inside pool walls are less than twenty-four (24) inches (610 mm) deep, do not exceed five thousand (5,000) gallons (18,927 L) and are installed entirely above grade.

- l. Replacement of exterior wall covering for detached one- and two- family dwellings.
  - m. Replacement of doors and windows in existing openings where fire resistance, smoke control and opening protection are not required by Article II.
  - n. Repairs of holes in plaster or gypsum board walls.
  - o. Installation or replacement of wall or floor mounted cabinets (kitchen, bath, etc.).
  - p. Installation or replacement of exterior gutters and downspouts.
  - q. Tuck-pointing brick and/ or stone masonry.
  - r. Replacement of soffits and wall or roof sheathing less than thirty-two (32) square feet (2.97m<sup>2</sup>) in area in detached one- and two-family dwellings.
  - s. Replacement of interior or exterior trim carpentry.
  - t. Walks, patios and driveways constructed on existing grade outside public right-of-ways.
  - u. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
  - v. Swings and other playground equipment accessory to one- and two- family dwellings.
  - w. Any grading or excavation of any land less than 2,000 square feet complying with Chapter 425 of the City of Peculiar Municipal Code.
2. Mechanical permits. A mechanical permit shall not be required for the following:
- a. Any portable heating appliance.
  - b. Any portable ventilating equipment.
  - c. Any portable cooling unit
  - d. Any portable evaporative cooler.
  - e. Replacement of a component part or assembly of an appliance which does not alter its original approval and complies with other applicable requirements of this Chapter.
  - f. Any refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of this Chapter.
  - g. Replacement of grills and diffusers on existing mechanical ductwork.
  - h. Any self-contained refrigeration system that contains ten (10) pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of one (1) horsepower (0.75 kW) or less.
3. Plumbing permits. A plumbing permit shall not be required for the following:
- a. Repairs or replacement of defective fixtures or valves provided alterations or extensions of piping systems are not made.
  - b. Clearance of stoppages.
  - c. Replacement and repair of lavatory and sink traps.
4. Electrical permits. An electrical permit shall not be required for the following:
- a. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
  - b. The installation, alteration or repair of electrical equipment of a power or public service company for its use in the generation, transmission, distribution or metering of electricity.
  - c. Replacement of snap switches, receptacles and fixtures where no alteration or extension of an existing circuit is required.

5. Sign permits. Sign permits shall be required except as Exempted in Chapter 400, Section 1800.A of the City of Peculiar Municipal Code.

#### **SECTION 500.085: - APPLICATION FOR PERMIT; RESPONSIBILITIES OF PERMITTEE**

- A. Application for permit. To obtain a permit required by this Chapter, the applicant shall first file an application in writing on a form furnished by the Building Official for that purpose. Every such application shall:
  1. Identify and describe the work to be covered by the permit for which application is made.
  2. Describe the land on which the proposed work is to be done, by legal description, street address or similar description as recorded by the Cass County Recorder's office that will readily identify and definitely locate the proposed building or work.
  3. Indicate the use or occupancy for which the proposed work is intended.
  4. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
  5. Be signed by the property owner or the property owner's authorized agent, who may be required to submit evidence to indicate such authority.
  6. Be accompanied by construction documents and other information as required in Section 500.090.
  7. Give such other data and information as may be required by the Building Official.
- B. The permit holder shall be responsible for the following conditions and restrictions:
  1. To provide minimum safety measures and equipment to protect the public as prescribed by this Chapter.
  2. To observe any other City ordinances prescribing measures for the safety of the public.
  3. To observe and comply with any other City ordinances or regulations.
  4. To provide and use adequate sanitary facilities on construction sites for worker use. Portable, sanitary facilities shall not be located in the public right-of-way or closer than five (5) feet from a side or rear property line. Sanitary facilities shall be screened and/or located in a location that is the least visible to adjacent properties.
  5. To provide adequate construction solid waste containers on construction sites. Dumpsters, garbage cans, waste containers and other similar types of containers shall be used to contain solid waste. Liquid waste and hazardous materials shall be contained and disposed of at a proper waste depository.
  6. To faithfully construct without departure from or disregard of drawings and specifications, when such drawings and specifications have been filed with and reviewed for code compliance by the Building Official and a permit has been granted for such construction.
  7. To obtain inspections required by this Chapter.
  8. To pay any fee assessed under the authority of this Chapter.
  9. To obey any order issued under the authority of this Chapter.
  10. To maintain satisfactory levels of competence, integrity, workmanship, and recognized practices.
  11. For construction industry contractors, to maintain a valid occupational business license(s) in the appropriate classification(s), company name, and ownership, per the requirements of Chapter 605 of the Municipal Code.

12. For construction industry contractors, to maintain an active fictitious name registration with the State of Missouri, from the Office of the Secretary of State, under the business name in which the permittee is obtaining permits when conducting business under a name other than the licensee's given name.

## **SECTION 500.090: - CONSTRUCTION DOCUMENTS**

- A. Submittal documents. Construction documents, special inspection and structural observation programs and other data shall be submitted in two (2) or more sets with each application for a permit. When such construction documents are not prepared by a registered design professional, the Building Official may require any applicant submitting such documents to demonstrate that state law does not require them to be prepared by a registered design professional. The Building Official may require plans, computations and specifications to be prepared and designed by a registered design professional licensed by the state to practice as such, even if not required by state law. The Building Official may waive the submission of plans, calculations, diagrams or other data, if he finds that the nature of the work applied for is such that reviewing the documents is not necessary to obtain compliance with this Chapter.
- B. Information on construction documents.
  1. Generally. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building 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 Chapter and relevant laws, ordinances, rules and regulations, as determined by the Building Official.
  2. Identification. The first substantive sheet of construction documents shall list the address and legal description of the project and the name, addresses, telephone number, and other pertinent contact information of the owner and the preparer of the plans.
  3. Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distance from lot lines, the established street grades, the existing grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plat. The Building Official is permitted to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.
  4. Engineering data. One (1) set of adequate details of structural, mechanical, electrical and fire protection work involving computation, stress diagrams and other essential technical data shall accompany submitted construction documents. Construction documents for buildings of other than R-3 or Group U occupancies shall indicate how required structural and fire resistive integrity will be maintained where penetrations are made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.
  5. Design certification. Submitted construction documents for each applicable discipline shall be certified in writing as being prepared in conformance with this Chapter. Such certification shall include the name, signature, state registration number and telephone number for each designer on the project.
  6. Regulatory floodplain data. Permit application for buildings or structures within any area designated as a regulatory floodplain in the official floodplain document shall comply with Chapter 410 of the City of Peculiar Municipal Code.
  7. Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction

documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

8. Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this Chapter. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water resistive membrane and details around openings.
  9. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.
- C. Previous approvals. This Chapter shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within one hundred eighty (180) days after the effective date of this Chapter and has not been abandoned.
- D. Design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the Building Official shall require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, and when approved by the Building Official, the owner shall be permitted to designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The Building Official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.
1. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.
  2. Where structural observation is required by Section 1710 of the International Building Code, the inspection program shall name the individual or firm who are to perform structural observation and describe the stages of construction at which the observation is to occur. The individual or firm shall comply with the duties specified in Section 1704 of the International Building Code.
- E. Deferred submittals. For the purposes of this Section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period.
1. Deferral of any submittal items shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official.
  2. Submittal documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building Official.
- F. Amended construction documents. Work shall be installed in accordance with the reviewed construction documents, and changes which are not in substantial compliance with the reviewed

construction documents shall be resubmitted for review as an amended set of construction documents prior to construction.

- G. Retention of construction documents. One (1) set of construction documents shall be returned to the applicant and shall be kept on site of the building or work at all times during which the work authorized thereby is in progress. One set of construction documents shall be retained by the Building Official until after final inspection when it is concluded that the work complies with the provisions of this Chapter, and archived per state statutes for retention of records.

## **SECTION 500.095: - ISSUANCE OF PERMITS; EXPIRATION OF PERMITS AND APPLICATIONS; SUSPENSION OR REVOCATION OF PERMITS**

### A. Generally.

1. Application examined. The Building Official shall examine or cause to be examined the application and accompanying construction documents filed by an applicant for a permit under this Chapter. Such construction documents may be reviewed by other Departments of the City to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the construction documents filed therewith conform to the requirements of this Chapter and other pertinent laws and ordinances, and that the fees specified in the fee schedule have been paid, a permit shall be issued to the applicant.
2. Time limitation of application. An application for a permit for any proposed work shall expire by limitation and be deemed to have been abandoned ninety (90) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding thirty (30) days each. The extensions shall be requested in writing and justifiable cause demonstrated. Plans and other data submitted for review, but deemed to have been abandoned, may thereafter be returned to the applicant or destroyed by the Building Official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee in accordance with the fee schedule in Section 500.0095.
3. Stamped documents. When the Building Official issues a permit where construction documents are required, he/she shall endorse in writing or stamp the construction documents "Reviewed for Code Compliance." Such stamped construction documents shall not be changed, modified or altered without authorization from the Building Official, and all work regulated by this Chapter shall be done in accordance with the endorsed/ stamped construction documents.
4. Phased review for code compliance. The Building Official may issue a permit for the construction of part of a building, structure, or building service equipment before all of the construction documents for the entire building, structure or building service equipment have been submitted or reviewed for code compliance, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Chapter. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire building, structure or building service will be granted.

### B. Validity of permit.

1. The issuance of a permit or the stamping of construction documents with "Reviewed for Code Compliance" shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Chapter or of any other ordinance. No permit presuming to give authority to violate or cancel the provisions of this Chapter or other ordinances shall be valid.
2. The issuance of a permit based upon reviewed construction documents shall not prevent the Building Official from thereafter requiring the correction of errors in the construction documents, or from preventing building operations from being carried on there under when in violation of

this Chapter or of any other ordinances or laws. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this Chapter or of any other ordinance of the City.

C. Expiration of permits.

1. Generally. Every permit issued by the Building Official under the provisions of this Chapter shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or, if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. For one- and two- family dwelling construction, in addition to the above, a permit shall become null and void when the granted permit date exceeds one (1) year. Before any work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be a new full permit fee.

A permit may be extended by the Building Official for a period not to exceed six (6) months upon written request from the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

2. Sign permit. A sign erection permit shall authorize erection or relocation of the sign or sign structure for a period of six (6) months. If the work authorized under a permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void.
3. Demolition work. The work authorized by a demolition permit shall be continuous until the work is completed. For the purpose of this Article, the term "continuous" shall mean the normal rate of progress in keeping with good demolition practices. If the work is suspended for more than seven (7) calendar days after the work is commenced, the job shall be deemed abandoned and the permit shall expire. The Building Official may allow the work to be suspended longer than seven (7) calendar days should it be found that weather or other conditions beyond the control of the permit holder exist. The time for demolition of a one- and two-family dwelling shall not exceed forty-five (45) days from the date the demolition work commences.

D. Suspension or revocation.

1. Generally. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Chapter whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provisions of this Chapter, or other pertinent laws or ordinances within the City Code. The Building Official may also suspend or revoke any permit issued upon failure of the holder thereof to comply with any of the provisions of this Chapter or requirements of the permit.
2. Traffic control obstruction. The Building Official may revoke a permit for the erection of any sign or other structure which, by reason of its position, shape or color, may obstruct or interfere with the view of or be confused with any authorized traffic sign, signal or device.
3. Hearings. The holder of a permit may request a hearing before the Board of Adjustment as established in Section 500.0055, to consider the suspension or revocation of a permit.

- E. Placement of permit. The building permit card or copy shall be posted on site until completion of the project.

## **SECTION 500.100: - SCHEDULE OF FEES**

Permits regulated by this Chapter shall be accompanied by the fee amount approved by the Board of Aldermen and listed in the Comprehensive Fee Schedule maintained in the City Clerks Office. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be

released until the additional fees, if any, have been paid. The payment of the fee for construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**SECTION IV:** That Article I Adoption of Building and Construction Codes of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

## **Article II Building and Construction Code**

**SECTION V:** That Section 500.010 National Electric Code of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

### **Section 500.010 National Electric Code (2011)**

A. The 2011 edition of the National Electrical Code as published by the National Fire Protection Association (NFPA No. 70-2011) is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

B. NATIONAL ELECTRICAL CODE AMENDED; SECTION 210.8 (A) (2). GROUND FAULT CIRCUIT-INTERRUPTER PROTECTION. Section 210.8 (A) (2) is hereby amended as follows; (2) Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work area, and areas of similar use.

Exceptions:

1. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
2. A single receptacle supplied by a dedicated branch circuit that is located and identified for a specific use by a cord-and-plug connected appliance such as a refrigerator, freezer or sump pump.
3. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.

C. NATIONAL ELECTRICAL CODE AMENDED; SECTION 210.8 (A) (5) GROUND-FAULT CIRCUIT-INTERRUPTER PROTECTION FOR PERSONNEL. Section 210.8(A) (5) is hereby amended to read as follows;

(5) Unfinished basements – for purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited storage areas, work areas, and the like.

Exceptions:

1. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
2. A single receptacle supplied by a dedicated branch circuit that is located and identified for a specific use by a cord-and-plug connected appliance such as a refrigerator, freezer or sump pump.

3. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.

D. NATIONAL ELECTRICAL CODE AMENDED; SECTION 210.12 ARC-FAULT CIRCUIT INTERRUPTER PROTECTION. Section 210.12 is hereby amended to read as follows;

(A) Dwelling Units. All 120 volt, single-phase, 15- and 20- ampere branch circuits supplying outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter-type, installed to provide protection of the branch circuit.

*Remaining section to remain as written*

E. NATIONAL ELECTRICAL CODE AMENDED; SECTION 230.70(A)(1) READILY ACCESSIBLE LOCATION. Section 230.70(A)(1) is hereby amended to read as follows; The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service entrance conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect must be installed at the service cable entrance to the building or structure.

F. NATIONAL ELECTRICAL CODE AMENDED; SECTION 406.12 TAMPER-RESISTANT RECEPTACLES IN DWELLING UNITS. Section 406.12 is hereby deleted.

**SECTION VI:** That a new Section 500.015 International Building Code of the Peculiar Municipal Code be created and placed with the following language:

**Section 500.015 International Building Code (2012)**

**A. INTERNATIONAL BUILDING CODE ADOPTED.** The 2012 edition of the International Building Code, including appendices C and I, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

**B. INTERNATIONAL BUILDING CODE DELETED; CHAPTER 1. ADMINISTRATION.** Chapter 1, entitled Administration is hereby deleted. (See Article I of this Chapter)

**C. INTERNATIONAL BUILDING CODE AMENDED; SECTION 1804.3.1. MINIMUM STANDARDS.** Section 1804.3.1 is added to read as follows:

1. All drainage facilities shall be designed to carry waters to the nearest drainage way, storm sewer conveyance, or other approved poi not collection and conveyance. Erosion of ground in the area of discharge shall be prevented by installation of erosive control devices. Unless specified drainage ways and swales are specifically approved by the building official, abutting property lines between structures shall be designed to function as drainage ways. The toe of slopes shall set back from the property line a minimum of one foot. The area surrounding the building foundation shall have a drainage gradient as provided for in the International Building Code, as amended from time to time with draining gradient thereafter of not less than two percent toward approved drainage

facilities unless waived by the building official.

2. Prohibited conduct: No person shall allow or cause any:
  - (1) Obstruction to be created, installed or maintained within any drainage way, detention facility, or engineered swale which will create ponding on adjacent property, divert water onto the adjoining property, or impede drainage. Fences may be erected in such areas provided they do not unnecessarily restrict the flow of water.
  - (2) water form intermittent sources such as discharges from sump pumps, downspouts, foundation drains, swimming pools, swimming pool backwashes, or other similar sources excluding lawn sprinklers to be discharged closer than five feet from any adjoining property line.
3. Enforcement: Where such conditions exist and the code official has given written notice of the violation, the owner of the property shall take appropriate measures to eliminate the problems caused on the adjacent property, within the time period stated on the notice, and failure to do so shall be a violation of this chapter.

**D. INTERNATIONAL BUILDING CODE AMENDED; SECTION 2902.2 SEPARATE FACILITIES.** Section 2902.2 Separate facilities is hereby amended to read as follows: Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 25 or less.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

**SECTION VII:** That Section 500.020 International Building Code of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

**Section 500.020 International Residential Code (2012)**

**A. INTERNATIONAL RESIDENTIAL CODE ADOPTED.** The 2012 edition of the International Residential Code, including appendices E, H, and J, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

**B. INTERNATIONAL RESIDENTIAL CODE DELETED; CHAPTER 1. ADMINISTRATION.** Chapter 1, entitled Administration is hereby deleted. (See Article I of this Chapter)

**C. INTERNATIONAL RESIDENTIAL CODE DATA ENTRY; TABLE R301.2(1).  
TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.** Table R301.2(1) shall include the following data:

GROUND SNOW LOAD	WIND SPEED <sup>d</sup> (mph)	SESMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM		
			Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>
20 psf	90	A	Severe	36"	Moderate to Heavy

WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARD <sup>g</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
6°F	NO	See Chapter 410	1000°F days	55.8°

**D. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R302.2 TOWNHOUSES.**

Section R302.2 Townhouses is hereby amended to read as follows: Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of section R302.1 for exterior walls.

Exception: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and to the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

**E. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R302.5.1 OPENING PROTECTION.**

Section R302.5.1 Opening Protection is amended to read as follows: 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 3/8ths inches (35mm) in thickness, solid or honeycomb core steel doors not less than 1 1/8ths inches (35mm) thick, or 20 minute fire-rated doors, equipped with a self closing device.

Exception: Attic access openings shall not be required to be equipped with a self closing device.

**F. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R303.3**

**BATHROOMS.** Section R303.3 is hereby amended to read as follows: Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.279 m2), one-half of which must be operable.

EXCEPTION: The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be 50 cfm (23.6L/s) for intermittent ventilation or 20 cfm (9.4 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or to an attic ventilated in accordance with Section R806. The point of discharge of the exhaust air shall be at least 3 feet from any opening into the building. Bathrooms which contain only a water closet or lavatory, or

combination thereof, and similar rooms, may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

**G. INTERNATIONAL RESIDENTIAL CODE DELETED; SECTION R303.4 MECHANICAL VENTILATION.** Section R303.4 Mechanical Ventilation is hereby deleted.

**H. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R303.5.2 EXHAUST OPENINGS.** Section R303.5.2 is hereby amended to read as follows: Outside exhaust openings shall be located so that exhaust air is not directed onto public walkways.

**I. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R303.7 STAIRWAY ILLUMINATION.** Section R303.7 is hereby amended to read as follows: All interior stairways and any exterior stairways that are part of the required means of egress shall be provided with a means to illuminate the stairs, including the landings and treads. Interior stairways shall be provided with an artificial light source located in the immediate vicinity of each landing of the stairway. For interior stairs the artificial light sources shall be capable of illuminating treads and landings to levels not less than 1 foot-candle (11 lux) measured at the center of treads and landings. Exterior stairways providing access to a basement from the outside grade level shall be provided with an artificial light source located in the immediate vicinity of the bottom landing of the stairway.

EXCEPTION: An artificial light source is not required at the top and bottom landing, provided an artificial light source is located directly over each stairway section.

**J. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R305.1. MINIMUM HEIGHT.** Section R305.1 is hereby amended to read as follows: Habitable rooms, hallways, corridors, the required bathroom and/or toilet room, laundry rooms and basements shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

EXCEPTIONS:

1. Beams and girders spaced not less than 4 feet (1219mm) on center may project not more than 6 inches (152 mm) below the required ceiling height.
2. Ceilings in basements without habitable spaces may project to within 6 feet, 8 inches (2032 mm) of the finished floor; and beams, girders, ducts or other obstructions may project to within 6 feet, 4 inches (1931mm) of the finished floor.
3. Not more than 50 percent of the required floor area of a room or space is permitted to have a sloped ceiling less than 7 feet (2134mm) in height with no portion of the required floor area less than 5 feet (1524 mm) in height.
4. The required bathroom and/or toilet room shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) over the fixtures and at the front clearance area for fixtures as shown in Figure R307.2. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

**K. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R310.1 EMERGENCY ESCAPE AND RESCUE REQUIRED.** Section R310.1 Emergency escape and rescue required is hereby amended to read as follows:

Basements, and every sleeping room shall have at least one operable emergency and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. Where

basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above the floor or adjacent interior standing surface. The adjacent interior standing surface shall be permanent in nature; the full width of the opening; consist of a minimum (10) ten inch tread; have a maximum rise of (7 3/4) seven and three-quarter inches. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Exception: Basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m<sup>2</sup>).

**L. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R311.3 FLOORS AND LANDINGS AT EXTERIOR DOORS.** Section R311.3 Floors and landings at exterior doors is hereby amended to read as follows: There shall be a landing or floor on each side of the exterior door. The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel. Exterior landings shall be permitted to have a slope not to exceed ¼ units vertical in 12 units horizontal (2 percent).

Exceptions:

1. Exterior balconies less than 60 square feet (5.6m<sup>2</sup>) and only accessible from a door are permitted to have a landing less than 36 inches (914 mm) measured in the direction of travel.
2. A landing is not required where a stairway of four or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

**M. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R311.3.2 FLOOR ELEVATIONS FOR OTHER EXTERIOR DOORS.** Section R311.3.2 Floor elevations for other exterior doors is hereby amended to read as follows: Doors other than the required egress door shall be provided with landings or floors not more than 7 ¾ inches (196 mm) below the top of the threshold.

Exception: A landing is not required where a stairway of four or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

**N. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R311.7.8.2 CONTINUITY.** Section R311.7.8.2 Continuity is hereby amended to read as follows: Handrails for stairways shall be provided for the full length of the flight, from a point directly above the top riser of the flight to a point directly above lowest riser of the flight. Handrail ends shall be returned into a wall or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than 1-1/2 inches (38mm) between the wall and the handrail.

EXCEPTIONS:

1. Handrails shall be permitted to be interrupted by a newel post.
2. The use of a volute, turnout, starting easing or starting newel shall be allowed over the lowest tread.

**O. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R311.7.8.3 HANDRAIL GRIP SIZE.** Section R311.7.8.3 is hereby amended to read as follows; All required handrails shall be of one of the following types or provide equivalent graspability.

1. Type I. Handrails with a circular cross section shall have an outside diameter of at least 1-1/4 inches (32mm) and not greater than 2 inches (51 mm). If the handrail is not circular it shall have a perimeter dimension of at least 4 inches (102 mm) and not greater than 6-1/4 inches (160 mm) with a maximum cross section of dimension of 2-1/4 inches (57 mm).
2. Type II. Handrails with a perimeter greater than 6-1/4 inches (160mm) shall provide a graspable finger recess area on both sides of the profile. The finger recess shall begin within a distance of 3/4 inch (19 mm) measured vertically from the tallest portion of the profile and achieve a depth of at least 5/16 inch (8mm) within 7/8 inch (22mm) below the widest portion of the profile. This required depth shall continue for at least 3/8 inch (10mm) to a level that is not less than 1-3/4 inches (45 mm) below the tallest portion of the profile. The minimum width of the handrail above the recess shall be 1-1/4 inches (32 mm) to a maximum of 2-3/4 inches (70mm). Edges shall have a minimum radius of 0.01 inches (0.25 mm).

**EXCEPTION:**

Handrails provided at other non-required exterior stairs may have a maximum horizontal cross-sectional dimension of 3-1/2 inches and shall be easily graspable.

**P. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R312.1.2. HEIGHT.**

Section R312.1.2 Height is hereby amended to read as follows: Required guards at open-sided walking surfaces, including stairs, porches, balconies or landings shall be not less than 36 inches in height (914mm) high measured vertically above the adjacent walking surface, or the line connecting the leading edges of the treads.

**Exceptions:**

1. Guards on the open sides of stairs shall have a height not less than 34 inches (864 mm) measured vertically from the line connecting the leading edges of the treads.
2. Where the top of the guard also serves as a handrail on the open sides of stairs, the top of the guard shall not be less than 34 inches (864mm) and not more than 38 inches (965mm) measured vertically from a line connecting the leading edges of the treads.

**Q. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS.**

Section R313 is hereby amended to read as follows: A builder of a one-and two family dwelling or townhouse shall offer to any purchaser, on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the one-and two-family dwelling or townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such one- and two family dwelling or townhouse shall be denied the right to install a fire sprinkler system in such dwelling or townhouse being purchased. The provisions of this section, which are intended to mirror the requirements of section RSMo 67.281, shall expire on December 31<sup>st</sup>, 2019.

**R. INTERNATIONAL RESIDENTIAL CODE DELETED; SECTION R313.1 TOWNHOUSE AUTOMATIC FIRE SPRINKLER SYSTEMS.** Section R313.1 Townhouse automatic fire sprinkler systems is hereby deleted.

**S. INTERNATIONAL RESIDENTIAL CODE DELETED; SECTION R313.2 ONE- AND TWO FAMILY DWELLING AUTOMATIC FIRE SYSTEMS.** Section R313.2 One- and two family dwellings automatic fire systems is hereby deleted.

**T. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R315.3 WHERE REQUIRED IN EXISTING DWELLINGS.** Section R315.3 Where required in existing dwellings is hereby amended to read as follows: When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings with attached garages or in existing dwellings within which fuel burning appliances exist, the individual dwelling unit shall be equipped with carbon monoxide alarms in accordance with Section R315.1.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, are exempt from the requirements of this section.
2. Installation, alteration or repairs of plumbing, mechanical or electrical systems are exempt from the requirements of this section.

**U. INTERNATIONAL RESIDENTIAL CODE DELETED; R317.1.1 FIELD TREATMENT.** Section R317.1.1 is hereby deleted.

**V. INTERNATIONAL RESIDENTIAL CODE DELETED; SECTION R318.1.2 FIELD TREATMENT.** Section R318.2.1 is hereby deleted.

**W. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R320.1 SCOPE.** Section R320.1 is hereby amended to read as follows; Where there are four or more dwelling units in a single structure, the provisions of Chapter 11 of the *International Building Code* for Group R-3 shall apply.

**X. INTERNATIONAL RESIDENTIAL CODE ADDED; SECTION R401.3.1 MINIMUM STANDARDS.** Section R401.3.1 is hereby added to read as follows: A. Minimum standards: All drainage facilities shall be designed to carry waters to the nearest drainage way, storm sewer conveyance, or other approved point of collection and conveyance. Erosion of ground in the area of discharge shall be prevented by installation of erosive control devices. Unless specified drainage ways and swales are specifically approved by the building official, abutting property lines between structures shall be designed to function as drainage ways. The toe of slopes shall set back from the property line a minimum of one foot. The area surrounding the building foundation shall have a drainage gradient as provided for in the International Residential Code, as amended from time to time with a draining gradient thereafter of not less than two percent toward approved drainage facilities unless waived by the building official.

B. Prohibited conduct: No person shall allow or cause any:

- (1) Obstruction to be created, installed or maintained within any drainage way, detention facility, or engineered swale which will create ponding on adjacent property, divert water onto the adjoining property, or impede drainage. Fences may be erected in such areas provided they do not unnecessarily restrict the flow of water.

(2) Water from intermittent sources such as discharges from sump pumps, downspouts, foundation drains, swimming pools, swimming pool backwashes, or other similar sources excluding lawn sprinklers to be discharged closer than five feet to any adjoining property line.

C. Enforcement: Where such conditions exist and the code official has given written notice of the violation, the owner of the property shall take appropriate measures to eliminate the problems caused on the adjacent property, within the time period stated in the notice, and failure to do so shall be a violation of this chapter.

**Y. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R403.1. GENERAL.**

Section R403.1 is hereby amended to read as follows; All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill.

EXCEPTION: One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 sq. ft., and the structure is associated with one or two-family dwelling units or townhouses.

**Z. INTERNATIONAL RESIDENTIAL CODE ADDED; SECTION R403.1.1.1 FOOTING REINFORCEMENT.**

Section R403.1.1.1 is hereby added to read as follows; Footings for basement foundation walls shall have a minimum reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum of 3 inches clear from the bottom and edges of the footing.

**aa. INTERNATIONAL RESIDENTIAL CODE ADDED. SECTION R403.1.1.2 COLUMN PADS.**

Section R403.1.1.2 is hereby added and reads as follows; Unless specified otherwise, column pads shall be a minimum of 24 inches by 24 inches and 8 inches deep (24" x 24" x 8"). Reinforcement shall consist of a minimum of three No. 4 bars each way, uniformly spaced, within each column pad.

**bb. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R404.1.3. DESIGN REQUIRED.**

Section R404.1.3 is hereby amended to read as follows; A design in accordance with accepted engineering practice shall be provided for concrete or masonry foundation walls when any of the following conditions exist:

1. Walls are subject to hydrostatic pressure from ground-water.
2. Walls supporting more than 48 inches (1219 mm) of unbalanced backfill that do not have permanent lateral support at the top and bottom.
3. Foundation Walls over 10 feet in height measured from the top of the footing to the top of the wall.

**cc. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R404.1.7 BACKFILL PLACEMENT.**

Section R404.1.7 is hereby amended to read as follows; Backfill shall not be placed against the wall until the wall has sufficient strength or has been sufficiently braced to prevent damage by the backfill.

EXCEPTION: Such bracing is not required for walls supporting less than 4 feet (1219 mm) of unbalanced backfill.

**dd. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R405.1 CONCRETE OR MASONRY FOUNDATIONS.** Section R405.1 is hereby amended to read as follows: Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Drainage tiles, gravel or crushed stone drains, perforated pipe or other approved systems or materials shall be installed at or below the area to be protected and shall discharge by gravity or mechanical means into an approved drainage system. Gravel or crushed stone drains shall extend at least 1 foot (305 mm) beyond the outside edge of the footing and 6 inches (152 mm) above the top of the footing and be covered with an approved filter membrane material. The top of open joints of drain tiles shall be protected with strips of building paper. Perforated drains shall be surrounded with an approved filter membrane or the filter membrane shall cover the washed gravel or crushed rock covering the drain. Drainage tiles or perforated pipe shall be placed on a minimum of 2 inches (51 mm) of washed gravel or crushed rock at least one sieve size larger than the tile joint opening or perforation and covered with not less than 6 inches (152 mm) of the same material.

Exceptions:

1. A filter membrane is not required where perforated drains are covered with at least eighteen inches (18") of washed gravel or crushed stone.
2. For washed gravel or crushed stone drains a filter membrane is not required when the washed gravel or crushed stone drain extends at least eighteen inches (18") above the top of the footing.

**ee. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R405.2.3 DRAINAGE SYSTEM.** Section R405.2.3 is hereby amended to read as follows: A sump shall be provided to drain the porous layer, footings, and foundations that retain earth and enclose habitable or usable space located below grade that do not drain and discharge by gravity to an approved storm sewer system or to daylight. The sump shall be at least 24 inches (610mm) in diameter or 20 inches square (0.0129 m<sup>2</sup>), shall extend at least 24 inches (610mm) below the bottom of the basement floor and shall be capable of positive gravity or mechanical drainage to remove any accumulated water. Sumps receiving storm water from any exposed exterior drain(s) or opening(s) shall be provided with back-up system(s) capable of assuring proper sump operation in case of power failure. The drainage system shall discharge into an approved storm sewer system or to daylight.

**ff. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R506.2.1 FILL.** Section R506.2.1 is hereby amended to read as follows; Fill material shall be free of vegetation and foreign material. The fill shall be compacted to assure uniform support of the slab, and except where approved, the fill depths shall not exceed 24 inches (610 mm) for clean sand or gravel and 8 inches (203 mm) for earth.

EXCEPTION: Concrete floor slabs may be engineered to span soils not in compliance with the R506.2.1, however all fills under buildings shall be free from vegetation and foreign material.

**gg. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R506.2.3 VAPOR RETARDER.** Section R506.2.3 is hereby amended to read as follows: A 6 mil (0.006 inch) polyethylene or approved vapor retarder with joints lapped not less than 6 inches (152 mm)

shall be placed between the concrete floor slab and the prepared sub-grade where no base course exists.

EXCEPTIONS: The vapor retarder may be omitted:

1. From garages, utility buildings and other unheated accessory structures.
2. From driveways, walks, patios and other flatwork not likely to be enclosed and heated at a later date.
3. Where approved by the building official, based on local site conditions.

**hh. INTERNATIONAL RESIDENTIAL CODE ADDED; SECTION R506.2.5 INTERIOR UNDERSLAB DRAINS.** Section R506.2.5 is hereby added to read as follows: Where foundations retain earth and enclose habitable or usable space located below grade, drains shall be provided below the floor slab. Drainage tiles, perforated pipe or other approved systems or materials shall be installed at or below the area(s) to be protected; shall be placed with positive or neutral slope to minimize the accumulation of deposits in the drainage system; and shall discharge by gravity or mechanical means to an approved storm water drainage system. The underslab drainage system shall be installed around the inner perimeter of the area(s) to be protected, or, in a manner that will provide adequate drainage for all area(s) to be protected and is approved by the building official. Interior underslab drains installed on uncompacted fill material shall be supported by mechanical means which are adequately tied into the concrete slab to ensure proper drainage throughout the underslab drain(s).

**ii. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R602.1 DRILLING AND NOTCHING OF THE TOP PLATE.** Section R602.1 Drilling and notching of the top plate is amended to read as follows: When piping or ductwork is placed in or partly in an exterior wall or interior load bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (1.37 mm) (16 ga) and 1 ½ inches (38 mm) wide shall be fastened across and to the plate at each side of the opening with not less than four 10d (0.148 inch diameter) having a minimum length of 1 ½ inches (38 mm) at each side or equivalent. The metal tie must extend a minimum of 6 inches past the opening. See figure R602.6.1

Exception: When the entire side of a wall with the notch or cut is covered by wood structural panel sheathing.

**jj. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R703.6.2 PLASTER.** Section R703.6.2 is hereby amended and reads as follows: Plastering with portland cement plaster shall be not less than three coats when applied over metal lath or wire lath and shall be not less than two coats when applied over masonry, concrete, pressure-preservative treated wood or decay-resistant wood as specified in Section R319.1 or gypsum backing. If the plaster surface is completely covered by veneer or other facing material or is completely concealed, plaster application need be only two coats, provided the total thickness is as set forth in Table R702.1(1).

Exception:

Decorative coatings consisting of a cementitious material applied to a concrete or masonry surface for cosmetic purposes only shall be approved materials and installed in accordance with the manufacturer's installation instructions.

**kk. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R801.3 ROOF DRAINAGE.** Section R801.3 is hereby amended to read as follows: All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface at least three (3) feet from foundation walls or to an approved drainage system.

**II. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R902.1. ROOF COVERING MATERIALS.** Section R902.1 Roofing covering materials is hereby amended to read as follows: Roofs shall be covered with materials as set forth in Sections R904 and R905. Except where the code requires greater protection, roof coverings for new buildings or structures or additions thereto, or roof coverings utilized for re-roofing shall be a minimum of Class C. Class A, B or C roofing shall be installed in areas designated by law as requiring their use or when the edge of the roof is less than 3 feet (914 mm) from a property line. Classes A, B and C roofing required to be listed by this section shall be tested in accordance with UL 790 or ASTM E 108. Roof assemblies with coverings of brick, masonry, slate, clay or concrete roof tile, exposed concrete roof deck, ferrous or copper shingles or sheets, and metal sheets and shingles, shall be considered Class A roof coverings.

**mm. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION R907.1 GENERAL.** Section R907.1 is hereby amended to read as follows: Materials and methods of application used for re-covering or replacing an existing roof covering shall comply with the requirements of Chapter 9 as amended. Re-roofing includes any repairs of more than 10% or less of the total roof covering in any three year period. A repair of 10% or less of the total roof covering in any three year period may utilize approved roofing materials comparable to the existing roofing materials.

Exception: Re-roofing shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2-percent slope) in Section R905 for roofs that provide positive roof drainage.

**nn. INTERNATIONAL RESIDENTIAL CODE DELETED; CHAPTER 11.**  
Chapter 11 is hereby deleted.

**oo. INTERNATIONAL RESIDENTIAL CODE DELETED; CHAPTER 12. MECHANICAL ADMINISTRATION.** Chapter 12 is hereby deleted. (See article 1 of this chapter)

**pp. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION M1501.1 OUTDOOR DISCHARGE.** Section M1501.1 is hereby amended to read as follows: The air removed by every mechanical exhaust system shall be discharged to the outdoors. Air shall not be exhausted into an attic, soffit, ridge vent or crawl space.

Exceptions:

- 1.) Whole-house ventilation-type attic fans that discharge into the attic space of dwelling units having private attics shall be permitted.
- 2.) Bathroom exhaust fans installed in accordance with amended section R303.3.

**qq. INTERNATIONAL RESIDENTIAL CODE DELETED; SECTION M1502.4.5 LENGTH IDENTIFICATION.** Section M1502.4.5 Length Identification is hereby deleted.

**rr. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION M1507.2 RECIRCULATION OF AIR.** Section M1507.2 is hereby amended to read as follows: Exhaust

air from bathrooms and toilet rooms shall not be recirculated within a residence or to another dwelling unit and shall be exhausted in accordance with amended section R303.3.

**ss. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION M1602.2 PROHIBITED SOURCES.** Section M1602.2 is amended to read as follows; Outside or return air for a forced-air heating or cooling system shall not be taken from the following locations:

1. Closer than 10 feet (3048 mm) from an appliance vent outlet, a vent opening from a plumbing drainage system or the discharge outlet of an exhaust fan, unless the outlet is 3 feet (914 mm) above the outside air inlet.

2. Where there is the presence of flammable vapors; or where located less than 10 feet (3048 mm) above the surface of any abutting public way or driveway; or where located at grade level by a sidewalk, street, alley or driveway.

3. A room or space, the volume of which is less than 25 percent of the entire volume served by such system. Where connected by a permanent opening having an area sized in accordance with ACCA Manual D, adjoining rooms or spaces shall be considered as a single room or space for the purpose of determining the volume of such rooms or spaces.

Exception: The minimum volume requirement shall not apply where the amount of return air taken from a room or space is less than or equal to the amount of supply air delivered to such room or space.

4. A closet, bathroom, toilet room, kitchen, garage, mechanical room, furnace room or other dwelling unit.

Exception 1: Closets of such size that are provided with a supply duct(s) may have return air opening(s).

Exception 2: Dedicated forced-air systems serving only a garage shall not be prohibited from obtaining return air from the garage.

5. A room or space containing a fuel-burning appliance where such room or space serves as the sole source of return air.

Exceptions:

1. The fuel-burning appliance is a direct-vent appliance or an appliance not requiring a vent in accordance with Section M1801.1 or Chapter 24.

2. The room or space complies with the following requirements:

2.1. The return air shall be taken from a room or space having a volume exceeding 1 cubic foot for each 10 Btu/h (9.6 L/W) of combined input rating of all fuel-burning appliances therein.

2.2. The volume of supply air discharged back into the same space shall be approximately equal to the volume of return air taken from the space.

2.3. Return-air inlets shall not be located within 10 feet (3048 mm) of a draft hood in the same room or space or the combustion chamber of any atmospheric-burner appliance in the same room or space.

3. Rooms or spaces containing solid-fuel burning appliances, provided that return-air inlets are located not less than 10 feet (3048mm) from the firebox of such appliances.

6. An unconditioned crawl space by means of direct connection to the return side of a forced air system. Transfer openings in the crawl space enclosure shall not be prohibited.

**tt. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION M1804.2.6 MECHANICAL DRAFT SYSTEMS;** Section M1804.2.6 is hereby amended to read as follows; Mechanical draft systems shall be installed in accordance with their listing, the manufacturer's installation instructions and, except for direct vent appliances, the following requirements:

1. The vent terminal shall be located not less than 3 feet (914 mm) above a forced air inlet located within 10 feet (3048 mm).

2. The vent terminal shall be located not less than 4 feet (1219 mm) below, 4 feet (1219 mm) horizontally from, or 1 foot (305 mm) above any door, window or gravity air inlet into a dwelling.
3. The vent termination point shall not be located closer than 3 feet (914 mm) to an interior corner formed by two walls perpendicular to each other.
4. The bottom of the vent terminal shall be located at least 12 inches (305mm) above finished ground level.
5. The vent termination shall not be mounted directly above or within 3 feet (914 mm) horizontally from an oil tank vent or gas meter.
6. Power exhauster terminations shall be located not less than 10 feet (3048 mm) from adjacent buildings.
7. The discharge shall be directed away from the building.

**uu. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION M2302.2**

**REQUIREMENTS:** Section M2302.2 Requirements is hereby amended to read as follows: The installation, inspection, maintenance, repair and replacement of photovoltaic systems and all system components shall comply with the manufacturer's installation instructions, Sections M2302.2.1 through M2302.2.3 and NFPA 70 and sections 605.11.3.2.1 through 605.11.3.2.4 of the 2012 International Fire Code.

**vv. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION G2414.5. METALLIC**

**TUBING.** Section G2414.5 is hereby amended to read as follows: Seamless copper, aluminum alloy or steel tubing shall not be utilized for the distribution of fuel gas.

Exception: Corrugated stainless steel tubing as referenced in section 2414.5.3.

**ww. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION G2414.5.2 COPPER**

**TUBING.** Section G2414.5.2 is hereby amended to read as follows: Copper tubing shall comply with standard Type K or L of ASTM B 88 or ASTM B 280. Copper and brass tubing shall not be utilized to distribute natural gas nor shall it be utilized to distribute any other fuel gas within a building or structure.

**xx. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION G2417.4.1 TEST**

**PRESSURE.** Section G2417.4.1 is hereby amended to read as follows; The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig (68.9kPa) irrespective of design pressure. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure, the test pressure shall not be less than 60 psig. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

**yy .- INTERNATIONAL RESIDENTIAL CODE DELETED; CHAPTER 25. PLUMBING ADMINISTRATION.** Chapter 25 is hereby deleted. (See Article 1 of this chapter)

**zz. INTERNATIONAL RESIDENTIAL CODE ADDED; SECTION P2601.2.1 PROHIBITED DRAINAGE AND CONNECTIONS.**

Section P2601.2.1 is hereby added to read as follows: Sanitary sewer systems shall be designed, built and maintained in such a manner to prevent all storm or ground water from draining, discharging or entering into the sanitary sewer system. Connection of sump pumps, foundation drains, yard drains, gutter downspouts and any other storm water drainage receptacle(s) or system(s) are specifically prohibited from being connected to the sanitary sewer system.

**aaa. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P2603.5 FREEZING.** Section P2603.5 is hereby amended to read as follows: Water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in attics or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 36 inches in depth below grade.

**bbb. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P2603.5.1 SEWER DEPTH.** Section P2603.5.1 is hereby amended to read as follows: Building sewers shall be a minimum of 12 inches below grade.

**ccc. INTERNATIONAL RESIDENTIAL CODE ADDED; SECTION P2604.5 INSPECTION.** Section P2604.5 is hereby added to read as follows: Excavations required for the installation of a building drainage system shall be open trench work and shall be kept open until the piping has been inspected and approved to cover.

**ddd. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P2902.5.3 LAWN IRRIGATION SYSTEMS.** Section P2902.5.3 is hereby amended to read as follows: The potable water supply to lawn irrigation systems shall be protected against backflow by a device approved by the Missouri Department of Natural Resources. Backflow devices installed within structures shall be installed a minimum of 6 inches away from any wall or vertical obstruction. The backflow device shall be installed between 12 inches and 48 inches above the floor and shall be accessible.

**eee. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P2902.6.2 PROTECTION OF BACKFLOW PREVENTERS.** Section P2902.6.2 Protection of backflow preventers is hereby amended to read as follows: Backflow preventers shall not be located in areas subject to freezing except where they can be removed by means of unions, or are protected by heat, insulation or both.

EXCEPTION: In-ground backflow preventers installed for lawn irrigation systems.

**fff. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P3002.2 BUILDING SEWER.** Section P3002.2 is hereby amended to read as follows: Building sewer piping shall be as shown in Table P3002.2. Forced main sewer piping shall conform to one of the standards for ABS plastic pipe, cast-iron pipe, copper or copper-alloy tubing, PVC plastic pipe, or pressure-rated pipe listed in Table P3002.2. In addition, building sewer piping shall be a minimum of schedule 40 PVC/ABS or equivalent unless otherwise approved by the building official.

**ggg. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P3005.4.2 BUILDING DRAIN AND SEWER SIZE AND SLOPE.** Section P3005.4.2 is hereby amended to read as follows: Pipe sizes and slope shall be determined from Table P3005.4.2 on the basis of drainage load in fixture units (d.f.u.) computed from Table P3004.1. The minimum size of a building sewer serving a dwelling unit shall be four inches.

**hhh. INTERNATIONAL RESIDENTIAL CODE DELETED; SECTION P3008.1. SEWAGE BACKFLOW.** Section P3008.1 is hereby deleted.

**iii. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P3103.1 ROOF EXTENSION.** Section P3103.1 is hereby amended to read as follows: All open vent pipes which extend through a roof shall be terminated at least 6 inches above the roof, except that

where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

**jjj. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION P3114.3 WHERE PERMITTED.** Section P3114.3 is hereby amended to read as follows: Individual vents, branch vents, circuit vents and stack vents shall be permitted to terminate with a connection to an air admittance valve only when approved by the Administrative Authority.

**kkk. INTERNATIONAL RESIDENTIAL CODE DELETED; CHAPTER 33 STORM DRAINAGE.** Chapter 33 Storm Drainage is hereby deleted.

**III. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION E3601.6.2 SERVICE DISCONNECT LOCATION.** Section E3601.6.2 is hereby amended to read as follows: The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect shall be installed at the service cable entrance to the building or structure. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

**mmm. INTERNATIONAL RESIDENTIAL CODED AMENDED; SECTION E3902.2 GARAGE AND ACCESSORY BUILDING RECEPTACLES.** Section E3902.2 Garage and accessory building receptacles is hereby amended to read as follows: All 125-volt, single-phase, 15- and 20- ampere receptacles installed in garages and grade level portions of unfinished accessory buildings used for storage or work areas shall have ground-fault circuit interrupter protection for personnel.

Exceptions:

1. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
2. A single receptacle supplied by a dedicated branch circuit that is located and identified for a specific use by a cord-and-plug-connected appliance such as a refrigerator, freezer or sump pump.
3. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.

**nnn. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION E3902.5 UNFINISHED BASEMENT RECEPTACLES.** Section E3902.5 Unfinished basement receptacles is hereby amended to read as follows: All 125-volt, single phase, 15- and 20- ampere receptacles installed in unfinished basements shall have ground fault circuit interrupter protection for personnel. For the purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited to storage areas, work areas, and the like.

Exceptions:

1. Receptacles that are not readily accessible such as a ceiling mounted receptacle for a garage door opener.
2. A single receptacle supplied by a dedicated branch circuit that is located and identified for a specific use by a cord-and-plug-connected appliance such as a refrigerator, freezer or sump pump.
3. A receptacle supplying only a permanently installed fire alarm or burglar alarm system.

**ooo. INTERNATIONAL RESIDENTIAL CODE AMENDED; SECTION E3902.12 ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION.** Section E3902.12 Arc-fault circuit-interrupter

protection is hereby amended to read as follows: All branch circuits that supply 120-volt, single-phase, 15- and 20-ampere outlets installed in bedrooms, shall be protected by a combination type or branch/feeder type arc-fault circuit interrupter installed to provide protection of the entire branch circuit.

Exception:

1. Where an outlet branch-circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit, the portion of the branch circuit, the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet shall be installed with metal outlet and junction boxes and RMC, IMC, EMT, type MC, or steel armored type AC cables meeting the requirements of Section E3908.8.
2. Where an outlet branch circuit type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit, the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal or nonmetallic conduit or tubing that is incased in not less than 2 inches (51mm) of concrete.
3. AFCI protection is not required for an individual branch circuit supplying only a fire alarm system where the branch circuit is wired with metal outlet and junction boxes and RMC, IMC, EMT or steal sheathed cable Type AC, or Type MC meeting the requirements of Section E3908.8.

**ppp. INTERNATIONAL RESIDENTIAL CODE DELETED; SECTION E4002.14 TAMPER-RESISTANT RECEPTACLES.** Section E4002.14 Tamper-resistant receptacles is hereby deleted.

**SECTION VIII:** That Section 500.025 Property Maintenance Code of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

### **Section 500.025 International Property Maintenance Code (2012)**

**A. INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.** The 2012 edition of the International Property Maintenance Code, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

### **B. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 101.1; TITLE**

Section 101.1 is hereby amended to read as follows: These regulations shall be known as the *International Property Maintenance Code* of the City of Peculiar, Missouri, hereinafter referred to as "this code."

### **C. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 102.3 APPLICATION OF OTHER CODES.**

Section 102.3 is hereby amended to read as follows: Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, *International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any

section of the zoning ordinances of the City of Peculiar set forth in Chapter 400 of the City Municipal Code.

**D. INTERNATIONAL PROPERTY MAINTENANCE CODE DELETED; SECTION 103.5; FEES**  
Section 103.5 Fees is hereby deleted.

**E. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 109.6 HEARING**

Section 109.6 Hearing is hereby amended to read as follows: Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the Board of Adjustment, be afforded a hearing as described in this code.

**F. INTERNATIONAL PROPERTY MAINTENANCE CODE DELETED; SECTION 110 DEMOLITION**

Section 110 Demolition is hereby deleted.

**G. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 111 MEANS OF APPEAL.**

Section 111 Means of Appeal is hereby amended to read as follows:

111.1 Application for appeal. Appeals to the Board of Adjustment may be taken by any person aggrieved or by any Officer, Department, Commission or Board of the City of Peculiar affected by any decision of an administrative official.

111.2 Such appeal shall be taken within twenty (20) days by filing with the City Planner, the administrative official from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. Said notice of appeal shall be accompanied by the required application fee. The administrative official from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

111.3 An appropriately filed appeal stays all proceedings in furtherance of the action appealed from, unless the administrative official from whom the appeal is taken certifies to the Board of Adjustment after receipt of the notice of appeal that by reason of facts stated in the certificate a stay would, in his opinion, cause immediate peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record, on application or notice to the administrative official from whom the appeal is taken on due cause shown.

111.4 The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time.

111.5 Any party may appear in person or by agent or attorney.

**H. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 112.4 FAILURE TO COMPLY.**

Section 112.4 Failure to comply is hereby amended to read as follows: 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 liable to a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00) for each and every day that such violation continues.

**I. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 302.4 WEEDS.**

Section 302.4 Weeds is hereby amended to read as follows: All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of 10 inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds within five (5) days after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.4.1 The cost of any abatement shall be assessed and recouped by the City pursuant to Section 106.3 above, except that any unpaid services related to the abatement of weeds, grasses or unhealthful vegetative growth shall accrue interest at a rate of eight percent (8%) per annum from the date of the completion of the work if not paid by the property owner prior to the issuance of the next regular tax bill.

**J. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 302.10 PARKING ON PROPERTY ZONED RESIDENTIAL (NEW).**

Section 302.10 Parking on Property Zoned Residential is hereby added to read as follows: It shall be unlawful for any person to park or allow to be parked any vehicle, trailer, camper or machinery for any period of time closer than the front residential façade, and the street unless the area used for parking the vehicle, trailer, camper or machinery is an improved surface approved by the City.

**K. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 302.11 MAINTENANCE OF TREES, LAWNS, OR GRASSY AREAS ABUTTING PUBLIC RIGHTS-OF-WAY OR EASEMENTS (NEW).**

Section 302.11 Maintenance of Trees, Lawns, or Grassy Areas Abutting Public Rights-of-Way or Easements is hereby added to read as follows: Whenever private property abuts a public right-of-way or easement belonging to the City (or any other public entity) and there exists in such right-of-way or easement a tree, lawn or grassy area between the private property line and the midline of said right-of-way or easement, then such tree, lawn or grassy area shall be considered to be a part of the private lot which abuts the right-of-way-or easement. It shall be the duty of the owner of tenant to be responsible for the trimming of tree limbs to at least ten (10) feet above the Public Street, alley, street right-of-way, alley right-of-way, sidewalk, or public

place. In addition, it shall be the duty of the owner or tenant to mow the private lot to equally maintain the tree, lawn or grassy area within the abutting right-of-way or easement.

**Exception:** Where terrain, creeks, drainage or other physical attributes of the property prevent the property from being mowed or trimmed with typical home equipment, the Codes Official may waive the requirements of this subparagraph on a case by case basis.

**L. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 304.14 INSECT SCREENS.**

Section 304.14 Insect Screens is hereby amended to read as follows:

During the period from **April 16** to **September 14**, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where produce 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 not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

**M. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 310 ABANDONED RESIDENTIAL PROPERTY REGISTRATION (NEW).**

SECTION 310 ABANDONED RESIDENTIAL PROPERTY REGISTRATION is hereby added to read as follows:

**310.1 Purpose.** It is the purpose and intent of the City of Peculiar’s Board of Aldermen, through the adoption of this ordinance, to establish an abandoned residential property registration program for properties which are in the process of foreclosure as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and adequate security of abandoned properties.

**310.2 Definitions** For the purpose of this chapter, certain words and phrases used in this ordinance are defined as follows:

“Abandoned” means a property that is vacant and under a current Notice of Default or Notice of Sale, or properties that have been the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

“Accessible structure” means a structure that is unsecured or breached in such a way as to allow access to the interior space by unauthorized persons.

“Beneficiary” a lender under a note secured by a deed of trust.

“Days” means consecutive calendar days.

“Deed of Trust” means an instrument by which title to real estate is transferred to a third party trustee as security for a real estate loan. This definition includes any subsequent deeds of trust.

“Deed in lieu of foreclosure or sale” means a recorded document that transfers ownership of a property from the trustor to the holder of a deed of trust upon consent of the beneficiary of the deed of trust.

“Default” means the failure to fulfill a contractual obligation, monetary or conditional.

“Evidence of vacancy” means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions include but are not limited to, overgrown or dead vegetation, accumulation of newspapers, circulars, flyers, or mail, past due utility notices or disconnected utilities, accumulation of junk or debris, the absence of window coverings such as curtains, blinds or shutters, the absence of furnishings or personal items consistent with residential habitation, statements by neighbors, passersby, delivery agents, government employees that the property is vacant.

“Foreclosure” means the process by which a property, placed as security for a real estate loan, is sold at auction to satisfy the debt if the trustor (borrower) under a deed of trust defaults.

“Local” means within forty (40) road/driving miles distance of the subject property

“Notice of Default” means a notice that a default has occurred under a deed of trust as provided for in section 408.554, RSMo.

“Out of Area” means in excess of forty (40) road/driving miles distance of the subject property.

“Owner” means any person, co-partnership, association, corporation, or fiduciary having a legal or equitable title or any interest in any real property.

“Owner of Record” means the person having recorded title to the property at the point in time of record is provided by Cass County Recorder’s office.

“Property” means any unimproved or improved real property, or portion thereof, situated in the city and includes the buildings or structures located on the property regardless of condition.

“Registered Representative” means the person designated by a Beneficiary as the Beneficiary’s representative for purposes of accepting notice, service and summons on behalf of the Beneficiary and for otherwise compliance with the requirements of this ordinance.

“Residential Building” means any improved real property, or portion thereof, situated in the city, designed or permitted to be used for dwelling purposes, and shall include the buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange as “residential” whether or not it is legally permitted or zoned for such use.

“Securing” means such measures as may be directed by the Codes Officer or his or her designee that assist in rendering the property inaccessible to unauthorized persons, including but not limited to the repairing of fences and walls, chaining / pad locking of gates, the repair or boarding of door, window or other openings.

“Trustee” means the person, firm or corporation holding a Deed of Trust on a property.

“Trustor” means a borrower under a deed of trust, who deeds property to a trustee as security for the payment of a debt.

“Vacant” means a building/structure that is not legally occupied.

### **310.3 Registration**

- A. Any beneficiary under a deed of trust covering a property located within the City of Peculiar shall cause an inspection to be performed of the property that is the security for the deed of trust within fifteen (15) days of issuing a notice of default to the trustor. If the property is found to be vacant or shows evidence of vacancy, it is, by this ordinance, deemed abandoned and the beneficiary shall, within ten (10) days of the inspection, register the property with the Codes Officer or his or her designee on forms provided by the City.
- B. The registration shall contain the full legal name of the beneficiary and the registered representative, the direct street/office mailing address of the beneficiary and the registered representative (no P.O. Boxes), a direct contact name and phone number for the beneficiary and registered representative, and if applicable, the local property management company responsible for the security, maintenance and marketing of the property.
- C. The registration shall be valid as long as the subject property remains vacant and shall be amended as needed.
- D. This section shall also apply to properties that have been the subject of a foreclosure sale where title to the property was transferred to the beneficiary of a deed in lieu of foreclosure or sale.

- E. Properties subject to this ordinance shall remain under the security and maintenance standards of this section as long as they remain vacant.
- F. Any person, firm or corporation that has registered a property under this ordinance must report any change of information contained in the registration within ten (10) days of the change.

**310.4 Maintenance Requirements** Properties subject to this ordinance shall be in compliance with the City of Peculiar’s Property Maintenance Code. Adherence to this section does not relieve the beneficiary or property owner of any obligations set forth in any Covenants Conditions and Restrictions or Home Owners Association rules and regulations which may apply to the property.

**310.5 Security Requirements**

- A. Properties subject to this section shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitations, the closure and locking of windows, doors (walk-through, sliding, and garage), gates and any other opening of such size that it may allow a child to access the interior of the property and or structure(s).
- B. If the beneficiary is an Out of Area beneficiary, a local property management company shall be contracted to perform bi-weekly inspections to verify that the requirements of this section, and any other applicable laws, are being met.
- C. The property shall be posted with the name and 24-hour contact phone number of the registered representative or local property management company. The posting shall be visible and legible from the exterior of the structure and shall contain along with the name and 24-hour contact number, the words “THIS PROPERTY MANAGED BY” and “TO REPORT PROBLEMS OR CONCERNS CALL”. Exterior postings must be made weather resistant and be posted or secured in a manner so as not to be easily removed.
- D. The beneficiary shall cause the property to be inspected on a bi-weekly basis to determine if the property is in compliance with the requirements of this ordinance.

**310.6 Compliance With Other Authority** The requirements of this ordinance are in addition to any other maintenance and security measures required by the Property Maintenance Code. The requirements of this ordinance shall not serve to lessen or abrogate any other applicable provisions of the Property Maintenance Code.

**310.7 Violations** Any beneficiary, registered representative, or local property management company that violates any provision of this ordinance shall be in violation of this ordinance, and summons may be issued against the beneficiary's Representative for such violation. In addition to any other penalties which may be assessed for a violation of this ordinance, any person or entity who violates a provision of this ordinance shall be assessed a fine of \$500.00 per violation.

**N. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 602.3 HEAT SUPPLY.**

Section 602.3 Heat supply is hereby amended to read as follows: 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 **September 15** to **April 15** to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

*Remaining section to remain as written*

**O. INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDED; SECTION 602.4 OCCUPIABLE WORK SPACES.**

Section 602.4 Occupiable work spaces is hereby amended to read as follows: Indoor occupiable work spaces shall be supplied with heat during the period from **September 15** to **April 15** to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

*Remaining section to remain as written*

**SECTION IX:** That Section 500.030 Uniform Fire Code of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

**Section 500.030 International Fire Code (2012)**

A. The 2012 edition of the International Fire Code, promulgated by the International Code Council, is adopted and incorporated in this Article by reference as if fully set forth, except as it is amended by the following provisions of this Section. Provisions of this Article are in addition to the provisions of the International Fire Code. The following provisions coinciding with provisions of the International Fire Code supersede, or delete, when indicated, the corresponding provisions of the International Fire Code.

All references within the model codes to any building, electrical, gas mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code are specifically adopted by reference in Articles II through XII of this Chapter, including the fire-resistive assemblies listed in the *Fire Resistance Design Manual, Nineteenth Edition, GA-600-09*, published by the Gypsum Association as referenced in Tables 721.1 (1 thru 3) of the specified *International Building Code; American National Standard for Accessible and Useable Buildings and Facilities A117.1-2009; NFPA 13-2010 Installation of Sprinkler Systems; ASTM Standards as referenced in the International Building Code and the International Residential Code; American Institute of Steel Construction, Fourteenth Edition; American Concrete Institute for Structural Concrete and Commentary ACI 318-11; the NFPA 101-2009 Life Safety Code; ICC/NSSA Standard for the Design and Construction of Storm Shelters, ICC 500-2008; and the NFPA 99 Health Care Facilities 2012 edition.*

- B. The following Chapters and Sections of the 2012 International Building Code may also be enforced by the West Peculiar Fire Protection District because they deal with fire hazards:
- (1) Detention and correctional facilities—Chapter 4, Section 408.
  - (2) Motion picture projection rooms—Chapter 4, Section 409.
  - (3) Aircraft-related occupancies—Chapter 4, Section 412.
  - (4) Fire-resistant materials and construction—Chapter 7, all Sections.
  - (5) Fire protection systems and fire alarm systems—Chapter 9, all Sections.
  - (6) Egress, access and exit facilities and emergency escapes—Chapter 10, all Sections.
  - (7) Chimneys, fireplaces and barbecues—Chapter 21 Sections 2111 through 2113.
  - (8) Elevator and conveying systems—Chapter 30, all Sections.

**SECTION X:** That a new Section 500.035 International Fuel Gas Code of the Peculiar Municipal Code be created and placed with the following language:

**Section 500.035 International Fuel Gas Code (2012)**

**A. INTERNATIONAL FUEL GAS CODE ADOPTED.** The 2012 edition of the International Fuel Gas Code, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

**B. INTERNATIONAL FUEL GAS CODE DELETED; CHAPTER 1 ADMINISTRATION.** Chapter 1, Administration is hereby deleted. (See Article I of this Chapter).

**C. INTERNATIONAL FUEL GAS CODE AMENDED; SECTION 403.4.3 COPPER AND BRASS.** Section 403.4.3 is hereby amended to read as follows; Copper and brass tubing shall not be utilized to distribute fuel gas.

**D. INTERNATIONAL FUEL GAS CODE AMENDED; SECTION 403.4.4 ALUMINUM.** Section 403.4.4 is hereby amended to read as follows; Aluminum or aluminum alloy tubing shall not be utilized for the distribution of fuel gas.

**E. INTERNATIONAL FUEL GAS CODE AMENDED, SECTION 403.5.1 STEEL TUBING.**

Section 403.5.1 is hereby amended to read as follows; Steel tubing shall not be utilized to distribute natural gas nor shall it be utilized to distribute any other fuel gas within a building or structure.

**F. INTERNATIONAL FUEL GAS CODE AMENDED, SECTION 403.5.2 COPPER AND BRASS TUBING.**

Section 403.5.2 is hereby amended to read as follows; Copper and brass tubing shall not be utilized to distribute natural gas nor shall it be utilized to distribute any other fuel gas within a building or structure.

**G. INTERNATIONAL FUEL GAS CODE AMENDED, SECTION 403.5.3 ALUMINUM TUBING.**

Section 403.5.3 is hereby amended to read as follows; Aluminum tubing shall not be utilized to distribute natural gas nor shall it be utilized to distribute any other fuel gas within a building or structure.

**H. INTERNATIONAL FUEL GAS CODE AMENDED, SECTION 406.4.1. TEST PRESSURE.**

Section 406.4.1 is hereby amended to read as follows: The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig (68.9 kPa) irrespective of design pressure. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches water column pressure, the test pressure shall not be less than 60 psig. Where the test pressure exceeds 125 psig (862 kPa), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

**SECTION XI.** That Section 500.040 Uniform Mechanical Code of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

**Section 500.040 International Mechanical Code (2012)**

**A. INTERNATIONAL MECHANICAL CODE ADOPTED.** The 2012 edition of the International Mechanical Code, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

**B. INTERNATIONAL MECHANICAL CODE DELETED; CHAPTER 1. ADMINISTRATION.**

Chapter 1, Administration is hereby deleted. See Article I of this chapter.

**C. INTERNATIONAL MECHANICAL CODE AMENDED; SECTION 401.2 VENTILATION**

**REQUIRED.** Section 401.2 is hereby amended to read as follows: Every occupancy space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403.

**SECTION XII:** That Section 500.050 International Plumbing Code of the Peculiar Municipal Code be removed in its entirety and replaced with the following language:

**Section 500.050 International Plumbing Code (2012)**

**A. INTERNATIONAL PLUMBING CODE ADOPTED.** The 2012 edition of the International Plumbing Code, and its most current errata as published by the International Code Council is hereby adopted and incorporated in this chapter as fully as if set forth herein, excepting only such parts or portions thereof as are specifically added or amended.

**B. INTERNATIONAL PLUMBING CODE DELETED; CHAPTER 1 ADMINISTRATION.**

Chapter 1, Administration is hereby deleted. See Article I of this chapter.

**C. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 305.4.1 SEWER DEPTH.**

Section 305.4.1 is hereby amended to read as follows: Building sewers shall be installed a minimum of 12 inches (304.8mm) below grade.

**D. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 312.10 INSPECTION AND TESTING OF BACKFLOW PREVENTION ASSEMBLIES.**

Section 312.10 is hereby amended to read as follows: Inspection and testing of backflow prevention assemblies shall be in accordance with the policies prescribed by the Water Department of the City of Peculiar, MO.

**E. INTERNATIONAL PLUMBING CODE AMENDED; SECTION TABLE 403.1.**

Table 403.1 is hereby amended to read as follows: Footnote g – A service sink may not be required, at the discretion of the building official, if deemed unnecessary due to the size, type and finish of the space.

**F. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 403.2 SEPARATE FACILITIES.**

Section 403.2 is hereby amended to read as follows: Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for dwelling units or sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers of 25 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.

**G. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 403.4.1 DIRECTIONAL SIGNAGE.**

Section 403.4.1 is hereby deleted.

**H. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 410.3 SUBSTITUTION.**

Section 410.3 is hereby amended to read as follows: Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In other occupancies, where drinking fountains are required, water coolers, bottled water dispensers or break rooms with a kitchen sink shall be permitted to be substituted for the required drinking fountains.

**I. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 607.2 HOT OR TEMPERED WATE SUPPLY TO FIXTURES.** Section 607.2 is hereby amended to read as follows: The developed length of hot or tempered water piping, from the source of hot water to the fixtures that require hot or tempered water, shall not exceed 100 feet (30,480mm). Re-circulating system piping and heat-traced piping shall be considered to be sources of hot or tempered water.

**J. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 608.14.2 PROTECTION OF BACKFLOW PREVENTORS.** Section 608.14.2 is hereby amended to read as follows: Backflow preventers shall not be located in areas subject to freezing except where they can be removed by means of unions or are protected from freezing by heat insulation or both.

Exception: In-ground back-flow devices for lawn irrigation systems

**K. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 715.1 SEWAGE BACKFLOW.** Section 715.1 is hereby deleted.

**L. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 903.1 ROOF EXTENSION.** Section 903.1 is hereby amended to read as follows: All open vent pipes that extend through a roof shall be terminated at least 6 inches (152.4mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2,134 mm) above the roof.

**M. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 918.1. GENERAL.** Section 917.1 is hereby amended to read as follows: Air admittance valve are only allowed when approved by the Administrative Authority. Vent systems utilizing air admittance valves shall comply with this section. Stack-type air admittance valves shall conform to ASSE 1050. Individual-and branch-type air admittance valves shall conform to ASSE 1051.

**N. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 1002.4. TRAP SEALS.** Section 1002.4 is hereby amended to read as follows; Each fixture trap shall have a liquid seal of not less than 2 inches (51mm) and not more than 4 inches (102mm), or deeper for special designs relating to accessible fixtures. Where a trap seal is subject to loss by evaporation, a deep-seal trap consisting of a 4-inch (102mm) seal or a trap seal primer valve shall be installed. A trap seal primer valve shall conform to ASSE 1018 or ASSE 1044.

**O. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 1101.3. PROHIBITED DRAINANGE;** Section 1101.3 is hereby amended to read as follows; Storm water shall not be drained into sewers intended for sewage only. Sanitary sewer systems shall be designed, built and maintained in such a manner to prevent all storm or ground water from draining, discharging or entering into the sanitary sewer system. Connection of sump pumps, foundation drains, yard drains, gutter downspouts and any other storm water drainage receptacle(s) or system(s) are specifically prohibited from being connected to the sanitary sewer system.

**P. INTERNATIONAL PLUMBING CODE AMENDED; SECTION 1114.1.1. PUMP CAPACITY AND HEAD;** Section 1114.1.1 is hereby amended to read as follows; The sump pump shall be of a capacity and head appropriate to anticipated use requirements. Sumps receiving storm water from any exposed exterior drain(s) or opening(s) shall be provided with back-up system(s) capable of assuring proper sump operation in case of power failure.

**SECTION XIII:** That a new Article I be established for Chapter 500: Building and Construction Code of the Peculiar Municipal Code with the following language:

**Article I Administration**

SECTION 500.0005: - TITLE OF CHAPTER; DESIGNATION OF BUILDING OFFICIAL

- A. This Chapter shall be known as the Building and Construction Code of the City of Peculiar, Missouri hereinafter ['Code']. Unless otherwise indicated by its use and context, the term "this Chapter" shall refer to this Chapter 500 including all provisions incorporated by reference herein.
- B. The Building Official shall be known as the official charged with the administration and enforcement of the City's building codes, and such term shall include his/ her authorized representatives. Further, whenever the term or title "administrative authority," "code enforcement officer," "responsible official," or "Building Official" or other similar designation is used in any of the codes adopted by reference by this Chapter, it shall be construed to mean the Building Official, or his/ her authorized representatives.

SECTION 500.0010: - PURPOSE AND SCOPE OF CHAPTER; REFERENCED CODES

- A. Purpose. This Chapter shall be construed to secure its expressed intent, which is to provide minimum requirements to safeguard the public safety, health and general welfare, insofar as they are affected by building construction, through structural strength, adequate means of egress facilities, stability, sanitary equipment, light and ventilation, energy conservation, erosion and sediment control and fire safety; and in general to promote safety to life and property from fire and other hazards incident to the construction, design, erection, installation, alteration, addition, removal, demolition, replacement, location, relocation, moving, quality of materials or use and occupancy, operation and maintenance of buildings, structures or premises, and to provide safety to fire fighters and emergency responders during emergency operations.

The purpose of this Chapter is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Chapter.

- B. Scope. This Chapter provides the administrative and technical provisions to be followed by all persons engaged in the construction, design, erection, installation, alteration, addition, removal, demolition, replacement, location, relocation, land disturbance, moving, quality of materials, or use and occupancy, operation and maintenance of buildings, structures or premises, as regulated by this Chapter. This Chapter does not apply to public infrastructure or work in a public right-of-way except as expressly indicated herein. All references to any provisions in the administrative Chapters of the referenced model codes shall be construed to be a reference to the provisions of Article I of this Chapter.
- C. Referenced codes. The other codes listed in Subsections (1) through (7) and referenced elsewhere in this Chapter shall be considered part of the requirements of this Chapter to the prescribed extent of each such reference. All references within the model codes to any building, electrical, gas, mechanical, plumbing, sewage disposal or elevator shall be construed to be a reference to the respective building, electrical, gas, mechanical, plumbing, sewage disposal or elevator code specifically adopted by reference in Articles II through V of this Chapter.
  - 1. Building. The provisions of the International Building Code, as amended, shall apply to the construction, design, erection, installation, alteration, addition, removal, demolition, replacement, location, maintenance, land disturbance, moving, quality of materials, or use and occupancy of every building or structure or any appurtenances connected or attached to such buildings or structures. (See Article II of this Chapter.)

Exceptions:

- a. Detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code, as amended. (See Article II of this Chapter.)
  - b. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Property Maintenance Code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.
2. Electrical. The provisions of the National Electrical Code, as amended, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. (See Article II of this Chapter.)
  3. Gas. The provisions of the International Fuel Gas Code, as amended, shall apply to the installation of gas appliances and related accessories as covered in this code (See Article II of this Chapter). Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the *International Residential Code* (See Article II of this Chapter).
  4. Mechanical. The provisions of the International Mechanical Code, as amended shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. (See Article II of this Chapter.)
  5. Plumbing. The provisions of the International Plumbing Code, as amended, shall apply to the installation, alteration, repair and replacement of plumbing and fuel gas piping systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system for commercial construction. (See Article II of this Chapter.)
  6. Fire prevention. The provisions of the International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and, from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. (See Article II of this Chapter.)
  7. Property Maintenance. The provisions of the International Property Maintenance Code, as amended, shall apply to existing buildings to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety in addition to providing exterior maintenance standards for facilities and grounds (See Article II of this Chapter).
- D. Process. The Building Official shall have the responsibility to make timely recommendations to update this Chapter, upon the publication of nationally recognized model codes.

#### SECTION 500.0015: - CONFLICTING PROVISIONS

- A. Wherever conflicting provisions or requirements occur between this Chapter and the model codes adopted by this Chapter, this Chapter shall apply.
- B. Wherever conflicting provisions or requirements occur between this Chapter and any other municipal codes and laws, the most restrictive shall govern. The provisions of this Chapter shall not be deemed to nullify any provisions of local, state, or federal law.
- C. Where in any specific case different Sections within this Chapter specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- D. Where conflicts occur between any specific provisions of this Article and any administrative provisions in the remaining Articles of this Chapter which are then applicable, those provisions becoming the law last in time shall prevail.
- E. Wherever in this Chapter reference is made to the appendix, the provisions in the appendix shall not apply unless specifically adopted.
- F. References to Chapter or Section numbers, or to provisions not specifically identified by number, shall be construed to refer to such Chapter, Section or provision of this Chapter.
- G. The codes and standards referenced in this Chapter shall be considered part of the requirements of this Chapter to the prescribed extent of each such reference. Where differences occur between provisions of this Chapter and referenced codes and standards, the provisions of this Chapter shall apply.

#### SECTION 500.0020: - APPLICABILITY OF CHAPTER TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

- A. Generally. The legal use and occupancy of any structure existing on the date of adoption of this Chapter shall be permitted to continue without change provided such continued use is not dangerous to life, and as may be specifically covered in this Chapter, the fire code or as may be deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.
- B. Ordinary repairs. Application or notice to the Building Official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements, nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer drainage, drain leader, gas, soil, waste, vent or similar piping; electric wiring; or mechanical or other work affecting public health or general safety.
- C. Construction in floodplain. The provisions of Chapter 410 of the City of Peculiar Municipal Code must be met for any alteration, encroachment or substantial improvement accomplished in a regulatory floodplain as designated on the Flood Insurance Rate Maps (FIRMS) for Cass County, Missouri.

#### SECTION 500.0025: - APPROVED MATERIALS, ALTERNATE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT

- A. The provisions of this Chapter are not intended to prevent the installation of any material or method of construction not specifically prescribed by this Chapter, provided that any such alternative has been approved.
- B. The Building Official shall approve any alternative material, design or method of construction that is found to be satisfactory and in compliance with the provisions of this Chapter and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Chapter in quality, strength, effectiveness, fire resistance, durability, safety and sanitation.
- C. The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding the use of any alternative material, design, or method of construction. The details of any action granting approval shall be entered into the record of the Building Inspection Division.
- D. Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval. The use of used materials which meet the requirements of this Chapter for new materials are permitted. Used equipment and devices shall not be reused unless approved by the Building Official.

#### SECTION 500.0030: - MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of this Chapter, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative. The Building Official shall first find that a special individual reason makes the strict letter of this Chapter impractical and that the modification does not lessen health, life, and fire safety requirements or any degree of structural integrity. The details of actions granting modifications shall be entered into the record of the Building Inspection Division.

#### SECTION 500.0035: - TESTS

- A. Whenever there is insufficient evidence of compliance with any of the provisions of this Chapter, or evidence that materials or construction do not conform to the requirements of this Chapter, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the City.
- B. Test methods shall be as specified in this Chapter or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the Building Official shall approve the test procedures.
- C. All tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of records.

#### SECTION 500.0040: - DUTIES AND POWERS OF THE BUILDING OFFICIAL

- A. General. The Building Official is hereby authorized and directed to enforce the provisions of this Chapter. For such purposes, the Building Official shall have the powers of a law enforcement officer to issue written orders in the enforcement of this Chapter and deem unsafe conditions as prescribed in Section 500.045 and Section 108, Unsafe Structures and Equipment of the International Property Maintenance Code. The Building Official shall have the authority to render interpretations of this Chapter and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this Chapter. Such interpretations, policies and procedures shall not have the effect of waiving requirements specifically provided for in this Chapter.

- B. Applications and permits. The Building Official shall receive applications, review construction documents and issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Chapter.
- C. Notices and orders. The Building Official shall issue all necessary notices or orders to ensure compliance with this Chapter.
- D. Inspections. The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.
- E. Identification. The Building Official and/ or all designated inspectors shall carry proper identification when inspecting structures or premises in the performance of duties under this Chapter.
- F. Right of entry. When it is necessary to make an inspection or to enforce the provisions of this Chapter, or any other code, ordinance, law, regulation or administrative order within the authority of the Building Official to enforce, or whenever the Building Official or an authorized representative has reasonable cause to believe that there exists in any building any condition which is contrary to or in violation of this Chapter, or any other code, ordinance, law, regulation or administrative order, the Building Official or an authorized representative may enter the building or premises during normal work hours or, in the case of an emergency at any reasonable time to inspect or to perform any duty imposed upon the Building Official by this Chapter; provided if such property be occupied, the Building Official or an authorized representative shall first present proper credentials and request and obtain permission to enter before entering the building or premises. Reasonable effort must be made to locate the owner or other persons having charge or control of the property when seeking permission for entry.
  1. If no consent has been given to enter or inspect any building or premises, no entry or inspection shall be made without the procurement of a warrant from the judge presiding in the Peculiar Municipal Court of Cass County, or if that judge is not available, from any other judge presiding in the Cass County 17th Judicial Circuit Court of Missouri. The court may consider the following factors in its decision as to whether a warrant shall be issued:
    - a. Eyewitness account of violation.
    - b. Citizen complaint(s).
    - c. Tenant complaint(s).
    - d. Plain view violation(s).
    - e. Violation apparent from City record(s).
    - f. Nature of alleged violation, the threat of life or safety and imminent risk of significant property damage.
    - g. Previous unabated violation(s) in the building or on the premises.
  2. Cause supporting issuance of a warrant shall be deemed to exist in light of reasonable legislative and administrative standards which show that there is reason to believe that a condition of nonconformity exists with respect to a building or premises in violation of the provisions of the City of Peculiar Municipal Code.
  3. The Building Official or an authorized representative may enter the premises without consent or a search warrant to make an inspection or enforce any of the provisions of the City of Peculiar Municipal Code only when an emergency exists as prescribed in Section 500.0045 of this Chapter, or when the premises are abandoned.

4. If a complaint in writing is filed by the Building Official or an authorized representative, any police officer, deputy, City attorney or prosecuting attorney of the City with the Municipal Court of the City, stating that he/she has probable cause to believe there exists in a building or structure more particularly described therein a violation or violations of provisions of the City of Peculiar Municipal Code, and is within the territorial jurisdiction of the City, and if such complaint is verified by the oath or affirmation stating evidential facts from which such judge determines the existence of probable cause, then such judge shall issue a search warrant directed to the authorized person to search the structure or premises therein described for the purposes requested. Such search warrant may be executed and returned only within ten (10) days after the date of its issuance. The person authorized to search shall make a return promptly after concluding the search, and such return shall contain an itemization of all violations of this code discovered pursuant to such search. Refusal to honor a search warrant and permit inspection of the premises shall constitute an ordinance violation. Execution of a search warrant under this Section shall not be by forcible entry.
  5. Unless emergency conditions exist or until a notice of violation and a reasonable opportunity to correct the violation is afforded the person, a summons shall not be served upon a resident, property owner, or other responsible person, which alleges a violation of this code based upon conditions discovered incidental to, and solely as a result of, conducting an investigation pursuant to the authority of a search warrant, but which is not the subject of the search warrant.
- G. Stop work orders.
1. Notice. Upon notice from the Building Official that work on any building or structure is being pursued contrary to the provisions of this Chapter, or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to any persons owning, leasing, maintaining or occupying premises where work is being done; and shall state the conditions under which work will be permitted to resume.
  2. Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this code and subject to penalties in Section 500.0070.
- H. Occupancy violations. Whenever any building or structure or building service equipment therein regulated by this Chapter is being used contrary to the provisions of the code, the Building Official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of the code. Failing to discontinue such use when ordered is a violation of this Chapter. Unless authorized by the Building Official, removing a posted notice or sign indicating that a structure is not to be occupied is a violation of this Chapter and subject to penalties in Section 500.0070.
- I. Department records. The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and order issued. Such records shall be retained in the official records for the period required for retention of public records.
- J. Liability. The Building Official or an authorized representative charged with the enforcement of this Chapter, acting in good faith and without malice in the discharge of the duties required by this Chapter or other pertinent law or ordinance, shall not be rendered personally liable for damages that may accrue to persons or property as a result of any such official act or by reason of any act or omission in the discharge of such official duties. Any suit brought against the Building Official or employee because of such act or omission, performed in the enforcement of any provision of this Chapter or other pertinent laws or ordinances implemented through the enforcement of this Chapter or enforced by the Building Official, shall be defended by the City until final termination of such proceedings. Any judgment resulting of such proceeding shall be assumed by the City. This Chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building, structure or building service equipment therein for any damage to persons or property caused by defects, nor shall the Building Official or the City to be held as assuming any

such liability by reason of the inspections authorized by this Chapter or approvals issued under this Chapter.

- K. Cooperation of other officials and officers. The Building Official may request, and shall receive, the assistance and cooperation of other City officials so far as is required in the discharge of the duties required by this Chapter or other pertinent law or ordinance.
- L. Rules and regulations. The Building Official is authorized to make and promulgate reasonable and necessary rules and regulations to provide for the efficient administration of this Chapter, and to implement the substantive and procedural requirements of this Chapter. A copy of rules and regulations shall be filed in the office of the City Clerk.

#### SECTION 500.0045: - UNSAFE STRUCTURES AND EQUIPMENT

- A. General. No person, firm, corporation, partnership, association, organization or governmental agency properly regulated by the City shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, maintain, or own any building, building use, structure, sign, appendage or building service equipment in an unsafe manner.
- B. Conditions. Structures or equipment which are or hereafter become unsafe, unsanitary or deficient because of, but not limited to, inadequate means of egress facilities, inadequate light and ventilation, or inadequate life safety system; or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare due to inadequate maintenance, dilapidation, obsolescence, fire, disaster, damage, failure or abandonment; or which involve illegal or improper use or occupancy; shall be deemed unsafe. Unsafe structures shall be taken down and removed or made safe as the Building Official deems necessary and as provided for in this Section. A vacant structure that is not secured against entry may be deemed unsafe by the Building Official.
- C. Notice. If an unsafe condition is found, the Building Official may serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the Building Official acceptance or rejection of the terms of the order.
- D. Method of service. Such notice shall be deemed properly served if a copy thereof is:
  - 1. Delivered to the owner personally; or
  - 2. Sent by certified mail or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.
- E. Restoration. The structure or equipment determined to be unsafe by the Building Official is permitted to be restored to a safe condition. To the extent that repairs, alterations, moving of building, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, moving or change in occupancy shall comply with the requirement of Section 500.0020 of this Chapter.
- F. Maintenance of signs. All signs shall comply with the requirements of Chapter 400, ARTICLE IX: Signs of the City of Peculiar Municipal Code.
- G. Dangerous buildings or structures. Any building or structure determined by the Building Official as a dangerous building or structure shall comply with the requirements of Section 108, Unsafe Structures and Equipment of the International Property Maintenance Code.

- H. Emergency measures. Where it reasonably appears there is an immediate danger to the health, safety or welfare of any person, the Building Official may take emergency measures to vacate and repair or demolish an unsafe building, building use, structure, sign or appendage.

#### SECTION 500.0050: - SERVICE UTILITIES

- A. Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system which is regulated by this Chapter for which a permit is required, until approved and released by the Building Official.
- B. Temporary connection. The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power, as required by Section 500.0075(A)(2) (a through d) for permits and limitations.
- C. Authority to disconnect service utilities. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.
- D. Connection after order to disconnect. No person shall make connections from a utility, source of energy, fuel or power to any building or system which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

#### SECTION 500.0055: - RIGHT TO AN APPEAL

- A. Procedure for appeal of decisions relating to the building code. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Chapter, an application for appeal to the Board of Adjustment shall be made within ten (10) days from the date of the order, decision, or determination made by the Building Official.
- B. Except in cases designated as emergencies, an appeal to the Board stays all enforcement of the determination from which the appeal is being taken.
- C. All appeal procedures shall comply with Chapter 400, Section 400.2300 of the Municipal Code.

#### SECTION 500.0060: - VIOLATIONS

- A. Unlawful acts. It shall be unlawful for any person, firm, corporation, partnership, association, organization or government agency properly regulated by the City to erect, construct, enlarge, alter, repair, move, improve, remove, grade, excavate or add any fill material, convert or demolish, equip, use, occupy, maintain or own or cause land disturbances activities for any building, land, real estate premises, sign structure or building service equipment or cause or permit the same to be done in violation of this Chapter, or fail to obey any order issued under the authority of the Building Official, or fail to comply with the duties and responsibilities of a licensed or registered contractor or licensed or registered supervisor.

- B. Separate offense. Any person, firm, corporation, partnership, association, organization or governmental agency properly regulated by the City violating any of the provisions of this Chapter shall be deemed guilty of an ordinance violation. Each and every day or portion thereof during which any violation of any of the provisions of this Chapter is committed, continued, or permitted shall be a separate offense.
- C. Responsible individual. The responsible individual(s) of a corporation shall include any officer of a corporation or the person in charge of the local office of such corporation.

**SECTION 500.0065: - REQUIRED LICENSES**

Any person, firm, or organization providing residential and/ or commercial construction industry services, mechanical, plumbing or electrical contract or subcontract work within the City limits of Peculiar, shall obtain an occupational business license in accordance with Chapter 605 of the City Municipal Code.

Exceptions to occupational business license:

1. Permits for work as required by this Chapter may be issued to any person to do any work regulated by this Chapter in a single family dwelling used exclusively for living purposes, including the usual accessory buildings, provided that such person is an owner of record of any such dwelling and accessory buildings, provided that the dwelling and accessory buildings are occupied by the owner, and provided that the owner and his or her immediate relative shall personally purchase all material and perform all labor in connection therewith. Where the work is included in a building permit issued according to this exception, the owner may contract and direct the work of building trades subcontractor(s), which are required to be licensed under Section 605.010.
2. Public utility companies will not be required to obtain licenses for their firms or corporations or for their employees when engaged in the installation, operation, and maintenance of equipment which will be used for the production, generation, transmission, or distribution of the product or service from the source of the product or service through the facilities owned or operated by such utility company to the point of the customer service, including the metering.
3. Provisions of this Chapter requiring employment of certified or licensed mechanics, craftsman, or engineers shall apply to maintenance or operation of equipment and accessories used for operations, production, or processing by public utilities, government agencies, manufacturing or processing plants, or commercial enterprises which maintain regular maintenance and operating staff supervised by a professional engineer registered by the state. However, work under such supervision shall be performed to comply in all respects with all applicable provisions of this Chapter, including provisions for permits and inspections.
4. The property owner or owner of business on the property may install a temporary sign, as defined in Chapter 400, ARTICLE IX: Signs of the City Municipal Code, after obtaining the required permit(s).
5. The owner of record may demolish any one-story building which is less than one hundred twenty-one (121) square feet. Such work must be done by the owner or by members of the owner's immediate family.

**SECTION 500.0070: - PENALTIES**

- A. General penalty. Conviction of any violation of this Chapter, except those listed in subsection (B) of this Section, shall be punished by a fine of not more than five hundred dollars (\$500.00), by imprisonment of not more than ninety (90) days, or by both such fine and imprisonment.
- B. Penalties for offenses against the code enforcement system.

1. Persons convicted of certain repeat violations as set forth in Subsection (B)(2) of this Section at any premises shall be punished as set forth in Subsection (B)(3) of this Section.
  2. Person convicted of violating any of the following provisions of this Chapter shall be punished as set forth in Subsection (B)(3) of this Section:
    - a. Violating an order to stop work issued pursuant to Section 500.0040(G).
    - b. Making any connection after a disconnection pursuant to Section 500.0050.
    - c. Failure to obtain a permit, or working without a permit, when required by this Chapter in addition to the fees of the Comprehensive Fee Schedule in Section 500.100.
    - d. Failure to obtain an inspection when required by this Chapter.
    - e. Failure to obtain a certificate of occupancy when required by this Chapter in addition to penalties in Section 500.0085(G).
    - f. Failure to comply with all responsibilities of a licensed contractor, as set forth in Chapter 605.
    - g. Failure to comply with all responsibilities of a holder of a certificate of qualification, as set forth in Chapter 605.
    - h. Providing false information to the Building Official when submitting an application for an occupational license, certificate of qualification, or permit.
    - i. Permitting occupancy of any structure for which a temporary certificate of occupancy has been issued and such temporary certificate of occupancy has expired in addition to penalties in Section 500.0085(G).
  3. Conviction of any violation enumerated in Subsection (B)(2) of this Section shall be punished by a fine as set forth in the following minimum punishment schedule, but not more than five hundred dollars (\$500.00), or by imprisonment of not more than ninety (90) days, or by both such fine and imprisonment:
    - a. First conviction: a fine of not more than five hundred dollars (\$500.00); imprisonment for not more than ninety (90) days may be adjudged.
    - b. Second conviction: a fine of not less than two hundred and fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00); imprisonment for not more than ninety (90) days may be adjudged.
    - c. Third conviction: a fine of five hundred dollars (\$500.00); imprisonment for not more than ninety (90) days may be adjudged.
    - d. Fourth and subsequent convictions: a fine of five hundred dollars (\$500.00) and/or imprisonment for not less than ten (10) days and not more than ninety (90) days.
  4. For purposes of this Section, only convictions within the prior three (3) years before the date of the offense alleged shall be considered. Conviction(s) within the prior three (3) years shall be subject to an occupational license suspension or revocation as prescribed in Chapter 605 of the City Code.
- C. Other remedies. The imposition of penalties prescribed in this Section shall not preclude the City attorney from instituting appropriate action, including equitable and extraordinary remedies, to prevent any unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to restrain, correct or abate a violation, or to prevent the occupancy of a building or structure or portion thereof, or of the premises, or to prevent an illegal act, conduct of business or use in or about the premises.

SECTION 500.0075: - INSPECTIONS

- A. Authority of Building Official; duties of permittee.
1. All construction or work for which a permit is required under this Chapter shall be subject to inspection by the Building Official, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official.
  2. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Chapter or of any other ordinances. Inspection presuming to give authority to violate or cancel the provisions of this Chapter or any other ordinances shall not be valid.
  3. It shall be the duty of the permit holder to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
  4. A survey of the lot may be required by the Building Official to verify that the structure is located in accordance with approved plans.
  5. It shall be the duty of the permit applicant to install and maintain effective erosion and sediment control as specified in Section 3307 of the International Building Code and Chapter 425 of the City Municipal Code. Should it be found that required erosion and sedimentation control measures have not been installed; the Building Official may refuse any inspection requests for work requiring inspections until such time as the site complies with the requirements of this Chapter. Should it be found that the installed erosion and sediment control measures are ineffective or are not being maintained properly, the Building Official shall give notice to the permit holder. Subsequent inspections may be refused if the erosion and sediment control measures are ineffective, or not being maintained.
  6. Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.
- B. Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one (1) working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Building Official.
- C. Approval of successive portions of work, final inspection.
1. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate that the portion of the construction or demolition is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the construction or demolition fails to comply with this Chapter. Any portions of work which do not comply shall not be covered or concealed until authorized by the Building Official.
  2. There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.
- D. Required inspections.
1. Reinforcing steel or structural framework of any part of a building or structure shall not be covered or concealed without first obtaining the approval of the Building Official.
  2. The Building Official, upon notification from the permit holder or permit holder's agent, shall make the following inspections and shall either approve that portion of the construction or demolition work as completed or shall notify the permit holder or permit holder's agent wherein the construction or demolition work fails to comply with this Chapter:
    - a. Footing or foundation inspection. A footing and foundation inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job; except, where concrete is ready-mixed in accordance with ASTM C94, the concrete need not be on the job. Where the foundation is

to be constructed of approved treated wood, additional inspections may be required by the Building Official.

- b. Concrete slab or under-floor inspection. Concrete slab and under-floor inspection shall be made after all in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or floor sheathing installed, including the subfloor.
  - c. Pre-backfill. A pre-backfill inspection shall be made after the foundation drainage and damp-proofing systems are complete and prior to backfilling.
  - d. Rough-in inspection. A rough-in inspection shall be made after such work as framing, fireblocking, roof, piping, vents, ductwork, chimneys, wiring, building service equipment, etc., are in place and prior to concealment.
  - e. Fire resistive rated assembly. A fire resistive rated assembly inspection shall be made at such time so as to verify that the construction of each fire resistive rated assembly is in accordance with its listing.
  - f. Fire resistant penetrations. An inspection shall be made of the firestopping or fireblocking of all penetrations, joints, etc. prior to concealment.
  - g. Masonry throat inspection. For masonry fireplaces only, a masonry throat inspection shall be made after the firebox is built and the first flue liner is in place. Construction of chimney may not continue until this inspection is approved.
  - h. Utility connection inspection. Gas or electric service inspections shall be made prior to connection to the utility source. See Section 500.0050 of this Article.
  - i. Performance tests. Performance tests shall be conducted by the permit holder as required by this Chapter, or as otherwise required by the Building Official.
  - j. Demolition (basement and sewer) inspection. A basement and sewer inspection shall be made prior to the filling of the excavation and/or final grading of the property.
  - k. Final inspection. A final inspection shall be made after all work under permit has been completed for the building, tenant space or demolition.
- E. Other inspections. In addition to the inspections specified in Subsection (D) of this Section, the Building Official may make or require other inspections of any construction or demolition work to ascertain compliance with the provisions of this Chapter or any other ordinances.
- F. Building service equipment inspection. The requirements of this Section shall not be considered to prohibit the operation of any building service equipment installed to replace existing building service equipment serving an occupied portion of the building if a request for inspection of such building service equipment has been filed with the Building Official not more than forty-eight (48) hours after such replacement work is completed, and before any portion of such building service equipment is concealed by any permanent portion of the building.
- G. Periodic inspections.
- 1. Elevators. All elevator equipment, vertical and inclined, shall be inspected as required by state law, by persons authorized to make periodic inspections and tests.
  - 2. Existing commercial buildings or spaces.
    - a. Generally. All new and existing commercial buildings or spaces shall be inspected for structural adequacy, occupancy use, building service equipment, etc, at least once every five (5) years. A report of the findings of such inspection shall verify the conditions found on each occasion. The report shall state that, in the opinion of the Building Official or an authorized agent, the commercial building or space is safe and in such condition that it is in code compliance for which it was originally designed with any repairs or modifications, or what areas require repair before such certification can be given.

- b. Issuance of certificate of inspection. Where the inspection indicates that the commercial building or space is in a safe operating condition, and, in the case of a new installation, conforms to this Chapter and this Article, a certificate of inspection shall be issued to the owner or the owner's agent. Such certificate shall be maintained in an appropriate location.
- c. Revocation of certificate of inspection. Any certificate issued may be revoked if it is determined that the commercial building or space is not in compliance with this Chapter, and/ or the owner or owner's agent has taken no action to correct or abate any violation(s) when notified by the Building Official.

#### SECTION 500.0080: - SPECIAL INSPECTIONS

When required by the Building Official, and in addition to the inspections required by Section 500.0075, the owner or the engineer or architect of record acting as the owner's agent shall employ one or more special inspectors, who shall provide inspections during construction on the types of work listed in Chapter 17 of the International Building Code. All special inspection activities shall be in accordance with the policies established by the Building Official.

#### SECTION 500.0085: - CERTIFICATE OF OCCUPANCY

- A. Required. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building, structure or portion thereof shall be made, until the Building Official has issued a certificate of occupancy therefor as provided in this Section. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Chapter or of any other ordinances. Certificates presuming to give authority to violate or cancel the provisions of this Chapter or any other ordinances shall not be valid.
- B. Change in use. Changes in the character or use of a building shall not be made except as specified in the City of Peculiar Municipal Code, Zoning Regulations.
- C. Issuance; contents. It shall be the responsibility of the permit holder to request a final inspection and to apply for a certificate of occupancy when required. The permit holder shall be excused from this responsibility only if the owner of property has applied for and secured a certificate of occupancy. After the Building Official or an authorized representative inspects the building or structure and finds no violations of the provisions of this Chapter or other laws which are enforced by the City, the Building Official shall issue a certificate of occupancy, which shall contain the following:
  - 1. The building permit number.
  - 2. The address of the structure.
  - 3. A description of that portion of the structure for which the certificate is issued.
  - 4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this Chapter for the occupancy and the use for which the proposed occupancy is classified.
  - 5. The name of the Building Official.
  - 6. The edition of the code under which the permit was issued.
  - 7. The use and occupancy, in accordance with the provisions of Chapter 3 of the International Building Code.
  - 8. The type of construction as defined in Chapter 6 of the International Building Code.
  - 9. Any special stipulations and conditions of the building permit.

10. Whether an automatic sprinkler system is provided throughout the building.
- D. Temporary certificate of occupancy in commercial construction. If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the building is completed, a temporary certificate of occupancy may be issued for the use of a portion of a building or structure prior to the completion of the entire building or structure.
- E. Temporary certificate of occupancy in residential construction. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided the following conditions have been met:
  1. Such portion or portions of work cover by the permit shall be occupied safely.
  2. The owner, licensed building or general contractor pay a one thousand dollar (\$1,000.00) bond that shall be refundable upon issuance of a permanent certificate of occupancy.
  3. The Building Official determines in his/her professional opinion the work items to be completed are of such a nature as to not create a situation that is of any danger to the public health, safety, or welfare.

The Building Official shall identify what work items must be completed in order for a permanent certificate of occupancy to be issued. All identified work items shall be completed within the time period established by the Building Official.

The Building Official shall set a time period of no more than one hundred twenty (120) days during which the temporary certificate of occupancy is valid. If all of the identified work items are not completed within the specified time period as established by the Building Official, the temporary certificate of occupancy becomes null and void; the owner, licensed builder or general contractor shall forfeit the one thousand dollar (\$1,000.00) bond and shall be subject to the violations and penalties in Subsection F. and G. below.

- F. Violations. It shall be unlawful for:
  1. A permit holder or building owner to permit occupancy of a structure before a certificate of occupancy is issued.
  2. A permit holder or building owner to permit occupancy of any structure for which a temporary certificate of occupancy has been issued and the temporary certificate has expired.
  3. Any person to occupy any structure for which a certificate of occupancy has not been issued.
  4. Any person to occupy any structure for which a temporary certificate of occupancy has been issued and the temporary certificate has expired.
- G. Penalties.
  1. No building or owner shall allow any person or persons to occupy any newly constructed, remodeled dwelling or building prior to final inspection (certificate of occupancy) by the Building Official or authorized agent in the Building Department, which inspection shall be requested at least twenty-four (24) hours prior to time of final inspection. Any violation of this Subsection shall incur a fine of one thousand dollars (\$1,000.00) against the offending party's next permit to build.
  2. Should the same builder or owner be found guilty a second (2<sup>nd</sup>) time of the offense described above within a twelve (12) month period, a fine of two thousand dollars (\$2,000.00) against the offending party may be assessed to the builder's or owner's next permit to build.
  3. Should the same builder or owner be found guilty a third (3<sup>rd</sup>) time of the offense described above within a twelve (12) month period, a fine of three thousand dollars (\$3,000.00) against the offending party may be assessed to the builder's or owner's next permit to build. Additionally, said builder or owner may be prohibited from obtaining a building permit within the City of Peculiar for a period of one (1) year from the date of the third (3<sup>rd</sup>) violation at the

discretion of the Building Official. Said builder or owner may appeal the Building Official's decision to Board of Adjustment.

- 4. No further building permit(s) shall be issued in Peculiar to a builder or owner who violates this Section of City Code by not obtaining the required certificate of occupancy. When said structure(s) which is/ are in violation is issued a certificate of occupancy, then said builder or owner is again eligible for further building permits. A re-inspection fee shall be charged, minimum two (2) hour fee, to the builder or owner of a structure which violates this Section of code and desires an inspection after said structure is inhabited.
  - 5. In addition to the fines imposed by the City as outlined above, any person violating any provision of this Section shall be subject to the penalties of Section 500.0070.
- H. Suspension or revocation. The Building Official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this Chapter whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any provisions of this Chapter, or other pertinent laws or ordinances within this code. The holder of a suspended certificate of occupancy may request a hearing before the Board of Adjustment, as established in Section 400.2300 of the City Municipal Code, to consider the suspension or revocation of a certificate of occupancy.

SECTIONS 500.0090 – 500.0095 RESERVED

**SECTION XIV:** The effective date of this ordinance shall be \_\_\_\_\_, 2015.

**First Reading:** \_\_\_\_\_ **Second Reading:** \_\_\_\_\_

**BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS \_\_\_ DAY OF \_\_\_\_\_, 2015, BY THE FOLLOWING VOTE:**

**Alderman Ford** \_\_\_\_\_  
**Alderman Hammack** \_\_\_\_\_  
**Alderman McCrea** \_\_\_\_\_

**Alderman Ray** \_\_\_\_\_  
**Alderman Roberts** \_\_\_\_\_  
**Alderman Turner** \_\_\_\_\_

**Approved:**

**Attest:**

\_\_\_\_\_  
**Holly Stark, Mayor**

\_\_\_\_\_  
**Janet Burlingame, City Clerk**