

Table of Contents

Agenda	3
Council Minutes dated May 13, 2013	
Council Minutes date May 13, 2013.	7
For Information Only	
Bills Listing	20
Bill No. 5420 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A 1,500 Square-Foot Pizza Takeout And Delivery Only, Limited-Service Restaurant Located At 11032 Olive Boulevard Within The Graeser Square Shopping Center. Final Reading and Passage	
Bill No 5420.	46
Staff Report.	49
Applicant's Materials.	55
P&Z Chair Letter	59
Excerpts from May 6, 2013 P&Z Meeting Minutes	60
Public Hearing Tanscripts.	62
Bill No. 5421 - An Ordinance Correcting Certain Shopping Center Parking Regulations In Chapter 405.820, Article VII Off- Street Parking And Loading Regulations, Of The Zoning Ordinance Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri. Final Reading and Passage	
Bill No. 5421	72
Staff Memo	74
Ordinance No. 5297.	76
Ordinance No. 5300.	78
Bill No. 5422 - An Ordinance To Amend And Adopt The 2009 International Building Code As The City's New Building Code For Commercial Structures. Final Reading and Passage	
Amended Bill No 5422	104
5-1-13 Memo to the CA (2009 IBC).	129
EXHIBIT A - Building Code Board of Appeals Approval	132
EXHIBIT B - Caryl Kinsey Fox's Recommendation	133
EXHIBIT C - Chamber of Commerce's Comments and Building Division's Responses	135
EXHIBIT D - Significant Changes to the 2009 IBC	139
Bill No. 5423 - An Ordinance To Adopt The 2009 International Energy Conservation Code As The City's New Energy Conservation Code. Final Reading and Passage	
Amended Bill No 5423	141
EXHIBIT A - Building Code Board of Appeals Approval.	145
EXHIBIT B - Caryl Kinsey Fox's Recommendation	146
EXHIBIT C - Climate Action Task Force's Recommendation	148
EXHIBIT D - Significant Changes to the 2009 IECC	149
EXHIBIT E - True Cost of the 2009 IECC.	150
5-8-13 Memo to the CA (2009 IECC)	152

Bill No. 5424 - An Ordinance To Amend And Adopt The 2009
International Residential Code For One- And Two-Family
Dwellings As The City's New Residential Building Code. Final
Reading and Passage

Amended Bill No 5424	155
5-8-13 Memo to the CA (2009 IRC).	187
EXHIBIT A - Building Code Board of Appeals Approval.	192
EXHIBIT B - Caryl Kinsey Fox's Recommendation	193
EXHIBIT C - HBA's Comments and City's Responses	195
EXHIBIT D - Richard Kutta's Comments and City's Responses	258
EXHIBIT E - UL Test Summary of Fire Performance of Engineered Lightweight Lumber	263
EXHIBIT F - NFPA Journal Cover Story	265
EXHIBIT G - 2010 ICC Code Change Hearings.	267
EXHIBIT H - APA Technical Topics.	268
EXHIBIT I - Creve Coeur Fire Protection District's Approval Letter	269
EXHIBIT J - Monarch Fire Protection District's Letter.	271
EXHIBIT K - Significant Changes to the 2009 IECC	272
EXHIBIT L - True Cost of the 2009 IECC	273
EXHIBIT M - HBA's Letter Regarding Staff's Disapproval of Their Comments.	275

Bill No. 5425 - An Ordinance Amending Sections 240.020 Of
The Creve Coeur Code Of Ordinances Pertaining To Ice Rental
Fees. First Reading

Bill No. 5425	276
Staff Recommendation	277

Resolution No. 1058 - A Resolution Of The City Council Of The
City Of Creve Coeur, Missouri Authorizing The Execution Of A
Contract With George Butler Associates, Inc., For Professional
Engineering Design Services Related To The Reconstruction Of
Chasselle Lane For The Amount Of \$35,500.00.

Resolution No. 1058	279
Chasselle Design - Exhibit A (Agreement)	280
Chasselle Design - Recommendation.	290



**AGENDA
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Tuesday, May 28, 2013
7:30 PM**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)

ACCEPTANCE OF AGENDA

ANNOUNCEMENTS

The City Council meets the 2nd and 4th Monday of each month

6:00 p.m. – 7:00 p.m. – Work Session

7:00 p.m. – Regular Meeting of the City Council

FUTURE PUBLIC HEARINGS

Monday, June 10, 2013 - 7:00 p.m. Public Hearing for the FYE 2014 Budget

1. CONSENT AGENDA

- a. Council Minutes dated May 13, 2013**

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated May 21, 2013 in the amount of \$483,373.81 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

- 2. Bill No. 5420 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A 1,500 Square-Foot Pizza Takeout And Delivery Only, Limited-Service Restaurant Located At 11032 Olive Boulevard Within The Graeser Square Shopping Center. Final Reading and Passage**

Summary: An application was submitted by Michael Serra, of the Crevco Pizza LLC dba Jet's Pizza, for a conditional use permit for a 1,500 square-foot takeout and delivery only, pizza restaurant, at 11032 Olive Boulevard, located at the southwest corner of Olive Boulevard and Graeser Road.



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Tuesday, May 28, 2013
7:30 PM

Section 405.210 Table A, all limited-service restaurants in the “GC”, General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits. Planning and Zoning Commission recommended approval on May 6, 2013.

3. Bill No. 5421 - An Ordinance Correcting Certain Shopping Center Parking Regulations In Chapter 405.820, Article VII Off-Street Parking And Loading Regulations, Of The Zoning Ordinance Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri. Final Reading and Passage

Summary: Ordinance No. 5297 approved on February 11, 2013 amended Section 405.820(B)(1) of the General Parking Requirements for Shopping Centers to allow for a fifteen percent (15%) in the required number of parking spaces; and, Ordinance No. 5300 approved on April 22, 2013 amended various sections of the Zoning Code of the City of Creve Coeur to convert the naming and definitions of permitted and conditional uses from the 1987 Standard Industrial Classification (SIC) system to the 2012 North American Industrial Classification System (NAICS), and included updated references from the SIC System to the NAICS within Section 405.820 (B)(1) General Parking Requirements for Shopping Centers and the prior approved change allowing for the 15% reduction in parking requirements was inadvertently omitted due to the normal delay in the incorporation of changes into the published code.

4. Bill No. 5422 - An Ordinance To Amend And Adopt The 2009 International Building Code As The City's New Building Code For Commercial Structures. Final Reading and Passage

Summary: This proposed building code regulates building construction for and within structures such as office buildings, churches, temples, theaters, restaurants, schools, hospitals, shopping centers and warehouses. The city's present commercial building code is the 2003 edition of the International Building Code. St. Louis County and many municipalities within St. Louis County have already adopted this building code as their commercial building code. The building division is recommending that the City of Creve Coeur do the same. An amendment is proposed providing for an effective date of July 1, 2013 to provide time to notify contractors of the new code.



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Tuesday, May 28, 2013
7:30 PM

5. Bill No. 5423 - An Ordinance To Adopt The 2009 International Energy Conservation Code As The City's New Energy Conservation Code.

Final Reading and Passage

Summary: This code regulates the design and construction of residential and commercial buildings for the effective use of energy. Many municipalities within St. Louis County have adopted this energy conservation code as their new energy conservation code. The building division is recommending the City of Creve Coeur do the same. An amendment is proposed providing for an effective date of July 1, 2013 to provide time to notify contractors of the new code.

6. Bill No. 5424 - An Ordinance To Amend And Adopt The 2009 International Residential Code For One- And Two-Family Dwellings As The City's New Residential Building Code. Final Reading and Passage

Summary: This proposed building code regulates the construction, alteration, movement, enlargement, replacement, repair, location and demolition of detached one- and two-family dwellings and townhomes not more than 3 stories in height with a separate means of egress. Residential dwelling units more than 3 stories in height or that share a means of egress are regulated by the 2009 IBC. The city's present residential building code is the 2003 edition of the International Residential Code. St. Louis County and many municipalities within St. Louis County have already adopted this building code as their residential building code. The building division is recommending that the City of Creve Coeur do the same. An amendment is proposed providing for an effective date of July 1, 2013 to provide time to notify contractors of the new code.

NEW BUSINESS

7. Bill No. 5425 - An Ordinance Amending Sections 240.020 Of The Creve Coeur Code Of Ordinances Pertaining To Ice Rental Fees. First Reading

Summary: This ordinance will amend section 240.020 to allow for an increase in hourly ice rental fees effective September 1, 2013.

8. Resolution No. 1058 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A Contract With George Butler Associates, Inc., For Professional Engineering



CITY OF CREVE COEUR – AGENDA
CITY COUNCIL MEETING
Tuesday, May 28, 2013
7:30 PM

**Design Services Related To The Reconstruction Of Chasselle Lane
For The Amount Of \$35,500.00.**

Summary: City staff recommends retaining the services of George Butler Associates, Inc. (GBA) for the design necessary for the reconstruction of Chasselle Lane.

BUSINESS FROM THE MAYOR and CITY COUNCIL

9. Trash and Recycling Public Forum

Summary: Mayor Glantz will comment on the recent Trash and Recycling Forums.

BUSINESS FROM CITY ADMINISTRATOR

Pursuant to Section 610.022 RSMo., the City Council could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. And/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Posted: _____ posted 5/23/2013
Deborah Ryan, MRCC
City Clerk



**MINUTES
CITY OF CREVE COEUR
CITY COUNCIL MEETING
300 N NEW BALLAS ROAD
Monday, May 13, 2013
7:30 PM**

CALL MEETING TO ORDER

A regular meeting of the City Council of the City of Creve Coeur was called to order by Mayor Glantz at the Creve Coeur Government Center, 300 N New Ballas Road on Monday, May 13, 2013.

PLEDGE OF ALLEGIANCE

Mayor Glantz led the Pledge of Allegiance.

INVOCATION

Mayor Glantz gave the invocation.

ROLL CALL

Mayor Glantz	Mayor
Mrs. Kramer	Council Member Ward I
Mr. Kreuter	Council Member Ward I
Mrs. Lawrence	Council Member Ward II
Mr. Wang	Council Member Ward II
Mrs. D'Alfonso	Council Member Ward III
Mr. Hoffman	Council Member Ward III
Mr. Saunders	Council Member Ward IV
Mrs. Rhoades	Council Member Ward IV

COMMENTS FROM THE GENERAL PUBLIC

(Citizens are asked to limit comments to three minutes and to complete a speaker card)

Robert Kent resident of 13084 Fern Trails Lane thanked the Creve Coeur Police Department for their community service during this Police recognition week.

Steve Noles resident of 11361 Olive Blvd stated as a business owner in the city he is opposed to allowing food trucks in the city. Brick and mortar restaurants located in the city have a lot invested in the area and have followed all the rules and regulations, get annual health inspections, pay taxes, hold a local business license, etc and food trucks come into town and leave. It is unlikely that a food truck will return to the same place and they don't have to pay any taxes to the city or hold a license. It is not fair to those that have invested in the area.

Judy Pass resident of 11527 Sandhurst Drive congratulated Mark Perkins on being named City Administrator of the Year as it is a great honor and she feels very fortunate to have him working for the community. Ms. Pass stated she continues to support the idea of having a Creve Coeur Community Foundation.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

Council Member Rhoades stated a couple of meetings ago the invocation was offered by a local Rabbi for Holocaust Remembrance Day and he spent a significant amount of time reminding us all about injustice and the price of turning a blind eye and staying silent. Council Member Rhoades stated she read a recent editorial about some local Creve Coeur issues that touched on the same thing and really feels she can't stay silent any longer. Council Member Rhoades submitted for the record the editorials she read on crevecoeurvoter.com about politics and emotional capital in our community. (Exhibit A) Council Member Rhoades stated she for one would like to speak up on behalf of Mr. David Caldwell whom was nominated Citizen of the Year and in her opinion deserves to hold the title of Citizen of the Year for several years in the past. Mr. Caldwell threw his hat in the ring to run as a candidate in Ward 1 when no one stood up and offered to run, until the last minute. Council Member Rhoades stated she wasn't involved in the race, other than offering an endorsement when he requested one. Unfortunately, there was another circumstance of last minute politics and a really horrendous flyer was issued that was a terrible attack on Mr. Caldwell. It was appalling and completely undeserved. Council Member Rhoades stated if she was his opponent and whether she had something to do with it or not, she would certainly make it clear that she did not play a role, that she did not support those types of antics, whether they benefited her or not and certainly wouldn't be echoing those words at the polls on election day. Nonetheless, the piece is a gross distortion of portraying Mr. Caldwell as a bully and if there is anyone who is anything but a bully, it would be Mr. Caldwell who has sat in these Council Chambers, meeting after meeting for years offering his profound expertise and experience as former CFO of Monsanto Corporation. Council Member Rhoades stated city staff would be the first to acknowledge that his input on so many topics of city affairs have been completely priceless. Whether it is pension, all types of financial planning or a Planning and Zoning matter or any topic you name. In fact, it was Mr. Caldwell who suggested initiating a Community Fund that Mrs. Pass alluded to. Mr. Caldwell is the type of bully who offered to seed the fund with his own money, offered to use whatever he would have earned from the Council only to seed that fund further and not put a nickel from the city in his pocket. Mr. Caldwell is the type of bully who spent a lot of time and money generating a website for the sole purpose of educating residents of Creve Coeur on matters of their city government. He has helped countless people walk their issues through Planning and Zoning as a citizen volunteer. He is the kind of bully who in his letters to his readers, he urges them to feed the wildlife and leave out water for the birds when it is freezing outside. So for someone to distribute this kind of appalling hate mail is a very sad day in our city. Council Member Rhoades stated she is here to stand up, on behalf of Mr. Caldwell.

Council Member Kramer stated for the record, her grandmother was liberated from Auschwitz. Council Member Kramer stated her Rabbi gave the invocation on that night regarding Holocaust Remembrance Day and she is surprised that this was used in a manner in which you just saw. Council Member Kramer stated she is saddened that a colleague of hers, who serves at the will of the people, chose to make a statement that infers some sort of behavior on her part, because she is the person that won the seat for Ward I, thankfully after meeting many people and



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

knocking on their doors and spending hours getting to know the community. On March 26, 2013 a blog, a chain, occurred on Patch.com that had nothing to do with her and she urged everyone to review because it concerns this particular issue that was mentioned by her colleague. Council Member Kramer stated again, she had nothing to do with that. Unfortunately, when this letter was sent by a neighbor whom had concerns and is a right of somebody to send something out if they want, having nothing to do with her, Patch.com did not report the incident of March 26, 2013. There is a big time lapse. We are here to do the work of the city and she will return to that and apologized for all those present that this venue was taken to make this statement and that nothing was said to her personally by her colleague before this occurred. We are here to be community and not divisive, to work together. Council Member Kramer apologized for the rebuttal, but in the memory of her grandmother, whom suffered atrocities beyond compare, she could not be silent.

ACCEPTANCE OF AGENDA

Council Member Hoffman moved, seconded by Council Member Saunders to accept the agenda as presented, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter - Aye
Council Member Wang – Aye
Council Member D’Alfonso – Aye
Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

ANNOUNCEMENTS

The City Council meets the 2nd and 4th Monday of each month

6:00 p.m. – 7:00 p.m. – Work Session

7:00 p.m. – Regular Meeting of the City Council

However, the regularly scheduled meeting for Monday, May 27 will be moved to Tuesday, May 28 due to the holiday and will begin at 7:30 p.m. due to an extended budget work session.

FUTURE PUBLIC HEARINGS

Monday, June 10, 2013 - 7:00 p.m. Public Hearing for the FYE 2014 Budget



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

1. CONSENT AGENDA

Council Member Saunders moved, seconded by Council Member Hoffman to approve the consent agenda.

- a. Minutes dated April 22, 2013**
- b. Annual Records Disposal**
- c. Acceptance of sponsorship from Monsanto for The Love of Creve Coeur Community Workshop in the amount of \$4,000 and hosting a pre-workshop dinner.**
- d. Acceptance of \$2,500 Donation for the Creve Coeur Arts Commission Silver Screen Series Film Festival from Bob Leonard, Director of Operations of The Gatesworth at One McKnight Place, on behalf of The Gatesworth Senior Living and Parc Provence.**

Carl Lumley stated Item b, there needs to be an amendment on the City Administrator's office list, as he was able today to review another set of boxes on litigation files, so that can be extended from 1998 – 2005.

Council Member Hoffman moved, seconded by Council Member Saunders to amend Item b to add the items as previously mentioned, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter - Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

Council Member Saunders stated there is a correction to the Silver Screen Film Festival it states August of 2013 and it should be September 2013.

Council Member D'Alfonso asked where will the Silver Screen Film Festival will be held and how much are the tickets?

Judy Pass members of the Arts Commission stated the event will be held at the AMC Theater in Creve Coeur as they have donated screen time and the event is free to everyone.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

Mayor Glantz called to question the approval of the consent agenda as amended, with the vote upon such motion being as follows, to-wit:

Council Member Saunders - Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye
Council Member Rhoades – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

BILLS PAYABLE REPORT

For Information Only

Summary: A report of bills payable dated May 7, 2013 in the amount of \$347,895.86 has been provided for Council review. No vote is required.

UNFINISHED BUSINESS

2. Bill No. 5419 - An Ordinance Amending The Municipal Code Chapter 125 Boards, Commissions And Committees, Section 125.010.A (11) Regarding The Number Of Members Of The Economic Development Commission. Final Reading and Passage

City Clerk read Bill No. 5419 for the final time.

Council Member Wang moved, seconded by Council Member Saunders to approve Bill No. 5419, with the vote upon such motion being as follows, to-wit:

Council Member Rhoades - Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried. Bill No. 5419 becomes Ordinance No. 5302.

NEW BUSINESS



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

3. Bill No. 5420 - An Ordinance Authorizing The Issuance Of A New Conditional Use Permit For A 1,500 Square-Foot Pizza Takeout And Delivery Only, Limited-Service Restaurant Located At 11032 Olive Boulevard Within The Graeser Square Shopping Center. First Reading

City Clerk read Bill No. 5420 for the first time.

Tony Giarratano developer for Jet's Pizza gave a presentation regarding this application. Mr. Crawley also answered questions.

Paul Langdon, Community Development Director gave a presentation regarding this application.

Council Member Rhoades asked about Jet's pizza's specialties.

Michael Serra of Jet's Pizza stated deep dish pizza, salads, deli/pizza boats.

4. Bill No. 5421 - An Ordinance Correcting Certain Shopping Center Parking Regulations In Chapter 405.820, Article VII Off-Street Parking And Loading Regulations, Of The Zoning Ordinance Of The Code Of Ordinances Of The City Of Creve Coeur, Missouri. First Reading

City Clerk read Bill No. 5421 for the first time.

Paul Langdon stated basically what this ordinance does is clarify the difference between two previously approved ordinances. On one ordinance staff changed the parking standards for shopping centers and another staff changed the use listings in the zoning code. Because the second ordinance grew from the codified copy of the municipal code which had not been updated to reflect the first ordinance, it made it appear when the second ordinance was approved staff was negating the first ordinance. This ordinance clarifies that both ordinances are still intended and there was never an intention to negate the first one.

5. Bill No. 5422 - An Ordinance To Amend And Adopt The 2009 International Building Code As The City's New Building Code For Commercial Structures. First Reading

City Clerk read Bill No. 5422 for the first time.

Steve Unser, Chief Building Official gave a presentation regarding this application.

Council Member Lawrence asked if there is a 2012 code then why not update it the most current version.

Steve Unser stated in the interest of being consistent, most municipalities are using 2009 codes. Next edition will most likely be 2015 as we usually skip a cycle.



6. Bill No. 5423 - An Ordinance To Adopt The 2009 International Energy Conservation Code As The City's New Energy Conservation Code. First Reading

City Clerk read Bill No. 5423 for the first time.

Steven Unser made a presentation regarding this application.

The following residents spoke in support of this application:

- Elizabeth Zelman – 1065 N Spoede
- Molly Adler – 12358 Oak Hollow Dr.
- Sue Baseley – 740 Ambois Dr.
- Fran Cantor – 11700 Tarrytown (Exhibit B)

Mayor Glantz stated he is currently a member of the AIA and the HBA.

Emily Winelard of the HBA, 10104 Old Olive Street Road stated the HBA has reviewed the proposed code and has some question/concerns and would like to present some alternatives. The HBA is requesting that the Council table this Bill until the staff has had an opportunity to sit down with the HBA and work through some amendments on the proposed code.

Council Member Rhoades asked for clarification of Exhibit D and that we are changing the code to reflect the middle column and not modify like St. Louis County did.

Steve Unser stated correct. He indicated that staff has worked with the HBA and provided responses to their comments.

Council Member D'Alfonso thanked the Climate Action Task Force for being present this evening and coming to present their views to Council.

7. Bill No. 5424 - An Ordinance To Amend And Adopt The 2009 International Residential Code For One- And Two-Family Dwellings As The City's New Residential Building Code. First Reading

City Clerk read Bill No. 5424 for the first time.

Steven Unser made a presentation regarding this application.

Council Member Rhoades asked in new construction, this code will require drywall in the basement ceiling.

Steve Unser stated yes if they have the new light weight manufactured joist system.

Council Member Lawrence thanked Mr. Unser for bringing this forward and adding the flooring requirements to the code.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

Council Member Saunders stated for clarification, if a resident were to finish a basement in an existing home, the proposed code applies?

Steve Unser stated no, but would apply to a new room edition.

Emily Winelard of the HBA, 10104 Old Olive Street Road stated the HBA has reviewed the proposed code and has some question/concerns and would like to present some alternatives. The HBA is again, requesting that the Council table this Bill until the staff has had an opportunity to sit down with the HBA and work through some amendments on the proposed code.

Richard Cutta resident of 24 Colonial Hills Parkway wanted Council to ask themselves what this proposed change will cost the current residents that want to stay in their homes, because they may not be able to afford to stay because of the cost associated with requirements to modify the home.

Mr. Unser explained staff's position in further support of the bill.

**8. Resolution No. 1055 - A Resolution Of The City Of Creve Coeur
Authorizing Participation In The St. Louis Area Insurance Trust
(SLAIT) Health Insurance Program For the Plan Year Beginning July
1, 2013 And Ending June 30, 2014.**

City Clerk read Resolution No. 1055.

Council Member Wang moved, seconded by Council Member Rhoades to approve Resolution No. 1055.

Mark Perkins stated the City has been a member of SLAIT for about 25 years which is a pool of cities governed by SLAIT. Claims are up about across the pool but the Board has built up a reserve to keep the rates reasonable.

Lynn Berry resident of 626 Graeser Road stated the general increase in the industry is 11 to 13 percent for the upcoming year. The proposed six percent for the next year is a good rate.

Robert Kent resident of 13084 Fern Trails Lane stated this is one of the six, million dollar contracts that the city pays each year and asked how the SLAIT total cost compares against other commercial health insurance contractors since the city is not going out for bid.

Mark Perkins stated SLAIT doesn't go out for bid because carriers won't bid multiyear contracts. Usually the first year is great but after that, rates go up substantially. He explained that there is an experience modification, so that cities with higher claims pay more and cities with lower claims pay less. Creve Coeur is in the middle in this regard. He stated SLAIT and the City are also looking at fees that may be imposed under the Affordable Care Act. He mentioned the wellness program, which is meant to reduce claims.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

Mayor Glantz called to question the approval of Resolution No. 1055, with the vote upon such motion being as follows, to-wit:

Council Member Saunders - Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye
Council Member Kreuter – Aye
Council Member Wang – Aye
Council Member D’Alfonso – Aye
Council Member Rhoades – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

9. Resolution No. 1056 - A Resolution Of The City Council Of The City Of Creve Coeur, Missouri Authorizing The Execution Of A “School Resource Officer Program Agreement” With The Parkway School District

City Clerk read Resolution No. 1056.

Council Member Rhoades moved, seconded by Council Member Kreuter to approve Resolution No. 1056.

Mark Perkins stated the city and Parkway School District have had a successful partnership for many years. Parkway pays for 75% of the officer over the year and the city covers the remaining 25%. Chief Eidman and Council Member D’Alfonso echoed these comments.

Mayor Glantz called to question the approval of Resolution No. 1056, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter - Aye
Council Member Wang – Aye
Council Member D’Alfonso – Aye
Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

10. Resolution No. 1057 - A Resolution Authorizing The City Administrator Of The City Of Creve Coeur To Enter Into An



**Agreement With Winning Technologies For The Purchase Of
Information Technology Services.**

City Clerk read Resolution No. 1057.

Council Member Wang moved, seconded by Council Member Rhoades to approve Resolution No. 1057.

Carl Lumley stated the original version of the contract did not allow the City to pay by check. We have received a revised agreement that allows that flexibility. Need a motion to substitute that version of that contract.

Mr. Smith explained the proposal.

Council Member Rhoades moved, seconded by Council Member Saunders to amend Resolution No. 1057 to substitute the most recent version of the Winning Tech contract, with the vote upon such motion being as follows, to-wit:

Council Member Kreuter - Aye
Council Member Wang – Aye
Council Member D'Alfonso – Aye
Council Member Rhoades – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

Mayor Glantz called to question the approval of Resolution No. 1056 as amended, with the vote upon such motion being as follows, to-wit:

Council Member Rhoades - Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Kreuter – Aye
Council Member Saunders – Aye
Council Member Hoffman – Aye
Council Member Lawrence – Aye
Council Member Kramer – Aye

The vote on the motion being 8 ayes and 0 nays, motion carried.

BUSINESS FROM THE MAYOR and CITY COUNCIL



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

11. Trash and Recycling Forum

Mayor Glantz stated there was a Trash and Recycling Forum held here on May 7th. It was well done and the citizens that attended were engaged and interested. This is the largest contract the city has and he encouraged those in attendance to spread the word to get residents here at the next forum to be held on May 22, 2013 at 7:00 p.m. in the Council Chambers.

Council Member Saunders thanked Mr. Kent for encouraging citizen engagement.

Council Member Rhoades asked what the gist of the attendees' feedback.

Mayor Glantz stated from the people present at the meeting, the information presented was very thorough and many were positive about curbside trash pickup. But he feels we still need to seek out as much information as possible. There are other ideas and thoughts out there and would like to hear as many as possible.

Council Member D'Alfonso stated we are working ahead so that when the contract comes up there is plenty of time for whomever gets the bid to make it as smooth of a transition as possible. It sounds like we are way ahead of this because the new contract will begin in July 2014; most of the trash companies prefer a six month transition period.

Council Member Rhoades stated this item was covered in newsletter and the next forum is May 22 and asked if signs will go up to remind residents of when it is.

Mark Perkins stated yes.

12. Comprehensive Plan

Mayor Glantz stated he attended the May 6th Planning and Zoning Commission meeting, and staff and Commission members were very engaged on updating the Comprehensive Plan and are looking for ways to engage the community on this subject. This is so that document can accurately reflect what we want it to as a community.

BUSINESS FROM CITY ADMINISTRATOR

13. Food Trucks

Mark Perkins stated the city has received previous requests to allow food trucks. The city currently permits food trucks only under certain conditions. Staff completed research on what other cities are doing in regard to this issue and are asking what we want to do on this issue and what degree, if any, do we want to allow trucks.

Paul Langdon stated staff has discussed with Planning and Zoning and the Commission Members felt they needed more information and are concerned for our brick and mortar restaurants.

Council Member Saunders stated there was interest from our Parks and Recreation Department for events.



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

Council Member Rhoades asked if the city has received requests from a local business or resident that want food trucks in their area.

Paul Langdon stated there have been food trucks at CityPlace and Centerco but we haven't received any requests from residents.

Council Member Rhoades stated this is becoming very trendy but this shouldn't be taken casually. Council Member Rhoades stated the Danforth Center employees have discussed in the past the lack of restaurants in the area but not sure if they would prefer having a food truck.

Council Member Saunders stated food trucks park, with some regularity, on the Wash U campus and it doesn't seem to have affected the restaurants in the Central West End. It does speak to the notion that it is a different dining experience going to a truck to pick up a meal versus going into a restaurant to sit down to eat. Council Member Saunders stated he feels that we could find a location in the city that would allow the trucks and established restaurants to coexist.

Judy Campbell stated that on an occasional Friday there will be food truck events in some of the parks in St. Louis and it is very successful to get young adults to get out and visit the area.

Mark Perkins stated that it seems as if there is some interest in continuing to review this subject and staff will get some feedback from the Chamber of Commerce.

14. Third Quarter FY 2013 Financial Analyses

* - Council Member Rhoades left Council Chambers at 9:42 p.m.

Dan Smith stated staff anticipates that the revenues are going to be about \$300,000 - \$400,000 below what was originally budgeted. This was discussed during the last quarterly report and circumstances haven't changed. Overall now projecting a decrease over what was budgeted for this year. On the good side, we will be coming in under our projected expenditures. The Enterprise Fund has the same situation, we are looking at less than anticipated for the golf and snack area but feel there will be savings there to offset the shortfall. Under the Capital Improvement Fund, there are a number of projects that didn't get completed this year or there are a number of projects that were moved to next year and a couple of projects came in under budget. Interest rates remain low as projected. Mr. Smith stated he is available to Council for any questions.

Council Member Hoffman stated he has some comments, was hoping Council Member Rhoades would have been present and hopefully she will listen to the tape. Council Member Hoffman stated he cannot remain silent after what was said earlier tonight and he too, is the son of a Holocaust survivor and lost over 100 family members with over 77 first cousins. To have comments made tonight, warping the words of Rabbi Rose to be compared to an election issue



CITY OF CREVE COEUR – MINUTES
CITY COUNCIL MEETING
Monday, May 13, 2013
7:30 PM

was simply appalling and he would like to go on record that he is appalled and finds it inappropriate for Council business to be discussed in that manner.

Council Member D'Alfonso stated that Mrs. Rhoades has mentioned to her at the start of the meeting that she would have to leave at a certain time.

Council Member Hoffman moved, seconded by Council Member Kreuter to adjourn at 9:54 p.m., with the vote upon such motion being as follows, to-wit:

Council Member Lawrence – Aye
Council Member Kramer - Aye
Council Member Saunders – Aye
Council Member D'Alfonso – Aye
Council Member Wang – Aye
Council Member Hoffman – Aye
Council Member Kreuter - Aye

The vote on the motion being 7 ayes and 0 nays, motion carried.

Submitted by:

Deborah Ryan
City Clerk

Barry Glantz
Mayor



City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, Missouri 63141
(314) 432-6000
www.creve-coeur.org

DATE: May 21, 2013

TO: Mark Perkins, City Administrator

FROM: Daniel Smith, Director of Finance

SUBJECT: Bills Payable

For your information and transmittal to the City Council, is a list of bills payable dated May 28, 2012 in the amount of \$483,373.81.



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

NO DEPT - NO DIV

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00116	0		0868	08-May-13	SAM'S CLUB	PRISONER MEALS	01-00-00-2410	33.72

Sum of Invoices 33.72



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

LEGISLATIVE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00136	0		6712	13-May-13	CHAMBER OF COMMERCE CREVE COEUR/OLIVETTE	CHAMBER GOLF TOURNAMENT	01-11-12-6264	400.00
00019	0	92199	41396		CURTIS, HEINZ, GARRETT & O'KEEFE	LEGAL FEES-CITY ATTY APR 2013	01-11-12-6201	6578
00116	0		7054	06-May-13	SAM'S CLUB	VEG TRAYS LEMONADE	01-11-12-7315	23.94

Sum of Invoices 7,001.94



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

Administration

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01120	0		043013	30-Apr-13	ASI	FLEX PLAN ADMIN APR 2013	01-12-11-6203	176.90
01447	0	P001590	19132	29-Apr-13	DIVERSIFIED PRINTING INC	1 EXTENDED 12 PAGE NEWSLETTER	01-12-11-6203	1,058.00
00053	0		62516	01-May-13	MERCY CORPORATE HEALTH	PREPLACEMENT PHYSICAL	01-12-11-6271	95.00
00053	0		62517	01-May-13	MERCY CORPORATE HEALTH	PREPLACEMENT PHYSICAL	01-12-11-6271	95.00
00053	0		62663	01-May-13	MERCY CORPORATE HEALTH	PREPLACEMENT PHYSICAL	01-12-11-6271	100.00
00053	0		65171	01-May-13	MERCY CORPORATE HEALTH	PREPLACEMENT PHYSICAL	01-12-11-6271	95.00
01262	0		28267	06-May-13	SPECIALTY MAILING	NEWSLETTERS	01-12-11-6203	230.44
00052	0		40448402	4/9/13	09-Apr-13	ST LOUIS POST-DISPATCH	01-12-11-6262	38.00
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-12-11-6253	52.03

Sum of Invoices 1,940.37



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

IT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00474	0		IN20131876	06-May-13	AP TECHNOLOGY	SECURECHECK ANNUAL RENEWAL FEE	01-12-51-6213	1,110.00
00401	0		13-10766S	09-May-13	NSC DIVERSIFIED	PD TRAFFIC PRINTER MAINT	01-12-51-6213	95.00
01079	1/0/1900	P001644	IN120604	09-May-13	SOLARWINDS	2 LICENSES #11601 SOLARWINDS	01-12-51-7332	578.00

Sum of Invoices 1,783.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

FINANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00016	0		051513	15-May-13	COLLECTOR OF REVENUE	SALES TAX REPORT MAY	01-13-11-6202	20.00
01765	0		37129	02-May-13	MISSOURI DEPARTMENT OF REVENUE	SALES TAX REPORT APRIL 2013	01-13-11-6202	35.00
01048	1/0/1900		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-13-11-6253	52.03

Sum of Invoices 107.03



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

MUNICIPAL COURT

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01957	0		000595781	03-May-13	GALLS, LLC	2 PR FRISKER GLOVES	01-13-14-9503	79.98
00050	0		INV0028850	15-May-13	REJIS	MAY SUBSCRIPTION FEES	01-13-14-6202	1,910.56
01169	0		3199079363	04-May-13	STAPLES ADVANTAGE	SCANNER FOR PROSECTOR LETTERS	01-13-14-7304	99.95
00779	0		INV00011680	28-Feb-13	AMERICAN TRAFFIC SOLUTIONS	CAMERA FEES-FEB	01-13-14-6248	37,431.00
00779	0		INV00012182	04-Apr-13	AMERICAN TRAFFIC SOLUTIONS	CAMERA FEES-APRIL	01-13-14-6248	31,920.00

Sum of Invoices 71,441.49



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

INTERDEPARTMENTAL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00191	0		2145085	08-May-13	BUCK CONSULTANTS LLC	CASH FLOW PROJECTION	01-13-15-6203	200.00
00014	0	P001494	0215116 5/13	06-May-13	CHARTER COMMUNICATIONS	FY13 TV SERVICE FOR GOVERNMENT	01-13-15-6255	68.65
00014	0	P001494	0215132 05/13	06-May-13	CHARTER COMMUNICATIONS	FY13 TV SERVICE FOR GARAGE	01-13-15-6255	7.95
00014	0	P001494	0215132 05/13	06-May-13	CHARTER COMMUNICATIONS	FY13 TV SERVICE FOR GOVERNMENT	01-13-15-6255	73.41
01299	0		21028	11-Apr-13	GILMORE & BELL, P.C.	ARBITREAGE REBATE DETERMINATIO	01-13-15-6203	800.00
00255	0		86118	30-Apr-13	MISSOURI DIVISION OF EMPLOYMENT SECURITY	UNEMP BENEFITS 1ST QTR 2013	01-13-15-5244	9,956.69
00045	0		01	06-May-13	OFFICE DEPOT	1 CASE 8 1/2 X 14 PAPER	01-13-15-7312	34.30
00045	0		01	24-Apr-13	OFFICE DEPOT	BINDERS, DIVIDERS, FILE LABELS	01-13-15-7312	177.12
00045	0		01	30-Apr-13	OFFICE DEPOT	INDEX DIVIDERS	01-13-15-7312	6.33
00077	0		2283856	29-Apr-13	QUILL	TONER	01-13-15-7312	125.16
01169	0		3199761756	11-May-13	STAPLES ADVANTAGE	OFFICE SUPPLIES	01-13-15-7312	6.29
01169	0		3199761755	11-May-13	STAPLES ADVANTAGE	OFFICE SUPPLIES	01-13-15-7312	44.60
01169	0		3199761753	11-May-13	STAPLES ADVANTAGE	OFFICE SUPPLIES	01-13-15-7312	7.99
01169	0		3198396167	27-Apr-13	STAPLES ADVANTAGE	TONE DETECTIVES	01-13-15-7312	354.62
01169	0		3199079361	04-May-13	STAPLES ADVANTAGE	FILE FOLDERS, LABELS	01-13-15-7312	56.72
01169	0		3199079364	04-May-13	STAPLES ADVANTAGE	VARIOUS OFFICE SUPPLIES	01-13-15-7312	417.48

Sum of Invoices 12,337.31



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

COMMUNITY SERVICES

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00080	0		7317-164-15	11-May-13	DIERBERGS	REFRESHMENTS FOR HISTORIC TOUR	01-14-11-7304	72.78

Sum of Invoices 72.78



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

ICE ARENA

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00195	0		R5663	06-May-13	ALARM 24, INC.	ALARM SERVICE MONITORING	06-14-31-6212	90.00
01550	0		452-6044976	07-May-13	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (050713)	06-14-31-7301	0.88
01550	0		452-6071114	14-May-13	ARAMARK UNIFORM SERVICES	CLEANING SUPPLIES (051413)	06-14-31-7301	0.88
01550	0		452-6044976	07-May-13	ARAMARK UNIFORM SERVICES	UNIFORMS (050713)	06-14-31-7308	3.96
01550	0		452-6071114	14-May-13	ARAMARK UNIFORM SERVICES	UNIFORMS (051413)	06-14-31-7308	3.96
00935	0		8031774	02-May-13	BMI	MUSIC LICENSING	06-14-31-6262	327.00
00948	0		116622	01-May-13	C&R MECHANICAL	(75%	06-14-31-6211	1,686.00
00117	0		7185109	07-May-13	HOME DEPOT	LAND	06-14-31-9501	431.66
00082	0		0707702	09-May-13	METROLIFT PROPANE	PROPANE FOR OLYMPIA	06-14-31-7307	260.01
00711	0		324507970	10-Apr-13	TERMINIX	PEST CONTROL ICE ARENA	06-14-31-6212	34.00
01048	0		9704161203.	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	06-14-31-6253	52.03

Sum of Invoices 2,890.38



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

GOLF MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00117	0		8084638	06-May-13	HOME DEPOT	LANDSCAPE TOOLS,GRINDERS, BLAD	06-14-32-7302	151.16
00117	0		5180389	09-May-13	HOME DEPOT	PERENNIAL FLOWERS	06-14-32-7303	297.12

Sum of Invoices 448.28



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

PRO SHOP

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00195	0		R5663	06-May-13	ALARM 24, INC.	ALARM SERVICE MONITORING	06-14-33-6212	90.00
00344	0		1002087148	15-Apr-13	BRIDGESTONE GOLF, INC.	GOLF BALLS FOR RESALE	06-14-33-8324	96.60
00948	0		116622	01-May-13	C&R MECHANICAL	(25%	06-14-33-6211	562.00
01494	0		113047950	30-Apr-13	GRAND SLAM SPORTS	RADIO ADS	06-14-33-6260	340.00
00711	1/0/1900		324507970	10-Apr-13	TERMINIX	PEST CONTROL PRO SHOP	06-14-33-6212	34.00
00119	0		1600012	25-Apr-13	TITLEIST	SPECIAL ORDER GOLF BALLS	06-14-33-8324	115.00
Sum of Invoices								1,237.60



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

SNACK BAR

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-6044976	07-May-13	ARAMARK UNIFORM SERVICES	WIPING TOWELS (050713)	06-14-34-7301	3.58
01550	0		452-6071114	14-May-13	ARAMARK UNIFORM SERVICES	WIPING TOWELS (051413)	06-14-34-7301	3.58
01072	0		621410	25-Apr-13	C.R. FRANK POPCORN AND SUPPLY CO.	NACHO CHEESE	06-14-34-8319	17.05
00084	0	P001579	3868351708	30-Apr-13	COCA-COLA	SODA FOR RESALE (8317)	06-14-34-8317	461.73

Sum of Invoices 485.94



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

BUILDING MAINTENANCE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-6071113	14-May-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (5/14/13)	01-16-11-7308	7.92
01550	0		452-6044975	07-May-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL MAINT (5/7/13)	01-16-11-7308	7.92
01550	0		452-6018612	30-Apr-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (4/30/13)	01-16-11-7308	7.92
00693	0		265560	06-May-13	BMC ENTERPRISES, INC.	CONCRETE BLOCKS EAST LEAF SITE	01-16-11-6212	200.00
01448	0	P001474	698149	01-May-13	BUILDINGSTARS	CLEANING SERVICE FOR POLICE DE	01-16-11-6212	1,350.00
01448	0	P001474	698149	01-May-13	BUILDINGSTARS	CLEANING SERVICE FOR CITY HALL	01-16-11-6212	1,420.00
00023	0		323656	08-May-13	FRED WEBER	SCREENS WALL FENCE EAST LEAF	01-16-11-6212	11.39
00209	0		8404/6	06-May-13	KIRKWOOD MATERIAL SUPPLY	GRAVEL STORM DRAIN CITY HALL	01-16-11-6212	23.10
00042	0		101987	06-May-13	MPR SUPPLY	MATERIALS FOR DRAIN	01-16-11-6212	76.30
00116	0		7054	06-May-13	SAM'S CLUB	PLATES, CUP, FEBREZE, SPLEND	01-16-11-7304	88.26
00116	0		0867	08-May-13	SAM'S CLUB	LOUNGE SUPPLIES	01-16-11-7304	695.53
00087	0		46173	26-Apr-13	SYSTEMAIRE	REPAIR HEAT PUMP #44 CITY HALL	01-16-11-6212	1,253.00
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-16-11-6253	32.31
00054	0		01990338	02-May-13	WALTER KNOLL FLORIST	MNTHLY PLAN MAINT JUNE 13	01-16-11-6212	80.00

Sum of Invoices 5,253.65



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

POLICE-ADMIN

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01950	0	P001636	13-1-1	03-May-13	BIGDANZ ELECTRIC, INC.	MATERIAL AND LABOR TO INSTALL	01-21-11-9503	1,265.00
01905	0	P001604	13-0305	01-May-13	GLENLO AWNING AND WINDOW CO.	COVERED AWNING FOR PD ENTRANCE	01-21-11-9503	2,866.00
00125	0		292890	08-May-13	LEON UNIFORM	BADGE WARRANTY REFURBISHED	01-21-11-7308	51.00
00093	0		6400	25-Apr-13	SOUTHWEST FAMILY TESTING	PROMO EVAL FOR SGT PROMOTIONS	01-21-11-6203	500.00
00093	0		6401	25-Apr-13	SOUTHWEST FAMILY TESTING	PROMO EVAL FOR SGT PROMOTIONS	01-21-11-6203	500.00
00093	0		6402	25-Apr-13	SOUTHWEST FAMILY TESTING	PROMO EVAL FOR SGT PROMOTIONS	01-21-11-6203	500.00
00093	0		6403	25-Apr-13	SOUTHWEST FAMILY TESTING	PROMO EVAL FOR SGT PROMOTIONS	01-21-11-6203	500.00
00092	0	P001454	48195	03-May-13	ST LOUIS COUNTY	1 MONTHLY C.A.R.E. SERVICE MAY	01-21-11-6202	23.91
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-21-11-6253	84.34
00091	0		210208	30-Apr-13	WIRELESS USA	REPAIR WALKIE TALKIE	01-21-11-6211	190.00

Sum of Invoices 6,480.25



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

POLICE-INVESTIGATIONS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01228	0		1432814-20130430	30-Apr-13	LEXISNEXIS	APRIL 2013 USER FEES	01-21-21-6202	185.65
00273	0		T1304009	30-Apr-13	ST LOUIS UNIVERSITY	TOXICOLOGY LAB SVCS	01-21-21-6202	50.00
01048	1/0/1900		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-21-21-6253	193.86

Sum of Invoices 429.51



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01956	0		21185	15-Jan-13	CENTRAL SERVICE CENTER	REPAIR RADAR UNIT	01-21-22-6211	75.00
01031	0	P001645	962118	20-Apr-13	DOC'S HARLEY DAVIDSON	MAINTENANCE ON 2421(MOTORCYCLE	01-21-22-6210	986.31
00234	0	P001614	387621	03-May-13	ED. ROEHR SAFETY PRODUCTS	C21208 CODE 3 DEVENDER LIGHTBA	01-21-22-6210	1,659.00
00234	0	P001617	387620	03-May-13	ED. ROEHR SAFETY PRODUCTS	4 C21208 CODE 3 DEFENDER	01-21-22-9503	6,636.00
00234	0	P001613	386917	22-Apr-13	ED. ROEHR SAFETY PRODUCTS	SHIPPING	01-21-22-9503	226.00
00234	0	P001613	386917	22-Apr-13	ED. ROEHR SAFETY PRODUCTS	3 P1000C11A PRO-GARD SINGLE	01-21-22-9503	3,564.39
00234	0	P001613	386917	22-Apr-13	ED. ROEHR SAFETY PRODUCTS	3 PGTT56C11 PRO-GARD SLIDE O	01-21-22-9503	538.02
00234	0	P001612	387788	07-May-13	ED. ROEHR SAFETY PRODUCTS	EQUIPMENT FOR 2013 FORD EXPLOR	01-21-22-9503	149.99
00234	0	P001612	386916	22-Apr-13	ED. ROEHR SAFETY PRODUCTS	EQUIPMENT FOR 2013 FORD EXPLOR	01-21-22-9503	269.33
00234	0	P001612	386371	10-Apr-13	ED. ROEHR SAFETY PRODUCTS	EQUIPMENT FOR 2013 FORD EXPLOR	01-21-22-9503	1,667.43
00234	0	P001611	386370	10-Apr-13	ED. ROEHR SAFETY PRODUCTS	EQUIPMENT FOR 3 2013 POLICE DO	01-21-22-9503	2,251.02
00234	0	P001611	387789	07-May-13	ED. ROEHR SAFETY PRODUCTS	EQUIPMENT FOR 3 2013 POLICE DO	01-21-22-9503	352.98
00234	0	P001611	386789	18-Apr-13	ED. ROEHR SAFETY PRODUCTS	SHIPPING	01-21-22-9503	111.00
00234	0	P001611	386789	18-Apr-13	ED. ROEHR SAFETY PRODUCTS	SHIPPING	01-21-22-9503	139.00
00234	0	P001611	386789	18-Apr-13	ED. ROEHR SAFETY PRODUCTS	EQUIPMENT FOR 3 2013 POLICE DO	01-21-22-9503	565.92
00234	0	P001611	387837	08-May-13	ED. ROEHR SAFETY PRODUCTS	REFUND SHIPPING	01-21-22-9503	(250.00)
00094	0		162666	06-May-13	FIRESTONE	CAR 2406 REPLACED (1) TIRE	01-21-22-6210	146.61
00094	0		162537	03-May-13	FIRESTONE	VST 2417 INSTALL A TIRE	01-21-22-6210	126.55
00094	0		162738	08-May-13	FIRESTONE	CHANGE TIRE ON CAR 2411	01-21-22-6210	5.50
00094	0		162758	09-May-13	FIRESTONE	CAR 2408 3000 MILE SVS, W BLD	01-21-22-6210	39.98
00094	0		162781	09-May-13	FIRESTONE	CAR 2406 REPLACE LF HEADLIGHT	01-21-22-6210	37.90
00313	0	P001592	C73598	08-May-13	JOE MACHENS FORD	1 2013 AWD FORD EXPLORER POLIC	01-21-22-9502	24,925.00
00313	0	P001592	C73598	08-May-13	JOE MACHENS FORD	DEALER PREP	01-21-22-9502	600.00
00313	0	P001592	C73598	08-May-13	JOE MACHENS FORD	RED/WHITE DOME LAMP IN CARGO A	01-21-22-9502	41.00
01863	0	P001594	F954	21-May-13	LANDMARK DODGE	3 2013 6 CYLINDER DODGE CHARGE	01-21-22-9502	22,771.57
01863	0	P001594	F957	21-May-13	LANDMARK DODGE	3 2013 6 CYLINDER DODGE CHARGE	01-21-22-9502	22,771.57
01863	0	P001594	F9	21-May-13	LANDMARK DODGE	3 KEY ALIKE (FREQUENCY 3)	01-21-22-9502	375.00
01863	0	P001594	F9	21-May-13	LANDMARK DODGE	3 2013 6 CYLINDER DODGE CHARGE	01-21-22-9502	20,674.57
01863	0	P001594	F9	21-May-13	LANDMARK DODGE	4 ADDITIONAL KEY FOBS	01-21-22-9502	267.00
01863	0	P001594	F9	21-May-13	LANDMARK DODGE	3 VINYL REAR SEATS	01-21-22-9502	330.00
01863	0	P001594	F9	21-May-13	LANDMARK DODGE	3 DEALER PREP	01-21-22-9502	1,050.00



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

POLICE-PATROL

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01863	0	P001594	F9	21-May-13	LANDMARK DODGE	3 DEACTIVATE REAR DOORS & WIND	01-21-22-9502	75.00
00125	0		295405	08-May-13	LEON UNIFORM	MOTORCYCLE BREECHES NEW TSO	01-21-22-5107	200.00
00970	0		1852-361711	17-May-13	O'REILLY AUTO PARTS	10 GALS WSHR FLUID, 6 QTS OIL	01-21-22-6210	56.44
00116	0		0868	08-May-13	SAM'S CLUB	6 GALLONS WINDSHIELD FLUID	01-21-22-6210	9.68
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-21-22-6253	362.54

Sum of Invoices 113,807.30



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

PUBLIC WORKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-31-11-6253	168.68

Sum of Invoices 168.68



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00131	0		9909515078	30-Apr-13	AIRGAS	GAS RENTAL SHOP	01-31-41-7307	45.29
01550	0		452-5913472	02-Apr-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (4/2/13)	01-31-41-6212	8.91
01550	0		452-6044973	07-May-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (5/7/13)	01-31-41-6212	8.91
01550	0		452-5913472	02-Apr-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (4/2/13)	01-31-41-7308	418.95
01550	0		452-6044973	07-May-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (5/7/13)	01-31-41-7308	65.81
01550	0		452-6050321	08-May-13	ARAMARK UNIFORM SERVICES	UNAUTHORIZED PRICE INCREASE	01-31-41-7308	(66.14)
00010	0		926864	15-May-13	BRANNEKY HARDWARE	CHAIN FOR DUMP TRUCKS/TOWING	01-31-41-6210	160.00
00295	0		1569409	29-Apr-13	CARDIAC SCIENCE	DEFIBRILLATOR ITEMS GARAGE	01-31-41-6271	32.00
00013	0		1763-210612	15-May-13	CARQUEST AUTO PARTS	FAN BELT TRUCK #107	01-31-41-6210	33.32
00013	0		1763-210621	15-May-13	CARQUEST AUTO PARTS	BRAKE PADS TRUCK #104	01-31-41-6210	43.87
00013	0		1763-210487	13-May-13	CARQUEST AUTO PARTS	FRONT BRAKE PADS TRK #205	01-31-41-6210	25.40
00013	0		1763-210008	03-May-13	CARQUEST AUTO PARTS	REPLACING FILTER STOCK	01-31-41-6210	764.38
00013	0		1763-210010	03-May-13	CARQUEST AUTO PARTS	RETURN OIL FILTERS	01-31-41-6210	(318.78)
00013	0		1763-209997	03-May-13	CARQUEST AUTO PARTS	WINDSHIELD WIPERS #106 & 107	01-31-41-6210	53.04
00013	0		1763-209877	01-May-13	CARQUEST AUTO PARTS	BELTS FOR TRUCK #308	01-31-41-6210	20.40
00013	0		1763-210612	15-May-13	CARQUEST AUTO PARTS	LIGHT BULBS GARAGE	01-31-41-6212	15.72
00013	0		1763-210190	07-May-13	CARQUEST AUTO PARTS	RETURN DEFECTIVE ITEM	01-31-41-7302	(56.99)
00013	0		1763-210097	06-May-13	CARQUEST AUTO PARTS	CUTTING TOOL FOR SHOP	01-31-41-7302	56.99
00099	0		3527412	24-Apr-13	CEEKAY SUPPLY	GAS @ GARAGE	01-31-41-7307	118.20
01187	0		1081767	24-Apr-13	CHEMSEARCH	AEROSOL SPRAY-GARAGE	01-31-41-7301	163.00
00394	0		11-3974	10-May-13	CHUCK'S BOOTS	BOOTS - B. KELLEY	01-31-41-7308	120.00
00234	0		387707	06-May-13	ED. ROEHR SAFETY PRODUCTS	STROBE LIGHT TRUCK #109	01-31-41-6210	270.00
01438	0	P001600	17597	10-May-13	EDELEN DOOR & WINDOW	INSTALL ONE 36" X 84" FRP DOOR	01-31-41-6212	2,096.00
00141	0		124488	10-May-13	ELECTRO BATTERY	BATTERY FOR TRUCK #103	01-31-41-6210	100.37
00049	0		35708	08-May-13	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 4/29/13	01-31-41-6207	432.00
00049	0		35697	01-May-13	EMPLOYEE STAFFING GROUP	TEMP PERSONNEL W/E 4/28/13	01-31-41-6207	864.00
01636	0		0347-000155807	30-Apr-13	JOHNNY ON THE SPOT	RENTAL OF 2 PORTA JOHNS	01-31-41-6266	163.00
00209	0		170842/1	26-Apr-13	KIRKWOOD MATERIAL SUPPLY	REPLACEMENT SOD MOSLEY LANE	01-31-41-7310	137.45
00040	0		805294	30-Apr-13	MILBRADT	SPARK PLUGS FOR POWER BUGGY	01-31-41-6211	12.60
00165	0		TI-0261607	13-May-13	NEWMAN TRAFFIC SIGNS	SIGNS BALLAS/LADUE INTERSECTIO	01-31-41-7311	128.16
00165	0		TI-0261269	02-May-13	NEWMAN TRAFFIC SIGNS	U TURN SIGNS	01-31-41-7311	95.96



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

STREETS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00047	0		P00001	07-May-13	PAT KELLY EQUIPMENT	SHANK FOR ROCK DRILL	01-31-41-7302	71.99
00491	0		113771	08-May-13	SCHMITTEL'S NURSERY	REPLACE SOD CONWAY ROAD REPAIR	01-31-41-7305	45.00
00300	0		INV-294078	06-May-13	SEILER INSTRUMENT & MFG. CO., INC.	WOOD STAKES PGA GOLF MATCH	01-31-41-7311	164.00
00896	0		69228	06-May-13	SHAPIRO SALVAGE & SUPPLY CO.	STEEL FOR LADDER AND PLANK	01-31-41-6212	601.10
00434	0		0561-7	08-May-13	SHERWIN-WILLIAMS	PAINT PEDESTRIAN CROSSINGS	01-31-41-7305	101.15
00692	0		524355	03-May-13	ST LOUIS SAFETY, INC.	SAFETY GLOVES AND GLASSES	01-31-41-7308	61.70
01489	0		JLS169	26-Apr-13	SUPERCO SPECIALTY PRODUCTS	GREASE SALT SPREADER CHAINS	01-31-41-7310	369.58
00270	0		28464-00	02-May-13	TERMINAL SUPPLY CO.	LAMPS RECEPTACLES/CONNECTORS	01-31-41-7302	93.42
00260	0		11227	10-May-13	TOTAL LOCK & SECURITY	STOREROOM LOCK @ GARAGE	01-31-41-6212	186.75
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-31-41-6253	123.43
00104	0		P43980	01-May-13	VERMEER	REPLACE BROKEN AXLE ON CHIPPER	01-31-41-6211	1,812.18

Sum of Invoices 9,642.12



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

HEALTH & WELFARE

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01480	0		2110934571	30-Apr-13	IESI MO - CHAMP LANDFILL LLC	HAULING EAST LEAF SITE	01-31-42-6214	378.23
00105	0	P001463	0346-015159225	28-Feb-13	REPUBLIC SERVICES	TRASH SERVICE FOR	01-31-42-6214	1,793.41
01048	1/0/1900		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-31-42-6253	32.31

Sum of Invoices 2,203.95



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

PARKS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01550	0		452-5913472	02-Apr-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (4/2/13)	01-31-43-7308	418.94
01550	0		452-6044973	07-May-13	ARAMARK UNIFORM SERVICES	UNIFORM RENTAL (5/7/13)	01-31-43-7308	65.80
01550	0		452-6050321	08-May-13	ARAMARK UNIFORM SERVICES	UNAUTHORIZED PRICE INCREASE	01-31-43-7308	(66.13)
00559	0		041300706	17-Apr-13	BARCO PRODUCTS CO.	DOGGIE BAGS FOR PARK	01-31-43-6212	684.60
00102	0		749265	02-May-13	BEYERS LUMBER	RAILING MALCOLM TERRACE PRK	01-31-43-6212	259.68
00102	0		749895	10-May-13	BEYERS LUMBER	ANCHOR STOP BAR @ CONWAY PARK	01-31-43-6212	15.96
00102	0		749960	10-May-13	BEYERS LUMBER	LUMBER MALCOLM TERRACE BRIDGE	01-31-43-6212	87.04
00693	0		265181	29-Apr-13	BMC ENTERPRISES, INC.	BRIDGE REPR MALCOLM TERR PRK	01-31-43-6212	502.68
00010	0		926563	10-May-13	BRANNEKY HARDWARE	BATTERIES IRRIGATION ON BALLAS	01-31-43-6211	74.95
00010	0		926914	14-May-13	BRANNEKY HARDWARE	POSTS MALCOLM TERRACE BRIDGE	01-31-43-6212	29.95
00010	0		926920	14-May-13	BRANNEKY HARDWARE	TOILET FLAPPERS TAPMEYER HSE	01-31-43-6212	16.48
00010	0		926362	07-May-13	BRANNEKY HARDWARE	CONCRETE MALCOLM TERRACE PRK	01-31-43-6212	119.90
00010	0		926060	02-May-13	BRANNEKY HARDWARE	SMALL TOOLS-PARKS	01-31-43-7302	629.92
00013	0		1763-210052	04-May-13	CARQUEST AUTO PARTS	GAS CANS FOR CHAIN SAWS	01-31-43-6211	29.01
00013	0		1763-210492	13-May-13	CARQUEST AUTO PARTS	CLAMPS MALCOLM TERRACE PARK	01-31-43-7302	36.45
00013	0		1763-210430	10-May-13	CARQUEST AUTO PARTS	LOCK NUTS MALCOLM TERRACE PARK	01-31-43-7302	34.00
00455	0		5889	14-May-13	CHECKER BAG COMPANY	TRASH BAGS PARKS/BUS STOP	01-31-43-6212	319.00
01187	0		1081767	24-Apr-13	CHEMSEARCH	AEROSOL SPRAY-GARAGE	01-31-43-7301	163.00
00023	0		322487	01-May-13	FRED WEBER	PATCHING MATERIAL MALCOLM TERR	01-31-43-6212	295.00
00023	0		322691	03-May-13	FRED WEBER	GABION STONE MALCOLM TERRACE	01-31-43-6212	111.00
00560	0		64478	13-May-13	HUMMERT INTERNATIONAL	PARTS BACK PACK SPRAYERS	01-31-43-6211	33.14
00040	0		802965	10-Apr-13	MILBRADT	SUPPLIES FOR CHAIN SAW	01-31-43-6211	64.49
00040	0		805349	01-May-13	MILBRADT	PULLEY BELT PARKS EQUIPMENT	01-31-43-6211	10.64
00865	0	P001646	235042	09-Apr-13	OUTDOOR SOLUTIONS	ROW MOWING SERVICES 040113 THR	01-31-43-6212	3,490.00
00047	0		P99964	06-May-13	PAT KELLY EQUIPMENT	DRILL BIT MALCOLM TERRACE PARK	01-31-43-7302	89.98
00547	0		224053	04-May-13	ST LOUIS BACKFLOW SERVICES	LAB/MAT SUMP PUMP TAPP HOUSE	01-31-43-6212	395.00
00692	0		524355	03-May-13	ST LOUIS SAFETY, INC.	SAFETY GLOVES AND GLASSES	01-31-43-7308	61.70
00593	0	P001641	17697	29-Apr-13	THE GREENWOOD GROUP LLC	PARKS MOWING SERVICES 04/13	01-31-43-6212	3,864.00
01497	0		4756	07-May-13	TRAFFICGUARD DIRECT, INC.	POST FOR PATH @ CONWAY PARK	01-31-43-6212	711.00
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-31-43-6253	37.69
00109	0		449542	24-Apr-13	WESTPORT POOLS	FILTER FOR SPLASH PAD	01-31-43-6212	527.95

Sum of Invoices

13,112.82



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

COMMUNITY DEVELOPMENT - PLANNING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00005	0		1665267	02-May-13	AMERICAN STAMP	STAMPS FOR G SEIFRIED	01-32-11-7304	275.13
00213	0		050813-1	08-May-13	INC	P&Z MTG 5/6/13 APP #13-010	01-32-11-6202	78.00
00303	0		10304815	25-Apr-13	MISSOURI LAWYERS MEDIA	BOARD OF ADJUSTMENT 5/16/13	01-32-11-6260	45.24
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-32-11-6253	149.25

Sum of Invoices 547.62



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

COMMUNITY DEVELOPMENT - BUILDING

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
01751	0		INV0276787	24-Apr-13	INTERNATIONAL CODE COUNCIL, INC	12 IBC SIGNIFICANT CHANGES	01-32-61-7304	33.95
01751	0		INV0270208	04-Apr-13	INTERNATIONAL CODE COUNCIL, INC	12 IRC SIGNIFICANT CHANGES	01-32-61-7304	43.95
01751	0		INV0270702	05-Apr-13	INTERNATIONAL CODE COUNCIL, INC	HOME BLDRS JOBSITE 09 IRC	01-32-61-7304	117.00
00112	0		42457	08-May-13	MPS	APT RE-OCC FORMS	01-32-61-7304	392.00
00112	0		42439	29-Apr-13	MPS	PERMIT APPLICATIONS	01-32-61-7304	128.00
01048	0		9704161203	01-May-13	VERIZON WIRELESS	CELL PHONE CHARGES APRIL 2013	01-32-61-6253	259.21

Sum of Invoices 974.11



CITY OF CREVE COEUR
ACCOUNTS PAYABLE LISTING

5/28/2013

CAPITAL IMPROVEMENTS

Vendor Number	Address Number	Purchase Order	Invoice Number	Invoice Date	Vendor Name	Description	GL Account	Invoice Amount
00023	0		324794	14-May-13	FRED WEBER	ASPHALT TO BEACON HILL MICRO	02-61-71-9510-13601	413.00
00314	0	P001527	051713	17-May-13	GERSTNER ELECTRIC, INC.	OLIVE STREET LIGHTING PROJECT	02-61-71-9510-13604	218,638.56
01357	0	P001643	58270	07-May-13	KUHLMANN DESIGN GROUP INC	PROFESSIONAL DESIGN SERVICES F	02-61-71-9510-13705	3,000.00
01959	0		051313	13-May-13	EBERHARDT, GARY	SEWER LATERAL REIMBURSEMENT	02-00-00-1901	3,764.00
01960	0		051313	13-May-13	WALKER, MELODY	SEWER LATERAL REIMBURSEMENT	02-00-00-1901	4,618.40
00049	0		35721	15-May-13	EMPLOYEE STAFFING GROUP	TEMP HELP 5/6/13 MICRO PREP	02-61-71-9510-13601	540.00

Sum of Invoices 230,973.96

GRAND TOTAL OF ALL INVOICES 483,373.81

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE
PERMIT FOR A 1,500 SQUARE-FOOT, PIZZA TAKEOUT AND DELIVERY ONLY,
LIMITED-SERVICE RESTAURANT LOCATED AT 11032 OLIVE BOULEVARD
WITHIN THE GRAESER SQUARE SHOPPING CENTER**

WHEREAS, under Section 405.210 Table A, all limited-service restaurants in the “GC”, General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Michael Serra, of the Crevco Pizza LLC dba Jet’s Pizza, for a conditional use permit for a 1,500 square-foot takeout and delivery only, pizza restaurant, at 11032 Olive Boulevard, located at the southwest corner of Olive Boulevard and Graeser Road; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, May 6, 2013, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on May 6, 2013; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 11032 Olive Boulevard, within the Graeser Square Shopping Center, in the "GC" General Commercial zoning district, whose legal description is as follows:

The following described Real Estate, situated in the County of St. Louis and State of Missouri, to-wit: A tract of land in the North ½ of Section 2 Township 45 North Range 5 East and in U.S. Survey 1962 Township 45 North Range 5 East in the County of St. Louis, Missouri and more particularly described as follows: Beginning at a railroad spike in the South line of Olive Street Road, as widened by instrument recorded in Book 5405 page 429, at its intersection with the West line of property conveyed to Joseph Henty and wife by deed recorded in Book 5095 Page 489, thence South 1 degree 56-1/2 minutes West along the West line of property conveyed to Joseph Henty and wife, as aforesaid, 246.87 feet to a point in the North line of a 10 foot strip conveyed to Carl L. Graeser and wife by deed recorded in Book 2501 page 442, thence North 88 degrees 20 minutes West along the North line of said strip conveyed to Carl L. Graeser and wife, 193.61 feet to an old iron pipe at the Northeast corner of Lot No. 1 of Mary Meadows, a Subdivision, according to Plat thereof recorded in Plat Book 72 page 25 of the St. Louis County Records, thence South 86 degrees 38-1/2 minutes West along the North line of said Lot No. 1 of Mary Meadows 109.69 feet to an old iron pipe, thence North 0 degrees 32-1/2 minutes East 281.65 feet to an iron pipe in the South line of Olive Street Road, as widened, as aforesaid and thence East along said South line of Olive Street Road 310.88 feet to the point of beginning, according to Survey thereof executed by Clayton Surveying & Engineering Company during March, 1966.

Subject to conditions, restrictions, easements and other matters of record, if any.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The conditional use permit shall be for the operation of 1,500 square-foot take-out and delivery limited-service restaurant at 11032 Olive Boulevard Old Ballas Road.
2. Maximum seating permitted is limited to 16 seats.
3. Hours of operation shall not exceed 11:00 am to 10:00 pm, Sunday through Thursday and 11:00 am to 11:00 pm Friday and Saturday. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
4. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the restaurant permitted by this ordinance.
5. There shall be no outdoor storage or placement of any materials or equipment.
6. Employee parking, delivery and company vehicles shall be parked rear parking area behind the building line or as far from the public right-of-way as possible.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code
8. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
9. Any mechanical equipment installed for the restaurant shall be properly screened with materials approved by the Zoning Administrator.
10. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the

Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.

11. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
12. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
13. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

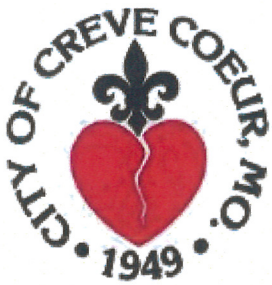
DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO THE PLANNING AND ZONING COMMISSION
#13-010 FOR A NEW CONDITIONAL USE PERMIT FOR JET'S PIZZA,
LIMITED-SERVICE RESTAURANT AT 11032 OLIVE BOULEVARD
FOR THE MEETING OF: May 6, 2013
LOCATION: 11032 Olive Boulevard

REQUEST: Michael Serra submitted a request for a conditional use permit for a 1,500 sq. ft., pizza take-out and delivery only restaurant at the former Shear Images location within the Graeser Square Shopping Center. The Applicant is not proposing any changes to the exterior of the building or site.

ADDITIONAL INFORMATION: The property is zoned "GC" General Commercial District. Pizza deliver shops and takeout eating places are categorized as Limited-Service Restaurants (NAICS 722513) and are permitted by conditional use permit in the "GC" General Commercial District (Section 405.210, Table A: Permitted and Conditional Uses).

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?

Comp. Plan References

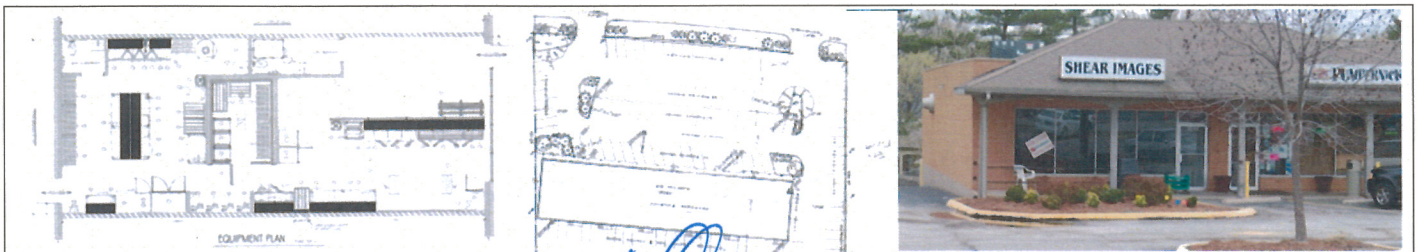
- East Olive Corridor

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.360: "GC" General Commercial District
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

APPLICANT: Michael Serra
Crevco Pizza LLC dba Jet's
Pizza
19694 Westchester Drive
Clinton Twp, MI 48038

APPLICANT'S REPRESENTATIVE: Tony Giarratano
Lord Partners
214 S Bemiston Ave. Suite 25
St. Louis, MO 63105



REPORT PREPARED BY:

Whitney Kelly, AICP

5/2/2013

Date

ATTACHMENTS: Applicant's Materials submitted April 5, 2013
Draft Ordinance

PROPERTY HISTORY

Graeser Square Shopping Center was originally developed in 1967, as a multi-tenant retail and personal service in-line shopping center. Thai Nivas Café and Pumpnickels are two existing restaurants, along with several retail uses, a dry cleaners, and nail salon. The property has largely remained the same since the original approval, and therefore has non-conforming site coverage.

While visiting the site, Staff noticed several property maintenance violations. As they are not related to this request, further review below does not include specific discussions of the violations. However, the ordinance includes the usual and customary condition of approval requiring all outstanding property maintenance violations on the property to be addressed prior to the issuance of any final Certificate of Occupancy for the restaurant.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Retail; Laundry Service; Gas Station	"GC" General Commercial District	Olive Boulevard
South	Residential	"C" Single Family Residential / "GC" General Commercial District	NA
East	Retail Shopping Center	"GC" General Commercial District	NA
West	Retail Shopping Center	"GC" General Commercial District	NA

COMPREHENSIVE PLAN REVIEW

The subject property is located within the East Olive Corridor that encourages a mix of uses that are limited to neighborhood-oriented commercial. The proposed use is integrated into the existing, multi-tenant facility that offers a variety of neighborhood-oriented retail, restaurant, and service uses. So to that extent, it appears that the request meets with the applicable Goals and Objectives of the Comprehensive Plan. Although the site design of the property is not in keeping with the Goals of the Comprehensive Plan and the Design Guidelines, the scale of the proposed restaurant does not create an opportunity to address these issues.

ZONING REVIEW

Restaurants are permitted with conditions in all commercial zoning districts within the city, and the applicant is leasing an existing tenant space in a development that has a mix of retail and restaurant uses. No changes to the exterior of the building or site are proposed so no site development plan review is required. Restaurants in the "GC" General Commercial districts do not have to observe a limitation on the percentage of building area, nor are they restricted to a minimum acreage, as in other districts. Therefore, review of the request per the Zoning Ordinance is limited to the parking requirements.

Parking

Parking regulations for restaurants are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces, where parking for limited-service restaurants of 16 seats or less is equivalent to that of general retail or 4 spaces per 1,000 square feet of floor area. The floor layout shows no tables, but does include a bench seat. Since the parking ratio allows for up to 16

seats without increasing the number of parking spaces required, a condition of the ordinance includes a maximum of 16 seats permitted, should this tenant or any future tenant wish to include additional seating without the need to amend the conditional use permit.

The following table shows the parking calculations for the entire center:

Tenant	Use	Size (sq.ft.)	Parking Regulations	# of spaces
Thai Nivas	Restaurant	2400(+58 indoor seats)	<i>1/3 seats in C.U.P., + 1/250sf</i>	20
West Oak Cleaners	Laundry services	2100(240 sf pick up area+1860sf clothing storage)	<i>1/150sf of pick-up area + 1/300sf clothing storage</i>	9
Salon Elysium	Nail Salon	1080 (4 stations)	<i>3.5/station</i>	14
School Music USA	Retail	1080	<i>4/1000</i>	5
All on the Same Page Book Store	Retail	900	<i>4/1000</i>	4
Pumpernickel's	Restaurant	3900(+98 indoor seats)	<i>1/3 seats in C.U.P., + 1/250 sf</i>	49
Jet's Pizza	Restaurant: Take-out/Delivery Only	1,500	<i>4/1000</i>	6
Vacant	Retail	984	<i>4/1000</i>	4
Vacant	Retail	1080	<i>4/1000</i>	5
Total Building:		15,024	Total:	116
		15% Reduction	Total Required:	99

The Applicant submitted a copy of a landscape plan for the center dated 1966 that indicated 160 parking spaces available. However, this doesn't include those parking spaces that have since been removed for the cross access to the property on the east. It also appears that restriping of the parking lot over time has also decreased the number of spaces. In a counting of the spaces visible from the aerial photo, it appears that 127 spaces are available on site, thus a regulatory surplus of 28 parking spaces, well within the total number of spaces required.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the applicable requirements of the Comprehensive Plan and the Zoning Ordinance. Conditions listed below are the usual and customary conditions for restaurants which are included in the draft ordinance:

1. The conditional use permit shall be for the operation of 1,500 square-foot take-out and delivery limited-service restaurant at 11032 Olive Boulevard Old Ballas Road.
2. Seating is limited to a maximum of 16 seats.
3. Hours of operation shall not exceed 11:00 am to 10:00 pm, Sunday through Thursday and 11:00 am to 11:00 pm Friday and Saturday. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.

4. The owner of the property shall address all outstanding property maintenance violations on the property to the satisfaction of the Chief Building Official prior to the issuance of any final Certificate of Occupancy for the restaurant permitted by this ordinance.
5. There shall be no outdoor storage or placement of any materials or equipment.
6. Employee parking, delivery and company vehicles shall be parked in the rear parking area behind the building line or as far from the public right-of-way as possible.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

ACTION

If the Planning and Zoning Commission finds the attached draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it should vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of Application #13-010 for a Conditional Use Permit for a limited-service restaurant located at 11032 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of May 6, 2013” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



Photo Date: 04/12/2013 & 05/01/2013



Description: View of Graeser Square Shopping Center looing southwest from Olive Boulevard



Description: View of the property looking south from Olive Boulevard along the east property line with the proposed use's location to the right.



Description: View of the commercial uses to the north, across Olive Boulevard.



city of CREVE COEUR

PLANNING DIVISION

300 North New Ballas Road Creve Coeur, Missouri 63141
Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION CONDITIONAL USE PERMIT

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
Name <u>Michael Serra</u>	Name <u>Tony Giarratano</u>
Company (if applicable) <u>Creveco Pizza LLC dba Jet's Pizza</u>	Company (if applicable) <u>Lord Partners</u>
Address <u>19694 Westchester Dr.</u>	Address <u>214 S. Bemiston Ave Suite 25</u>
Address <u>Clinton Twp., MI 48038</u>	Address <u>St. Louis, MO 63165</u>
Telephone # <u>313-520-8493</u>	Telephone # <u>314-276-2352</u>
Fax #	Fax #
Email: <u>m.serra@serraproduce.com</u>	Email: <u>tonyg@lordpartners.com</u>
<u></u> Applicant's Signature	<u></u> Applicant's Representative's Signature

Property Information:	Owner's Acknowledgement (if different from applicant):
Address <u>11032 Olive Blvd.</u>	Name <u>George Marcher, Agent for owner</u>
Address <u>Creve Coeur, MO 63141</u>	Company (if applicable) <u>Solan Gershman, INC</u>
Development Name (if any) <u>Graeser Square</u>	Address <u>7 W Bemiston</u>
Current Zoning <u>EC</u>	Address <u>St. Louis, MO 63105</u>
Prior CUP Approvals (if known)	Telephone # <u>(314) 889-0682</u>
	Fax # <u>(314) 854-9503</u>
	Email: <u>G.Marcher@Gershman.com</u>
	By <u></u> Agent for owner Owner's Signature

Description of Requested Use (attach additional sheets as needed)

General Description of Business: Take-out and delivery
Pizza restaurant specializing in deep
dish square pizza, salads, and subs.

Gross Floor Area – Existing and Proposed: 1,500 SF

Number of Seats (for restaurant only): Ø

Number of Employees at the busiest shift: 5-6

Hours of Operation: Sun-Thurs 11AM-10PM, FRI-SAT 11AM-11PM

Current or Most Recent Use of the Property: hair salon

Will the applicant apply for a liquor license: Yes _____ No ✓

-All delivery vehicles will be parked in rear of building, as far away from Olive Blvd. as possible.

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included.

Submittal Checklist

- | | |
|---|---|
| ☐ Rationale | ☐ Building elevations for new construction |
| ☐ Site plan | ☐ Photographs of existing structures |
| ☐ Access and parking plan; (may be shown on site plan) | ☐ Materials samples |
| ☐ Landscape plan | ☐ Fees: \$250 (non-refundable) |
| ☐ Floor plan | ☐ \$2000 (refundable deposit) |
| ☐ Electronic copies of all materials | ☐ Other items as requested by staff |

Preferred Public Hearing Date: Monday, May 6th, 2013.

****See attached schedule and confirm available meeting dates with Planning Division staff****

Office Use Only

____ All Sections Complete

____ All Documents, incl. e-Copies

____ Fees Paid

Received By: _____

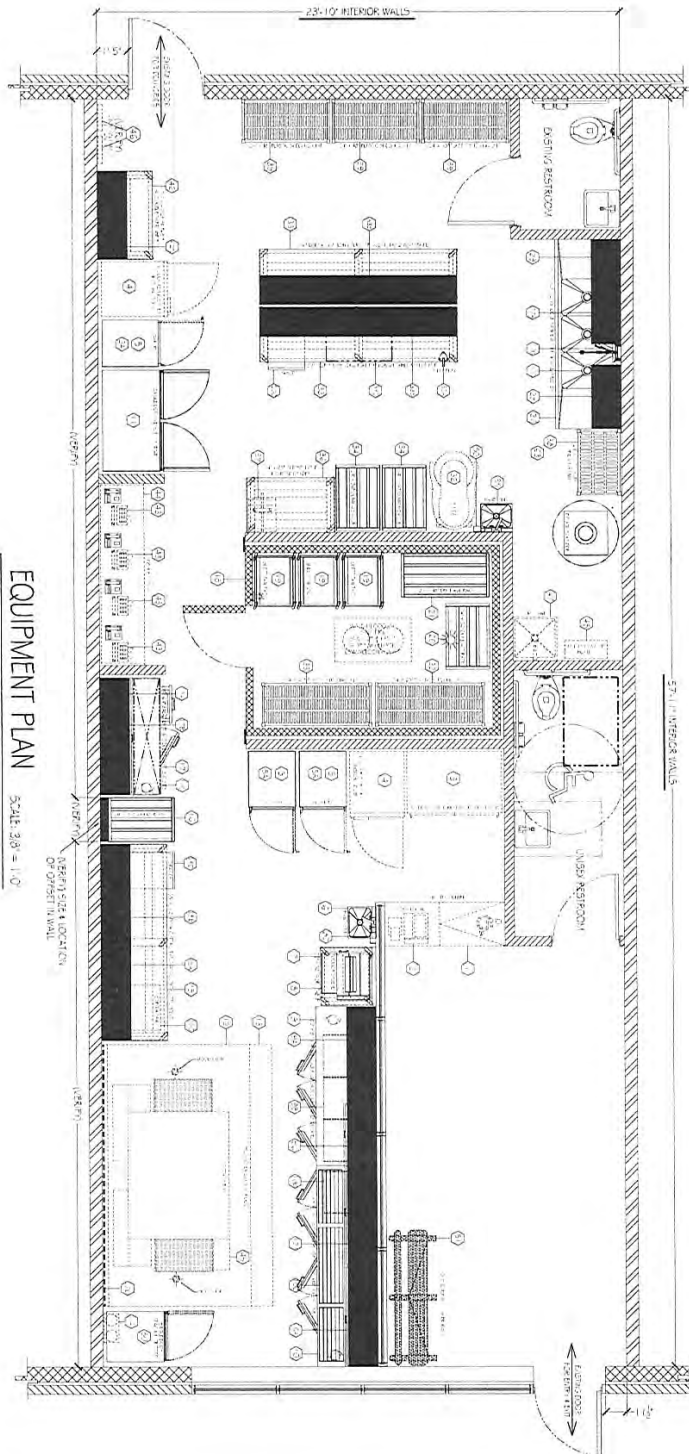
Date: _____

Paul Langdon, AICP, Planning Director

Whitney Kelly, AICP, City Planner

Julie Lowery, Administrative Assistant (872-2501)

Revised: 11/11



EQUIPMENT PLAN

SCALE: 3/8" = 1'-0"

NOTES: SEE LOCATION OF OVERSET IN WALL

EQ-1

EQUIPMENT PLAN

Project # 0715

Drawing Date: 03-13-13

Revised Date: 03-23-13

Revised By: [Signature]

TENANT IMPROVEMENT for:

JET'S PIZZA

11032 OLIVE BLVD.
CREVE COEUR, MISSOURI 63141

LSArchitecture, PLLC

ARCHITECTS

1113 DIXIE LANE
MARKETVILL, MISSOURI 63074
PH: 266-0152
info@ls-arch.com

NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL MECHANICAL CODE (NMC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL PLUMBING CODE (NPC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL GAS CODE (NGC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL SANITATION CODE (NSC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL SAFETY CODE (NSC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

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19. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL SAFETY CODE (NSC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

20. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.



city
of

CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966
www.creve-coeur.org

May 8, 2013

Mr. Michael Serra
Creveco Pizza LLC dba Jet's Pizza
19694 Westchester Drive
Clinton Twp, MI 48038

Re: Application #13-010: Conditional Use Permit for Jet's Pizza
11032 Olive Boulevard

Mr. Serra:

The Planning and Zoning Commission, at its meeting of May 6, 2013, reviewed your request for a new conditional use permit for Jet's Pizza, a limited service restaurant, located at 11032 Olive Boulevard.

By unanimous vote, the Planning Commission recommends approval of the new conditional use permit for Jet's Pizza, subject to the conditions contained in the draft ordinance (see attached). The first reading of the draft ordinance by the City Council is scheduled for Monday, May 13th, 2013. You or a representative should plan to be in attendance to speak for the request.

If you have any questions, please contact the Planning Division staff (872-2501) as soon as possible. Note that significant changes to the draft ordinance may require that the matter be returned to the Planning and Zoning Commission prior to City Council approval.

Sincerely,

CITY OF CREVE COEUR

Timothy Madden, Chairman
Planning & Zoning Commission

TM:jl

Cc: M.C. Perkins, City Administrator
J. Heines, Director of Public Works
G. Eidman, Chief of Police
S. Unser, Chief Building Official



**CITY OF CREVE COEUR - MINUTES
PLANNING AND ZONING COMMISSION MEETING
MONDAY, MAY 6, 2013
7:00 P.M.**

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, May 6, 2013, at the Creve Coeur Government Center, 300 North New Ballas Road. Chair Tim Madden called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: ***Mr. Tim Madden, Chair***
 Dr. Michael Barton
 Mr. Gary Eberhardt
 Mr. James Faron
 Mr. Jim Schnarr

OTHERS PRESENT: ***Mr. Carl Lumley, City Attorney***
 Mr. Paul Langdon, Director of Community Development
 Ms. Whitney Kelly, AICP, City Planner
 Ms. Julie Lowery, Recording Secretary

2. NEW BUSINESS

A. PUBLIC HEARING

Application #13-010: Approval of a Conditional Use Permit for Jet's Pizza, Limited-Service Restaurant at 11032 Olive Boulevard

Applicant/Agent: Michael Serra
Creveco Pizza LLC dba Jet's Pizza
19694 Westchester Drive
Clinton Twp, MI 48038

Applicant's Representative: Tony Giarratano
Lord Partners
214 S Bemiston Ave., Suite 25
St. Louis, MO 63105

Mr. Tony Giarratano, 214 South Bemiston Avenue, explained Jet's Pizza is a chain restaurant that is expanding into the Saint Louis area. Mr. Giarratano stated the location was 1,500 square feet and would be used for take-out and delivery only.

Ms. Kelly, City Planner, stated a condition of approval is the property owner takes care of the existing building code violations, and the applicant would not be granted full occupancy until this condition was met; however they could obtain temporary occupancy in the time being.

Mr. Faron asked if employee parking was in the back or front of the building, Ms. Kelly said it was in behind the building, or as far from Olive Boulevard as possible, per the Zoning Ordinance and the conditions within the draft ordinance for the conditional use permit.

Mr. Michael Serra, 19694 Westchester Drive, the owner of Jet's Pizza, stated he believed there was plenty of parking for the employees in the back and for customers. Mr. Eberhardt asked how much delivery versus take-out, and Mr. Serra replied 75% delivery and 25% take-out.

There being no further comments, City Attorney, Mr. Carl Lumley, presented the exhibits for the record and the public hearing was closed.

(This ends the Public Hearing; see verbatim transcript for further information)

Mr. Faron motioned to recommend approval of Application #13-010 for a Conditional Use Permit for a limited-service restaurant located at 11032 Olive Boulevard, subject to the conditions contained in the draft ordinance attached to the staff report prepared for the meeting of May 6, 2013. Mr. Schnarr seconded the motion with the resultant vote as follows:

Mr. Faron – aye
Dr. Barton – aye

Mr. Schnarr – aye
Chair - aye

Mr. Eberhardt – aye

3. **ADJOURNMENT**

There being no further business to come before the Planning and Zoning Commission, upon motion being made and duly seconded, the meeting was adjourned at 9:25 p.m.

Timothy Madden, Chair

Julie Lowery, Recording Secretary

1 PLANNING AND ZONING COMMISSION PUBLIC HEARING

2 CITY OF CREVE COEUR, MISSOURI

3 300 NORTH NEW BALLAS ROAD

4 MONDAY, MAY 6, 2013

5 7:00 P.M.

6 PUBLIC HEARING

7 APPLICATION 13-010

8
9 THOSE IN ATTENDANCE:

10 Chairman Timothy Madden

Mr. Michael Barton

11 Mr. Gary Eberhardt

Mr. James Faron

12 Mr. James Schnarr

Mr. Carl Lumley, City Attorney

13 Mr. Paul Langdon, Director of Community Development

Ms. Whitney Kelly, City Planner

14 Ms. Julie Lowery, Recording Secretary

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16
17
18
19
20
21 McLaughlin Court Reporting Services, Inc.

22 Deborah K. McLaughlin, RPR, MO-CCR #314, IL-CSR, KS-CCR

4772 Gatesbury Drive

23 St. Louis, MO 63128

24 (314)487-2259

2 CHAIRMAN MADDEN: I'd like to call Planning &
3 Zoning Commission meeting for the City of Creve Coeur,
4 Missouri for Monday, May 6, 2013.
5 We'll start with roll call.
6 I don't see Dr. Barton.
7 Mr. Gary Eberhardt?
8 MR. EBERHARDT: Present.
9 CHAIRMAN MADDEN: Mr. James Faron?
10 MR. FARON: Present.
11 CHAIRMAN MADDEN: Mr. Howard won't be with us
12 tonight.
13 Mr. Jim Schnarr?
14 MR. SCHNARR: Present.
15 CHAIRMAN MADDEN: Carl Lumley, our City
16 Attorney?
17 MR. LUMLEY: Present.
18 CHAIRMAN MADDEN: Paul Langdon, our Director of
19 Community Development?
20 MR. LANGDON: Present.
21 CHAIRMAN MADDEN: Whitney Kelly, our City
22 Planner?
23 MS. KELLY: Present.
24 CHAIRMAN MADDEN: Judy Lowery, our Recording
25 Secretary?

2

1 MS. LOWERY: Present.

2 CHAIRMAN MADDEN: Okay. Let's move to B, public

3 hearing for Application No. 13-010, Approval of
4 Conditional Use Permit for Jet's Pizza, Limited-Service
5 Restaurant at 11032 Olive Boulevard.

6 Are those people here?

7 VOICE IN AUDIENCE: Yes.

8 CHAIRMAN MADDEN: Everybody's going to give --
9 are you all first, Whitney?

10 Oh, yeah. Anybody that's going to be commenting
11 or representing your -- please stand up and we're going to
12 swear you in, cause it's a public hearing, or if there's
13 anybody in the audience that might be making a comment on
14 this.

15 (The speakers were sworn in by the court
16 reporter.)

17 CHAIRMAN MADDEN: Okay. And for the record, can
18 you state your name and address when you get up there,
19 please.

20 MR. TONY GIARRATANO: Sure.

21 Tony Giarratano with Lord Partners Commercial
22 Real Estate, 214 South Bemiston Avenue, Suite 2-S, Clayton
23 Missouri 63105.

24 CHAIRMAN MADDEN: Thank you.

25 MR. TONY GIARRATANO: I represent Jet's Pizza.

3

1 They're a pizza chain out of Sterling Heights, Michigan.
2 They have over 340 locations in the country. This
3 ownership group in particular owns 30-plus locations.

4 And they are currently expanding into St. Louis
5 market with the significant investment of five locations
6 this year, first one's already opened in Ballwin,
7 Missouri.

8 The first location in Creve Coeur will be a
9 1500-square foot site at Graeser Square. It will be a --
10 only a take-out and delivery location, which is -- falls
11 under the limited-service restaurants. They will not be
12 having any seats at this location.

13 Therefore, we are looking to apply and have a
14 recommendation for the conditional use permit at this
15 site.

16 The owner, Michael Serra and Paul Dudgen
17 (phonetic) are here, and I'll turn it over to them for any
18 questions you guys may have.

19 CHAIRMAN MADDEN: Okay. Would you state your
20 name and address for the record, please.

21 MR. SERRA: My name is Michael Serra, 19694
22 Westchester Drive, Clinton Township, Michigan 48038.

23 CHAIRMAN MADDEN: Does anybody have any
24 questions? None? Pardon me?

25 MR. FARON: No, I'll wait to hear the comments.

4

1 CHAIRMAN MADDEN: Is there anybody in the
2 audience that has a question or a comment?

3 Okay. Thank you.

4 If we come up with -- lead to some questions and

5 discussion, we'll bring you back up, okay?

6 MR. SERRA: Thank you.

7 CHAIRMAN MADDEN: Thank you.

8 MS. KELLY: Whitney Kelly, City Planner, on
9 behalf of the City of Creve Coeur.

10 As the Applicant indicated, this is for a
11 1500-square foot pizza take-out and delivery only
12 restaurant within the Graeser Square Shopping Center, and
13 located at this end unit right here.

14 As the all limited-services restaurants are
15 conditional use permits within the GC District, however,
16 unlike the other commercial districts, there is no
17 limitation on the acreage or square footage within the
18 overall shopping center space.

19 So the only issue really to look at was the
20 parking. And a aerial photograph count of the overall
21 parking indicated that there is plenty of parking
22 available on site.

23 While visiting the site, I did notice a few code
24 violations for building code, and so we have included a
25 condition of approval that does indicate that the property

5
1 owner will be required to fix those building ordinance
2 violations per final occupancy.

3 Any other questions?

4 CHAIRMAN MADDEN: Have we contacted the property
5 owner about this yet?

6 MS. KELLY: Yes, I've talked to them. I believe
7 there also a representative is here. I'm not sure --
8 CHAIRMAN MADDEN: Okay.
9 MS. KELLY: -- but I have talked to them.
10 CHAIRMAN MADDEN: And what was their response?
11 MS. KELLY: They agreed --
12 CHAIRMAN MADDEN: Okay.
13 MS. KELLY: -- and they would get on to it.
14 There was a -- a broken fence, some unenclosed
15 dumpsters, that kind of thing.
16 CHAIRMAN MADDEN: Okay. Any questions for
17 Ms. Kelly?
18 Go ahead.
19 MR. FARON: Do the violations relate to other
20 properties there too?
21 MS. KELLY: Yes, as it's not really specific to
22 this tenant, we did indicate that it could be for final
23 occupancy.
24 The Applicants would be able to submit for
25 temporary occupancy until the final is completed.

6

1 MR. FARON: And the final encompasses the
2 entire --
3 MS. KELLY: -- site.
4 MR. FARON: -- plaza?
5 MS. KELLY: Correct.
6 MR. FARON: Is there an option to provide

7 seating here at a later date?

8 MS. KELLY: Oh, yes, sir.

9 The parking, because it is a limited-services
10 restaurant, the parking is a straight four per 1,000
11 foot, as opposed to the general one space for every three
12 seats. The four per thousand is for a maximum of up to 16
13 seats, and while the -- the Applicant has indicated they
14 are not including table seating, if at some point in the
15 future, they could without affecting the overall parking
16 number calculation and, therefore, the ordinance does
17 include a maximum seating of 16.

18 MR. FARON: We -- we would allow that at 16?

19 MS. KELLY: Uh-huh.

20 MR. FARON: I'll let you finish. I might have a
21 question for the Applicant just about employee parking, if
22 it's going to occur in the back or throughout the site.

23 CHAIRMAN MADDEN: It's in the back.

24 MS. KELLY: Yeah. And another condition of the
25 approval, per the zoning ordinance, is that all employee

7

1 parking and delivery vehicles are to be parked behind the
2 building or as far away from Olive Boulevard as possible.

3 MR. FARON: Yeah, I saw that we kind of require
4 behind, but we also allow a distance if the back
5 is crowded.

6 MS. KELLY: Right.

7 MR. FARON: Just curious what the Applicant

8 expects to see, referring to the Ballwin site location, if
9 there's going to be some overflow into the front. Pretty
10 close. Sometime parking gets pretty crowded even in back
11 and front, but just curious to see what the Applicant
12 would say.

13 MR. SERRA: As -- as you can see on the map,
14 there is plenty of parking behind this facility that we
15 don't have in the other location.

16 MR. FARON: And that would suit your needs, the
17 parking behind there for employees --

18 MR. SERRA: Yes.

19 MR. SCHNARR: How many employees do you think
20 you would have?

21 MR. SERRA: At any given time, five, maybe six
22 on a busy night; drivers, three. Maybe on a Friday or
23 Saturday night up to five at that -- at that location.
24 It's a smaller location so.

25 MR. FARON: Than Ballwin, I guess?

8

1 MR. SERRA: Yes.

2 MR. FARON: Is it like a 50/50 on delivery and
3 pick-up or just curious on the numbers?

4 MR. SERRA: Not quite. It's probably 75/25.

5 CHAIRMAN MADDEN: Delivery or pick-up?

6 MR. SERRA: Probably 75 delivery, 25 pick-up.

7 CHAIRMAN MADDEN: Okay.

8 MR. FARON: All right. Thank you.

9 CHAIRMAN MADDEN: Any other questions?

10 Any comments or questions from the audience?

11 MR. LUMLEY: Offer the following exhibits into

12 the record of this public hearing: Documentation in

13 possession of the City Clerk reflecting notice that was

14 provided to the public of the hearing; the staff's report

15 regarding the application; City Code of Ordinances and

16 Charter; the City's Comprehensive Plan and the public file

17 on this application.

18 CHAIRMAN MADDEN: And that will close our public

19 hearing.

20 (The public hearing ended.)

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9

1 STATE OF MISSOURI)

2) SS

3 COUNTY OF ST. LOUIS)

4

5 I, Deborah K. McLaughlin, Registered Professional

6 Reporter, Missouri Certified Court Reporter, Illinois

7 Certified Shorthand Reporter and Kansas Certified Court

8 Reporter, do hereby certify that I reported the Planning

9 and Zoning Public Hearing stenographically and later

10 reduced to typewriting; and that this is a true and

11 accurate transcript of the public hearing.

12

13

14 _____, RPR, MO-CCR, IL-CSR, KS-CCR

15 Deborah K. McLaughlin, RPR, MO-CCR, IL-CSR, KS-CCR

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AN ORDINANCE CORRECTING CERTAIN SHOPPING CENTER PARKING REGULATIONS IN CHAPTER 405.820, ARTICLE VII OFF-STREET PARKING AND LOADING REGULATIONS, OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI.

WHEREAS, Ordinance No. 5297 approved on February 11, 2013 amended Section 405.820(B)(1) of the General Parking Requirements for Shopping Centers to allow for a fifteen percent (15%) in the required number of parking spaces; and,

WHEREAS, Ordinance No. 5300 approved on April 22, 2013 amended various sections of the Zoning Code of the City of Creve Coeur to convert the naming and definitions of permitted and conditional uses from the 1987 Standard Industrial Classification (SIC) system to the 2012 North American Industrial Classification System (NAICS); and,

WHEREAS, Ordinance No. 5300 included updated references from the SIC System to the NAICS within Section 405.820 (B)(1) General Parking Requirements for Shopping Centers and the prior approved change allowing for the 15% reduction in parking requirements was inadvertently omitted due to the normal delay in the incorporation of changes into the published code; and,

WHEREAS, the City Council being fully informed finds that correcting the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: Section 405.820(B)(1) General Parking Requirements for Shopping Centers of the Required Off-Street Parking Spaces, of the Zoning Ordinance, of the City of Creve Coeur's Code of Ordinances shall read as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

B. General Parking Requirements.

1. Shopping centers designed for restaurant, retail uses and personal service establishments in NAICS 442, 443, 444, 445, 446, 448, 451, 452, 453 ~~SIC Codes 53, 54, 56 and 59~~ provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required, shall provide the combined total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required.

SECTION 2: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2013.

BILL NO. 5421

ORDINANCE NO. _____

DR. SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



city of CREVE COEUR

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MEMO TO CITY ADMINISTRATOR AND CITY COUNCIL

Meeting Date: May 13, 2013

Subject: Clarifying Ordinance Regarding Shopping Center Parking Regulations in Chapter 405.820, Article VII Off-Street Parking And Loading Regulations

Memo Prepared by: Whitney Kelly, AICP, City Planner

Ordinance No. 5297, approved on February 11, 2013, amended Section 405.820(B)(1) of the General Parking Requirements for Shopping Centers to allow for a fifteen percent (15%) reduction in the required number of parking spaces, to read as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

- A. Rules For Computing Parking Spaces. In computing the number of required off-street parking spaces, the following rules shall apply:
 - 3. In the case of mixed uses (that include office and residential), the parking spaces required shall be computed separately for each use except as provided in Sections 405.800(G)(3--4) and 405.820(H)(6)(b).
- B. General Parking Requirements.
 - 1. Shopping centers designed for restaurant, retail uses and personal service establishments shall ~~provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required, provide the combined total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required.~~

Ordinance No. 5300, approved on April 22, 2013, amended various sections of the Zoning Code of the City of Creve Coeur to convert the naming and definitions of permitted and conditional uses from the 1987 Standard Industrial Classification (SIC) system to the 2012 North American Industrial Classification System (NAICS). This ordinance also included updating all references of the SIC in various sections of the Zoning Ordinance including Section 405.820 (B)(1) General Parking Requirements for Shopping Centers where the above prior approved change allowing for the 15% reduction in parking requirements was inadvertently omitted due to the normal delay in the incorporation of changes into the published code. Section 21 of Ordinance No. 5300 read as follows:

SECTION 21: SECTION 405.820 Required Off-street Parking Spaces shall be amended to read as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

- B. General Parking Requirements.
 - 1. Shopping centers designed for retail uses in NAICS 442, 443, 444, 445, 446, 448, 451, 452, 453 ~~SIC Codes 53, 54, 56 and 59~~ and personal service establishments shall provide four (4) parking spaces per one

thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required.

Therefore, in order to ensure consistency with the prior action and make clear that eliminating the 15% reduction was not the intent of Ordinance No. 5300, the attached clarifying ordinance makes certain that Section 405.820 (B)(1) reads as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

B. General Parking Requirements.

1. Shopping centers designed for restaurant, retail uses and personal service establishments in NAICS 442, 443, 444, 445, 446, 448, 451, 452, 453 SIC Codes 53, 54, 56 and 59 provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required, shall provide the combined total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required.

AN ORDINANCE AMENDING SECTION 405.820, ARTICLE VII OFF-STREET PARKING AND LOADING REGULATIONS OF THE ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, MISSOURI TO ALLOW FOR A FIFTEEN PERCENT REDUCTION IN THE TOTAL NUMBER OF PARKING SPACES REQUIRED FOR SHOPPING CENTERS.

WHEREAS, an application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted to allow for a fifteen percent (15%) in the required number of parking spaces for shopping centers; and,

WHEREAS, two of the City's largest shopping centers, West Oak Shopping Center and Bellerive Plaza Shopping Center, received variances in the required parking based upon evidence that these centers require less parking than the sum of the uses; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the off-street parking regulations of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Tuesday, January 22, 2013, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of 5-0 recommended approval of the subject amendments at its meeting on Tuesday, January 22, 2013; and,

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and,

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was read by title in open meeting two times before final passage by the City Council; and,

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: Section 405.820 Required Off-Street Parking Spaces, of the Zoning Ordinance, of the City of Creve Coeur's Code of Ordinances shall be amended as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

- A. Rules For Computing Parking Spaces. In computing the number of required off-street parking spaces, the following rules shall apply:

3. In the case of mixed uses (that include office and residential), the parking spaces required shall be computed separately for each use except as provided in Sections 405.800(G)(3-4) and 405.820(H)(6)(b).
- B. General Parking Requirements.
1. Shopping centers designed for restaurant, retail uses and personal service establishments shall provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required, provide the combined total parking spaces for each use, less a fifteen percent (15%) reduction in the total number of parking spaces required.

SECTION 2: Properties that received a variance reducing required parking spaces prior to the enactment of this Ordinance shall comply with either the requirement applicable to them prior to enactment of this Ordinance as a result of such variance or the new requirements established by this Ordinance, whichever requires less parking, but the previously approved variance shall not be applied in addition to the reduction in parking requirements established by this Ordinance.

SECTION 3: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS 11th DAY OF February, 2013.



ROBERT HOFFMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS 11th DAY OF February, 2013.



BARRY GLANTZ
MAYOR

ATTEST:



DEBORAH RYAN, MPCC
CITY CLERK

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING CODE OF THE CITY OF CREVE COEUR TO CONVERT THE NAMING AND DEFINITIONS OF PERMITTED AND CONDITIONAL USES FROM THE 1987 STANDARD INDUSTRIAL CLASSIFICATION (SIC) SYSTEM TO THE 2012 NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM (NAICS), ALONG WITH CHANGES IN STATUS FOR CERTAIN USES RESULTING FROM THE CONVERSION, AND THE INCLUSION OF CERTAIN NEW USES.

WHEREAS, an application by the Director of Community Development, on behalf of the City of Creve Coeur, has been submitted for various amendments to the Zoning Code to convert references of uses from the 1987 SIC system to the NAICS due to market changes that have made many of the names and definitions obsolete, and to includes new segments of the market place; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for amendments to the allowed permitted and conditional uses of the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and,

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Tuesday, February 19, 2013, beginning at 7:00 p.m., or immediately following the close of the previous public hearing; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of 6-0 recommended approval of the subject amendments at its meeting on April 1, 2013; and,

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and,

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was read by title in open meeting two times before final passage by the City Council; and,

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: Section 405.210 shall be amended to read as follows:

SECTION 405.210: REGULATION OF USES

It is the intent of this Chapter to permit certain uses, not otherwise illegal, to locate in specified zoning districts, either as a permitted use or a conditional use.

1. Permitted uses. No structure shall be erected, constructed, reconstructed or structurally altered, nor shall any structure or land or combination thereof be used unless the use to which the structure and/or land is to be put is listed in the permitted use section of the applicable zoning district and the use fully complies with all of the applicable district regulations, except for non-conformities, accessory uses and conditional uses. Permitted uses and conditional uses are generally listed according to the North American Industry Classification System (NAICS) Standard Industrial Classification (SIC) Manual published by the Office of Management and Budget, 2012 1987 Edition. The specific uses set forth herein taken from the 2012 NAICS 1987 SIC Manual are adopted by reference as

- specifically set forth herein and made a part of this Chapter as if fully set out in this Chapter. A copy of the 2012 NAICS 4987 SIC Manual is on file in the Department of Community Development.
2. Conditional uses. No conditional use, as designated within this Chapter, shall hereafter be established unless such use has been approved pursuant to the provisions of Section 405.470. Any existing use which was a permitted use prior to the adoption of this Chapter and which is designated as a conditional use by this Chapter may continue as if it were approved as a conditional use.
 3. Uses not specifically listed. If a particular use is included in the NAICS SIC Manual, is not listed as a permitted use and is not within the same NAICS SIC classification code as a listed permitted use, it is not allowed in that district. If a particular use is not included in the NAICS SIC Manual and is substantially similar to uses in one (1) or more NAICS SIC classification codes which are not listed as permitted uses, it is not allowed within that district. If a particular use is not included anywhere in the NAICS SIC Manual and is substantially similar to one (1) or more of the permitted uses listed in that district, it may receive consideration for inclusion as a permitted use by the Planning and Zoning Commission.
 4. Permitted and conditional uses for the Zoning Districts are provided in Table A of the Zoning Ordinance. (Attached)

SECTION 2: Section 405.250 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.250: "A" SINGLE-FAMILY RESIDENTIAL DISTRICT

- B. Permitted Uses. Structures or land in the "A" Single-Family Residential District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 3: Section 405.260 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.260: "B" SINGLE-FAMILY RESIDENTIAL DISTRICT

- B. Permitted Uses. Any structure or land in the "B" Single-Family Residential District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 4: Section 405.270 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.270: "C" SINGLE-FAMILY RESIDENTIAL DISTRICT

- B. Permitted Uses. Any structure or land in the "C" Single-Family Residential District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 5: Section 405.280 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.280: "D" SINGLE-FAMILY RESIDENTIAL DISTRICT

- B. Permitted Uses. Any structure or land in the "D" Single-Family Residential District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 6: Section 405.290 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.290: "AR" ATTACHED SINGLE-FAMILY RESIDENTIAL DISTRICT.

- B. Permitted Uses. Any structure or land in the "AR" Attached Single-Family Residential District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 7: Section 405.300 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.300: "HE" HIGHER EDUCATION DISTRICT

- B. Permitted Uses. Any structure or land in the "HE" Higher Education District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and

are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.

- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 8: Section 405.310 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.310: "PH" PLANNED HOSPITAL DISTRICT

- B. Permitted Uses. Any structure or land in the "PH" Planned Hospital District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 9: Section 405.320 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.320: "PO" PLANNED OFFICE DISTRICT

- B. Permitted Uses. Structures or land in the "PO" Planned Office District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 10: Section 405.330 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.330: "RO" RESEARCH AND OFFICE PARK DISTRICT

- B. Permitted Uses. Structures or land in the "RO" Research and Office Park District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the

recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 11: Section 405.340 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.340: "MX" MIXED USE DISTRICT

- B. Permitted Uses. Structures or land in the "MX" Mixed Use District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 12: Section 405.350 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.350: "PC" PLANNED COMMUNITY DISTRICT

- B. Permitted Uses. Structures or land in the "PC" Planned Community District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 13: Section 405.360 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in its entirety as follows:

SECTION 405.360: "GC" GENERAL COMMERCIAL DISTRICT

- B. Permitted Uses. Structures or land in the "GC" General Commercial District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 14: Section 405.370 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in its entirety as follows:

SECTION 405.370: "CB" CORE BUSINESS DISTRICT

- B. Permitted Uses. Structures or land in the "CB" Core Business District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 15: Section 405.380 (B) Permitted Uses and (C) Conditional Uses are hereby deleted and replaced in their entirety as follows:

SECTION 405.380: "LI" LIGHT INDUSTRIAL DISTRICT

- B. Permitted Uses. Structures or land in the "LI" Light Industrial District may be used only for the purposes enumerated for that district in Table A of this Zoning Ordinance and are subject to the provisions and limitations of Section 405.210 and to all of the other provisions and limitations of this Chapter and other applicable regulations, ordinances and Statutes of the City of Creve Coeur, St. Louis County or the State of Missouri.
- C. Conditional Uses. The City Council may authorize the uses identified as Conditional Uses for the district in Table A of this Zoning Ordinance by conditional use permit as provided in Section 405.1070, based on the criteria in Section 405.470, after receipt of the recommendation of the Planning and Zoning Commission and subject to such other restrictions and conditions as are deemed necessary.

SECTION 16: Section 405.390(D)(2)(a) Planned Residential Development shall be amended to read as follows:

SECTION 405.390: PLANNED ZONING DISTRICTS

- D. Relationship Of Planned Districts To Zoning Map.
 - 2. Types of planned zoning districts.
 - a. Planned residential development (PRD). A "planned residential development" shall mean a development on a plot of land, containing a limited mixture of uses and building types, which may include single-family houses, clustered housing, multi-family dwellings, open space and small service commercial (boutique style business uses) that complement the area. Although no particular combination of the aforementioned uses is predetermined, all applications for PRD zoning must contain a clear statement and placement of the specific uses within the district with the NAICS Designation from Table A. Note that no use which is listed as a conditional use in the Creve Coeur zoning ordinance shall be considered approved for a PRD unless it is expressly listed in the application and approved. Subsequent requests for additional conditional uses shall be treated as amendments to the zoning district and subject to all of the original approval criteria. The minimum gross area (includes floodplain areas) required for PRD is five (5.0) acres, composed of one (1) parcel or two (2) or more contiguous parcels of land.

Design criteria.

- (1) Adjoining areas should be predominately residential or institutional.
- (2) Housing densities may not exceed six (6) units per acre for new single-family residential nor twenty (20) units per acre for new multi-family

- residential. For the purpose of calculating density, acreage shall not include areas located in a 100-year floodplain.
- (3) Includes dwelling units (all types) subject to height and development and performance standards substantially similar to surrounding residential development. In addition, properties adjacent to any single-family residential development shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located thirty-five (35) feet above the property line and will have a slope of thirty degrees (30°) rising towards the center of the site.
 - (4) The floor area ratio (FAR) shall not exceed four-tenths (0.4). However, where a proposed district includes pre-existing buildings that are found to otherwise satisfy the overall purpose and intent of this Chapter, the FAR may be waived so long as the building coverage does not exceed thirty-three percent (33%) of the site area and the sky exposure plane requirement is met.
 - (5) Any tract or site abutting or adjoining a single-family residential development shall provide a buffer yard of twenty-five (25) feet on all sides that abut the single-family development. The buffer yard shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.
 - (6) No new residential building may be located closer than twenty (20) feet to ~~any property line~~ nor any property line or any required buffer yard.
 - (7) No new commercial building may be located closer than forty (40) feet to any required buffer yard.
 - (8) Balances increased structure densities for the subject property with more cohesive and organized open space.
 - (9) Improves on, or provides for, efficient circulation patterns, access controls and screening of parking facilities.
 - (10) Provides adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, ~~stormwater~~ storm water control, sanitary sewer and parks and recreation facilities.
 - (11) Utilizes high-quality architectural design, placement, relationship and orientation of structures.
 - (12) Places all utilities serving new projects underground, except where specific allowances and design considerations are provided elsewhere in this Section.
 - (13) Provides effective landscaping or screening in or around the separate developments within the PRD.
 - (14) Provides for vehicular mobility in a manner that does not compromise pedestrian safety and mobility.
 - (15) Functionality and aesthetically integrates all proposed ~~stormwater~~ storm water collection basins with the surrounding development through undergrounding or extraordinary design of above ground facilities that is visually commensurate with the surrounding development.

SECTION 17: Section 405.390(D)(2)(b) Planned Commercial Development shall be amended to read as follows:

SECTION 405.390: PLANNED ZONING DISTRICTS
D. Relationship Of Planned Districts To Zoning Map.

2. Types of planned zoning districts.

- b. Planned commercial development (PCD). A "planned commercial development" shall mean a development on a plot of land containing a mixture of commercial, office, miscellaneous service activities and multi-family dwellings when acceptable to the area. The purpose of a PCD is to provide sites for the development of commercial retail and office uses in a manner which is attractive for such uses and compatible with surrounding neighborhoods. The PCD will also encourage the efficient use of land and resources, offer a mix of amenities for the populace of the area and promote greater efficiency in public and utility services. Although no particular combination of the aforementioned uses is predetermined, all applications for PCD zoning must contain a clear statement and placement of the specific uses within the district, with the NAICS Designation from Table A. Note that no use which is listed as a conditional use in the Creve Coeur zoning ordinance shall be considered approved for a PCD unless it is expressly listed in the application and approved. Subsequent requests for additional conditional uses shall be treated as amendments to the zoning district and subject to all of the original approval criteria. The minimum gross area (includes floodplain areas) required for PCD is three and one-half (3.5) acres, composed of one (1) parcel or two (2) or more contiguous parcels of land. In addition, a PCD may not be requested for properties described by the Central Business District land use plan.

Design criteria.

- (1) Adjoining areas must be predominantly non-residential as defined for this district and the project shall have all access, not including emergency-use only driveways, from Olive Boulevard, Lindbergh Boulevard, North New Ballas Road or any street within the "LI" Light Industrial zoning district except that the project may also have cross access with an adjacent commercial property whose access is limited to only a major or minor arterial according to the City's published street classification map or from any street within the "LI" Light Industrial zoning district.
- (2) Proposed development adjacent to any single-family residential development shall meet a sky exposure plane requirement. The sky exposure plane will be measured from a line located thirty-five (35) feet above the property line and will have a slope of thirty degrees (30°) rising towards the center of the site.
- (3) The floor area ratio (FAR) for new developments shall not exceed six-tenths (0.6). However, where a proposed district includes pre-existing buildings that are found to otherwise satisfy the overall purpose and intent of this Chapter, the FAR may be waived so long as the building coverage does not exceed forty percent (40%) of the site area and the sky exposure plane requirement is met.
- (4) Any tract or site abutting or adjoining a single-family residential development shall provide a buffer yard of thirty-five (35) feet on all sides that abut the single-family development. The buffer yard shall not contain any impervious surface and shall be landscaped and provided with other screening devices as deemed appropriate by the Planning and Zoning Commission.
- (5) No new residential building may be located closer than fifteen (15) feet to ~~any property line~~ or any property line or any required buffer yard.
- (6) No new commercial building may be located closer than forty (40) feet to any required buffer yard.

- (7) Makes efficient use of parking and storage areas including cooperative parking facilities.
- (8) Provides for the more efficient provision of public and private utilities and facilities throughout the development area.
- (9) Provides adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, ~~stormwater~~storm water control, sanitary sewer and parks and recreation facilities.
- (10) Incorporates pocket parks, small plazas and places for public art where appropriate.
- (11) Locates buildings in appropriate relation to sidewalks or public parks and plazas.
- (12) Provides for vehicular mobility in a manner that does not compromise pedestrian safety and mobility.
- (13) Allows for on-street parking and locate surface parking to the side and rear of buildings.
- (14) Utilizes high-quality architectural design, placement, relationship and orientation of structures.
- (15) Places all utilities serving new projects underground, except where specific allowances and design considerations are provided elsewhere in this Section.
- (16) Provides effective landscape or screening in or around the separate developments within the PCD.
- (17) Functionally and aesthetically integrates all proposed ~~stormwater~~storm water collection basins with the surrounding development through undergrounding or extraordinary design of above ground facilities that is visually commensurate with surrounding development.

SECTION 18: Section 405.450 (B) shall be amended to read as follows:

SECTION 405.450: PERMITTED USES

- B. Group Homes. (NAICS 62310 and 623990) The following specific standards shall be met before a permit shall be issued for a group home:
1. Use regulations. The prevailing lot size requirements, building bulk regulations and yard setback requirements of the single-family residential district ("A", "B", "C" or "D" district) in which the group home is to be located shall be satisfied by any existing single-family residence structure to be converted to group home occupancy or by any structure to be newly constructed for such occupancy, such group homes shall not be permitted in any attached residential district ("AR" district) or other condominium or multi-family project such as within the "CB" Core Business District.
 2. Site density and certification of occupancy. The owner or operator of a group home shall be duly licensed by the Department of Mental Health of the State of Missouri or accreditation acceptable to that department pursuant to Section 630.705 through Section 630.805, RSMo., or shall have applied for such license. Residents of such facilities must be mentally retarded, physically disabled or developmentally disabled as defined under Section 630.005, RSMo. The home occupants shall not exceed eight (8) persons and the number of resident house parents shall not exceed two (2) persons. The objective of this certification of group home occupancy is to ensure that the occupancy of a group home is maintained exclusively for persons with valid developmental handicaps or disabilities at the above stated maximum density per group home. Specifically

- excluded are all other types of group or conjugate living such as homes for the elderly, fraternity houses, residences for nuns, priests or religious orders, residency for alcohol or chemical abuse patients and "half-way houses" for criminals or psychiatric patients.
3. Community density. In order to preclude the impactation of any single neighborhood or subdivision, no group home permitted in accordance with this Section shall be located within two thousand five hundred (2,500) feet of another such group home in the City of Creve Coeur.
 4. Residential appearance. The residential appearance of the group home structure and its lot or site shall be maintained at all times in reasonable conformance with the surrounding neighborhood or subdivision.

SECTION 19: Section 405.470 Conditional Uses shall be amended to read as follows:

SECTION 405.470: CONDITIONAL USES

1. Electric Power Distribution (NAICS 221122) Public utility substations, distribution facilities and distribution cabinets (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts). Shall provide a minimum six (6) foot high screen of evergreen plant material or wall between any structure exceeding three (3) feet in height, with the exception of utility poles and any adjacent residential or institutional use or any right-of-way or street.
2. Retreat Houses (NAICS 813110) operated by non-profit or religious, fraternal or community service organizations including overnight accommodations for guests or members (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts).
 - a. Shall be located on sites of at least three (3) acres.
 - b. Overnight accommodations shall be limited to guests or members.
 - c. The maximum capacity of such overnight guest facilities shall not exceed a ratio of four (4) overnight guests per acre of site occupied by the retreat house.
3. Accessory retail sales (NAICS 45299 All Other General Merchandise Stores and NAICS 445120 Convenience Stores) (conditional use in the "PO" districts).
 - a. The floor area of retail uses shall not exceed twenty percent (20%) of the gross leasable floor area of any building.
 - b. The combined floor area of all retail uses shall not exceed ten percent (10%) of the gross leasable floor area of a given planned development within the district.
 - c. No signage relating to the retail use shall be allowed except within a building and such signage shall not be visible off the premises.
4. Roof-mounted communication equipment (CC-517929) (conditional use in the "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts).
 - a. Roof-mounted communication equipment shall not exceed fifteen (15) feet in height as measured from the roof of the building and shall meet the sky-exposure plane requirement in the applicable zoning district if applicable.
 - b. Prior to approval of roof-mounted communication equipment by the City Council, the applicant shall document their efforts to locate their communication equipment on an existing communication tower within the City or in close proximity to the City. Such documentation shall also indicate why co-location on any existing tower is not feasible or not desirable.

- c. The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.
 - d. In addition to the requirements of Section 405.1080, the site plan for the roof-mounted communication shall include the following information:
 - (1) Proposed type, number and location of antennas or other transmission equipment to be located on the building roof; and
 - (2) Location of any adjoining or surrounding residential districts or structures used for residential purposes.
 - e. Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.
 - f. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment.
 - g. Roof-mounted communication equipment shall not be located within one hundred fifty (150) feet of any residential structure.
 - h. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.
5. Roof-mounted communication equipment (CC-517929) (conditional use in the "A" district).
- a. Roof-mounted communication equipment may be located in a residential parcel if the property is over twenty (20) acres and is primarily used as a public or private school or place of worship.
 - b. The location of the roof-mounted communication equipment shall be no less than three hundred (300) feet from any residential structure measured from the location of the proposed communication equipment.
 - c. Any equipment building, cabinet or similar elements serving the antenna must be located within the structure on which it is mounted or below grade level so as to minimize the visibility from the outside of said structure.
 - d. No antenna shall project above the existing height of the structure upon which it is mounted.
 - e. Prior to approval of roof-mounted communication equipment by the City Council, the applicant shall document its efforts to locate its communication equipment on an existing communication tower or rooftop within the City or in close proximity to the City. Such documentation shall also indicate why co-location on any existing tower or rooftop is not feasible or not desirable.
 - f. The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.
 - g. In addition to the requirements of Section 405.1080, the site plan for the roof-mounted communication equipment shall include the following information:
 - (1) Proposed type, number and location of antennas or other transmission equipment to be located on the building roof, and
 - (2) Location of any adjoining or surrounding residential districts or structures used for residential purposes.
 - h. Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.

- i. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the communication equipment owner's expense. The owner shall provide the City with a copy of its notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment.
 - j. Signs and lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.
 - k. At the time of application for a conditional use permit, the owner of the subject property is required to provide the City a letter consenting to allow the co-location of up to three (3) communication service providers on the same structure and within the same equipment shelter.
6. Communication Towers (NAICS 517210) (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts).
- a. A communication tower shall not exceed one hundred (100) feet in height except in the "LI" Light Industrial District.
 - b. A communication tower shall not be located on parcels of less than five (5) acres in size within the "A", "B", "C", "D" and "AR" Districts.
 - c. The communication tower shall be set back from the property line a minimum of one (1) foot for every foot of structure height or the distance required by the applicable zoning district, whichever is greater. No communication tower shall be located within two hundred (200) feet of any residential structure.
 - d. Communication tower operators of any tower approved after the effective date of this Chapter shall provide for the co-location of other communications providers on their tower for reasonable compensation and shall make adequate space available for public safety communication antennas.
 - e. Prior to approval of a communication tower by the City Council, the applicant shall document efforts to locate the proposed antenna on an existing communication tower within the City or in close proximity to the City. Such documentation shall also indicate why co-location on any existing tower is not feasible.
 - f. The design of the tower shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the tower facilities with the surrounding natural setting and built environment and otherwise reduce the visibility of it.
 - g. All accessory uses and any guy wire anchors or other supporting apparatus shall be subject to height and setback requirements generally applicable to principal uses in the zoning district in which they are located. All guy wire anchor locations, equipment shelter structures or buildings, fencing and similar structures or improvements constituting accessory uses shall be located on the same parcel of land occupied by the communication tower.
 - h. In addition to the requirements of Section 405.1080, the site plan for the communication tower shall include the following information:
 - (1) Exact location of the tower and guy wire anchors or other supporting apparatus;
 - (2) Proposed type, number and location of antennas or other transmission equipment to be located on the tower; and
 - (3) Location of any adjoining residential districts or structures used for residential purposes.
 - (4) Location and number of evergreen plantings or other methods of screening provided for ground-based equipment.

- i. Any communication tower that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the tower and accessory structures. In case of multiple operators sharing use of a single tower, this provision shall not become effective until all users cease operations.
 - j. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any communication tower, unless required by the FAA or other Federal or State authority.
 - k. A communication tower shall not be located closer than fifty (50) feet to any street right-of-way.
 - l. The provisions of Section 405.620 shall not apply to communication towers.
7. Electromedical and Electrotherapeutic Apparatus Manufacturing (NAICS 334510), Surgical Appliance and Supplies Manufacturing (NAICS 339113), Dental Equipment and Supplies Manufacturing (NAICS 339114), and Ophthalmic Goods Manufacturing (NAICS 339115) Fabrication and/or assembly of specialized medical equipment or components (conditional use in the "PH" district).
- a. Shall clearly be accessory to the medical specialty use.
 - b. Shall be located in the same building as the medical specialty use.
 - c. Shall occupy less than fifty percent (50%) of the floor area of the building devoted to the medical specialty, not to exceed ten thousand (10,000) square feet.
8. All drive-through and drive-in Drive-in sales of goods or services including freestanding drive-in banking facilities (not including restaurants) (CC-442100) (conditional use in the "PC", "GC" and "CB" districts).
- a. Shall provide space for at least three (3) cars per drive-up window or station.
 - b. Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.
 - c. Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.
 - d. Drive-thru service for restaurants may be located only on sites of not less than three (3) acres.
9. Water Supply and Irrigation Systems Water supply storage--NAICS 221310 SIC Code 4944 (conditional use in the "LI" district).
- a. Shall be located on lots of at least three (3) acres.
 - b. Elevated structures shall be set back from property lines a minimum of one (1) foot for every foot in height of the structure.
10. Sewage Treatment Facilities Sewage treatment plants-- NAICS 221320 SIC Code 4952 (conditional use in the "LI" district).
- a. Shall be located on lots of at least three (3) acres.
 - b. Shall be allowed only as an accessory use to an industrial use.
 - c. Shall be limited to the treatment of industrial waste prior to transmittal to the sanitary sewer system.
 - d. Shall receive all necessary permits from the Metropolitan St. Louis Sewer District, St. Louis County, the State of Missouri and the Federal Government prior to initiating operation.
11. New Car DealersAutomotive dealers-- NAICS 441110-SIC Code 551 (conditional use in the "GC" and "CB" districts).

- a. Site size. Shall be located on lots of not less than one (1) acre.
 - b. Service bays. Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
 - c. Trash disposal and storage. All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - d. Motor vehicle dealers (new or new and used) (all uses NAICS 441110). A motor vehicle dealer, whose new vehicle franchise has been terminated, may continue all other services performed by the dealer for a period of three (3) years from the later of the date of such termination or January 24, 2011, provided the dealer gives the City written notice of such termination within thirty (30) days of the effective date thereof and states in such notice an intent to seek a replacement franchise to sell new vehicles. Upon good cause shown, the City Council may extend the time period accordingly.
12. New Car Dealers, Used Car Dealers, Motor Vehicle, new and used, used only, Motorcycle Dealers, and Boat Dealers -- NAICS 441110, 441120, 441221 and 441222 SIC Codes 551, 552, and 557 (conditional use in the "LI" District).
- a. Indoor operations only. All business operations (including, but not limited to, vehicle service, cleaning and storage) will take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors. This shall not be interpreted to require service bay doors to be closed except as may be required by an approved conditional use permit.
 - b. Site size. Shall be located on lots of not less than one (1) acre.
 - c. Trash disposal and storage. All used tires and parts, trash and similar objects shall be stored and fully screened from view of the public right-of-way.
13. Gasoline Service Stations-- NAICS 447110 and 447190 SIC Code 554 (conditional use in the "PC", "GC" and "CB" districts). The following specific development standards shall be met before a conditional use permit may be issued for a gasoline service station in accordance with Section 405.1070, so as to control the mode of development, method of operation and to ensure that the location does not adversely affect the health, safety and welfare of the community, especially from the traffic point of view.
- a. Site size. Service station sites shall contain a minimum area of twenty thousand (20,000) square feet, a minimum lot frontage of one hundred (100) feet and a minimum of twenty-five hundred (2,500) square feet for each dispenser, whichever is greater. A dispenser may have more than one (1) hose.
 - b. Setbacks. All buildings shall be set back at least fifty (50) feet from the street right-of-way line and at least ten (10) feet from any other property line unless a greater setback is required by other provisions of this Chapter. Dispenser islands shall be set back twenty (20) feet from any property line. Canopies may be erected to within ten (10) feet of a property line or street right-of-way to protect automobiles positioned for service at pump islands.
 - c. Service bays. Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays are to be contained entirely within the building. Where adjacent to a residential district ("A", "B", "C", "D", "AR" or "MR"), no more than three (3) service bays shall be permitted. Service bay doors shall not face residentially zoned property.

- d. Parking and access. In addition to providing parking in accordance with Section 405.820(F), there should be adequate space on site for automobiles to wait in line for each dispenser island and dispenser.
 - e. Fencing. The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
 - f. Retail sales. Sales shall be restricted for the service station to gasoline, oil, tires, batteries and automotive accessories and food and beverages sold from vending machines, unless permission is explicitly granted as part of the conditional use permit for the sale of other items or classes of items such as food, beverages, personal care or other convenience items or car washing services.
 - g. Trash disposal and storage. All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - h. Major repairs prohibited. Major engine or transmission dismantling, body and fender work, top and upholstery work shall not be permitted on the premises of the service station.
 - i. Trailer and equipment rental prohibited. Trailer and equipment rentals shall not be permitted to operate on the premises of a service station.
 - j. Gasoline deliveries. No delivery tanker shall park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.
 - k. Pump island location. Pump islands located parallel to the street should observe a twenty (20) foot setback. Pump islands located perpendicular to the street should observe a thirty (30) foot setback.
 - l. Landscaping and buffering. A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
 - m. Curb cuts and corner radius. On corner sites a twenty (20) foot curb radius shall be provided and no curb entrance shall be located within less than fifty (50) feet from the end of such curve. At intersections where a primary flow of right turn traffic is anticipated, a thirty-five (35) foot corner curb radius of curvature shall be provided, again with a fifty (50) foot curb cut setback from the end of the curve.
 - n. Sight lines. Landscaping provided along the street frontage in accordance with paragraph (12)(l) "Landscaping and Buffering" above should preserve sight lines for entering and exiting traffic. This does not preclude careful placement of street trees with high foliage or low growing shrubbery (below thirty (30) inches).
14. Food Services and Drinking Places (NAICS 722) Eating and Drinking Establishments. Shall be located on sites of not less than two (2) acres with the following exceptions:
- a. The acreage requirement does not apply to properties within the "GC" District;
 - b. The acreage requirement does not apply to restaurants in the "CB", "PO", "PC" and "LI" Districts that are located within a retail or office building, provided that such restaurants do not collectively occupy more than forty percent (40%) of the building square footage; and
 - c. ~~In the "MX" District restaurants cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District~~

~~used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.~~

Drive-thru or drive-up services:

- i. Shall provide space for at least three (3) cars per drive-up window or station.
 - ii. Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.
 - iii. Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.
 - iv. Drive-thru service for restaurants may be located only on sites of not less than three (3) acres.
- d. In the "MX" District:
- i. Restaurants cannot be located on sites that adjoin or abut property within an "A", "B", "C" or "D" Single-Family Residential District or that adjoin or abut property within an "AR" Attached Single-Family Residential District used for attached single-family dwellings including town homes or duplexes but excluding multi-family dwellings.
 - ii. Shall be located on sites of not less than two (2.0) acres;
 - iii. Shall be located on the ground floor of the structure;
 - iv. Shall not occupy more than forty percent (40%) of the approved building square footage for the building footprint and a single eating and drinking establishment shall not exceed three thousand five hundred (3,500) square feet in size;
 - v. Shall have a minimum of sixteen (16) seats for dining; and
 - vi. Shall not provide drive-thru or drive-up services to patrons. "Drive-thru" and "drive-up" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window and/or receive food service in their automobiles.
15. ~~Hotels, and Motels motels and tourist courts-- NAICS 721110-SIC Code 704 (conditional use in the "PC", "GC", "CB" and "LI" district).~~
- a. ~~Shall be located on lots of not less than three (3) acres.~~
16. ~~Hotels and Motels, and Rooming and Boarding Houses Organization hotels and lodging houses on membership basis-- NAICS 721110, and 721310-SIC Code 704 (conditional use in the "HE" district).~~
- a. ~~Shall be located on lots of not less than twenty (20) acres.~~
- b. ~~Shall be accessory to a permitted principal use.~~
17. ~~Cemeteries and Crematories-- NAICS 812220-SIC Code 726 (conditional use in the "A", "HE", and "PC" districts).~~
- a. ~~Shall be located on sites of at least forty (40) acres.~~
- b. ~~The use of the site shall be limited to cremation and final interment of bodies or ashes in the ground, in columbariums, in mausoleums or similar facilities and the customary accessory uses to support a cemetery. No funeral homes or similar uses shall be allowed.~~
18. ~~Funeral Homes and Funeral Services-- NAICS 812210-SIC Code 726 (conditional use in the "A", "HE", "MX", "PC", and "GC" and "CB" districts).~~
- a. ~~Shall be located on lots of not less than one (1) acre.~~

19. ~~Passenger Car Rental and Leasing Automotive rental and leasing, without drivers--~~
~~NAICS 53211-SIC Code 754 (conditional use in the "GC", "CB", and "LI" districts).~~
 - a. Reserved.
 - b. Service bays. Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
20. Tire Dealers, General Automotive Repair, Automotive Transmission Repair, Other Automotive Mechanical and Electrical Repair and Maintenance, Oil Change, Automotive Glass Replacement Shops, and All Other Automotive Repair and Maintenance
~~Automotive exhaust system repair shops, automotive transmission repair shops, general automotive repair shops, and automotive repair shops not elsewhere classified--~~ NAICS 441320, 811111, 811113, 811118, 811122, 811191 and 811198-SIC Codes 7533, 7537, 7538 and 7539 (conditional uses in the "GC", "CB" and "LI" districts).
 - a. Site size. Shall be located on lots of at least one (1) acre.
 - b. Service bays. Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
 - c. Fencing. The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
 - d. Trash disposal and storage. All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - e. Body repairs prohibited. No body and fender work, top and upholstery work shall be permitted on the premises.
 - f. Landscaping and buffering. A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
21. ~~Motion Picture Theaters (except Drive-Ins)--~~ NAICS 512131-SIC Code 7832 (conditional use in the "PC", "GC" and "CB" districts).
 - a. Shall be located on lots of not less than three (3) acres.
22. Various Membership Organizations Private clubs-- NAICS 713910, 713940, 713990, 813312, 813319, 813410, 813910, and 813990) SIC Code 7997 and SIC Code 8644 (except bars and restaurants owned and operated for members or organizations only; conditional use in the "A", "B", "C", "D" and "AR" districts).
 - a. Shall be located on sites of at least three (3) acres.
 - b. Parking areas shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.
23. ~~Amusement and recreation services-SIC Code 79 (conditional use in the "A", "B", "C", "D", "AR", "MR", "PO", "PC", "GC" and "CB" districts).~~

- a. ~~Shall be located on lots of not less than one-half (1/2) acre, unless a larger lot is required by the applicable zoning district regulations.~~
2324. Nursing Care Facilities, Residential Mental Retardation, Mental Health and Substance Abuse Facilities, and Community Care Facilities for the Elderly Nursing and personal care facilities-- NAICS 623110, 623210, 623311 and 623990 (except Boot Camps and Halfway Group Homes) SIC Code 805 (conditional use in the "HE", "PH", "PC", "GC", and "CB" districts).
- a. Shall be located on sites of at least three (3) acres.
- b. The density of development (for apartment-type units) within a personal care facility shall not exceed twenty (20) dwelling units per acre. Living units with cooking facilities shall count as one (1) dwelling unit and living units without cooking facilities shall count as two-thirds (2/3) of a dwelling unit for purposes of calculating the density of development.
- c. Personal care facilities shall be primarily residential in character; however, convalescent and nursing homes, centralized eating facilities for residents of the facility, medical facilities and similar uses associated with the long- or short-term care of patients may be included.
- d. No building shall be located within fifty (50) feet of any property line.
2425. Outpatient Mental Health and Substance Abuse Center Alcohol and drug treatment, outpatient clinics-- NAICS 62142 SIC Code 8093 (conditional use in the "GC" district).
- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
- b. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
- c. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.
2526. Elementary and Secondary Schools-- NAICS 611110 SIC Code 821 (conditional use in the "A", "B", "C", "D", and "AR", "MR", "PO" and "RO" districts).
- a. Shall be located on lots of not less than three (3) acres; and
- b. Athletic fields shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.
- c. Lights for major outdoor recreation and entertainment facilities shall require approval of a site development plan in accordance with Section 405.1080.
27. Libraries SIC Code 823 (conditional use in the "PO" and "RO" districts).
- a. ~~Shall be located on lots of not less than three (3) acres.~~
2628. Adult Day Care Centers (NAICS 624120) (conditional uses in the "HE", and "PO" and "RO" districts).
- a. Shall be located on lots of not less than three (3) acres.
- b. The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
- c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.
2729. Child Day Care Services-- NAICS 624410 SIC Code 835 (conditional use in the "A", "B", "C", "D", "AR", "MR", "HE", "PO" and "RO" districts).

- a. Shall be located on lots of not less than three (3) acres.
 - b. The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
 - c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.
- ~~30. Orphanages or children's homes SIC Code 836 (conditional use in the "HE", "PH" and "GC" districts).~~
- ~~a. Shall be located on lots of not less than three (3) acres.~~
2834. Residential Mental Health and Substance Abuse Facilities Alcohol and drug rehabilitation centers, residential-- NAICS 623220 SIC Code 836 (conditional use in the "GC" "PC" district).
- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
 - b. Not more than twenty (20) persons shall reside in the building at one time.
 - c. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
 - d. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.
2932. Religious Organizations Places of worship-- NAICS 813110 SIC Code 866 (conditional use in the "A", "B", "C", "D", "AR", "MR", "PO", and "RO", and "LI" districts).
- a. Shall be located on lots of not less than three (3) acres;
 - b. Shall provide a minimum of one (1) acre of land per one hundred (100) seats in the main auditorium.
 - c. In the "A" Single-Family Residential District: If the primary use on the site and conditional use permit is listed as a church or other place of worship and whereas such facilities are located on a lot of twenty (20) acres or more in area, the maximum site coverage on the site may be increased from twenty-five percent (25%) to thirty-five percent (35%). The buffer yard requirement shall be increased to one hundred (100) feet for all new construction or improvements on the site abutting to or across the street from residentially zoned property.
3033. Multi-family dwellings (conditional use in the "AR" district).
- a. Shall be located on sites of at least five (5) acres.
 - b. The minimum dwelling unit size shall not be less than nine hundred (900) square feet per unit.
 - c. At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.
 - d. Private usable open space. Private usable open space shall be provided in accordance with the standards for all multi-family residential building or development described in Section 405.710.
 - e. Visual environment enhancement. In the site development plan for any building or structure or any tract or tracts in the "AR" District, there shall be set aside a sum of money equal to not less than two percent (2%) of the proposed total construction cost, which sum shall be used for the erection, construction or installation of special or extraordinary walks, patios, fountains, pools, statuary, landscaping and other applicable objects of art or beautification upon such tract or tracts. There shall be specified on such site development plan an itemized cost estimate of such items

including the manner in which the sum of money is to be used for this visual environment enhancement.

3134. Multi-family dwellings (conditional use in the "CB" district).
- Shall be located on sites of at least three (3) acres.
 - The average dwelling unit size shall not be less than nine hundred (900) square feet per unit and no unit shall be less than seven hundred fifty (750) square feet.
 - At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.
3235. Building or structure exceeding a floor area ratio of 1.0, but not exceeding 1.25 (conditional use in the "CB" district).
- All projects seeking a floor area ratio (FAR) exceeding one (1.0) shall be limited to a FAR of eight-tenths (0.8) for the office use portion of the building. The intent is to encourage projects that provide mixed-use developments and reduce peak hour vehicular congestion. All projects should incorporate uses that include, but not be limited to, restaurants, personal service providers and incidental retail and service establishments, that are oriented to both on- and off-site users.

SECTION 20: SECTION 405.700 Dedication of Public Parks and Open Space shall be amended to read as follows:

SECTION 405.700: DEDICATION OF PUBLIC PARKS AND OPEN SPACE

The City Council is specifically empowered to establish public parks on public land in any zoning district and may either accept or reject any portion of the property in any zoning district which the developers thereof may voluntarily desire to dedicate to the City as a public park. If any portion of such district is so voluntarily dedicated, such portion of the property must be shown on the approved site development plan, all subject to the recommendation of the Planning and Zoning Commission and the approval of the City Council.

SECTION 21: SECTION 405.820 Required Off-street Parking Spaces shall be amended to read as follows:

SECTION 405.820: REQUIRED OFF-STREET PARKING SPACES

B. General Parking Requirements.

- Shopping centers designed for retail uses in NAICS 442, 443, 444, 445, 446, 448, 451, 452, 453 ~~SIC Codes 53, 54, 56 and 59~~ and personal service establishments shall provide four (4) parking spaces per one thousand (1,000) square feet of floor area unless the proposed mix of land uses in the shopping center require a higher number, in which case the higher number shall be required.
- Residential uses.
 - One- and two-unit structures shall provide two (2) parking spaces per dwelling unit.
 - Multi-family uses shall provide two (2) parking spaces per dwelling unit for the first fifty (50) dwelling units; one and three-quarter ($1\frac{3}{4}$) spaces per dwelling unit for the second fifty (50) dwelling units; and one and one-half ($1\frac{1}{2}$) spaces per dwelling unit for all units in excess of one hundred (100) units.
- Churches, synagogues, temples, other places of worship, public buildings, auditoriums and other places of public assembly: one (1) space for each four (4) seats.
- General offices including professional, governmental or institutional except as specifically enumerated in this Article: For buildings less than fifteen thousand (15,000) square feet, four (4) stalls per one thousand (1,000) square feet of gross

- leasable floor area. For buildings greater than fifteen thousand (15,000) square feet, three and three-tenths (3.3) stalls per one thousand (1,000) square feet of gross leasable floor area.
5. Business Enterprise Center (as defined herein): 0.85 parking spaces per one hundred fifty (150) square feet of office suite space.
- C. Agriculture, Forestry, And Fishing and Hunting (NAICS 11 SIC Codes 01-14).
1. Veterinary services. One (1) parking space per two hundred (200) square feet of floor area.
 2. All other uses. One (1) parking space per five hundred (500) square feet of floor area and two (2) spaces per acre of land area.
- D. Construction (NAICS 23 SIC Codes 15-17). One (1) space per five hundred (500) square feet of floor area plus one (1) space per three thousand (3,000) square feet of outdoor storage area.
- E. Manufacturing, Transportation, ~~Telecommunication~~ And Utility Uses (NAICS 22, 31-33, 48-49, 517 SIC Codes 19-49).
1. Manufacturing (NAICS 31-33 SIC Codes 19-39).
 - a. Research and development facility. One (1) parking space per four hundred (400) square feet of floor area.
 - b. All other manufacturing. One (1) parking space for every five hundred (500) square feet of floor area.
 2. Transportation, ~~telecommunication~~ and utility uses (NAICS 22, 48-49, 517-all uses within SIC codes 40-49). One (1) parking space for every four hundred (400) square feet of floor area.
- F. Wholesale And Retail Trade (NAICS 42, 44-45, 49 722 SIC codes 50-59).
1. Automotive Dealers (NAICS 4411-4413 SIC Code 55) (not including automobile repair (SIC Code 75)):
 - a. Automobile or boat dealers (NAICS 4411-4412, SIC Codes 5510, 5520, 5550, 5560 and 5590). One (1) space per two hundred fifty (250) square feet of show room floor area plus three (3) parking spaces per service bay plus one (1) space per one thousand two hundred fifty (1,250) square feet of total aggregate building area. Parking spaces typically occupied by new or used automobiles for sale shall not be counted towards the required off-street parking requirements. Such parking spaces occupied by automobiles for sale do not have to meet the minimum parking space requirements specified in this Chapter.
 - b. Auto parts Automotive Parts, Accessories, and Tire Stores stores (NAICS 4413 SIC Code 5530). Four (4) parking spaces per one thousand (1,000) square feet of gross floor area.
 - c. Gasoline service Stations (NAICS 447 SIC Code 5540). Four (4) parking spaces per one thousand (1,000) square feet of gross floor area plus three (3) spaces for every service bay.
 - d. All other automotive uses. Four (4) parking spaces per one thousand (1,000) square feet of gross floor area.
 2. Building Material and Garden Equipment and Supplies Dealers materials and garden supplies (NAICS 444 SIC Code 52). Four (4) parking spaces per one thousand (1,000) square feet of gross floor area plus one space per one thousand (1,000) square feet of outdoor display area.

3. Furniture and Home Furnishings Stores (including carpeting and major appliances) (~~NAICS 442~~~~SIC Code 57~~). Four (4) parking spaces per one thousand (1,000) square feet of gross floor area.
4. General retail establishments (general merchandise, food, apparel and accessories and miscellaneous retail stores) (~~NAICS 443, 445, 446, 448, 451, 452, and 453~~~~SIC Codes 53, 54, 56 and 59~~). Four (4) parking spaces per one thousand (1,000) square feet of floor area.
5. Food Services and Drinking Places (NAICS 722). ~~Restaurants and bars (SIC Code 58)~~.
 - a. One (1) parking space per every three (3) seats of maximum occupancy recorded under the conditional use permit plus one (1) parking space per every two hundred fifty (250) square feet of total building floor area plus one (1) parking space per each eight (8) seats in an outdoor seating area.
 - b. Small restaurant facilities which offer only carry-out/delivery service and/or a seating capacity of sixteen (16) or fewer persons shall provide parking spaces at the ratio required for basic retail uses; provided such small restaurant facilities shall not be freestanding or provide drive-through, drive-up or curb service facilities.
6. Wholesale Trade ~~Wholesaling, warehousing and storage businesses (NAICS 42, 49~~ ~~SIC Codes 50 and 54)~~ shall have their parking requirements based on the following:

Building Size	Parking Spaces
Less than 5,000 square feet	1 space per 1,000 square feet
5,000 to 15,000 square feet	1 space per 1,500 square feet
15,001 to 40,000 square feet	1 space per 2,000 square feet
Greater than 40,001 square feet	1 space per 2,500 square feet
or one (1) space per employee on the largest shift, whichever is greater.	

- G. Finance, Insurance And Real Estate (~~NAICS 52 and 531~~ ~~SIC Codes 60-69~~).
 1. Finance and Insurance Banks and savings and loans (NAICS 52 ~~SIC Code 60~~).
 - a. For buildings up to fifteen thousand (15,000) square feet in size, four (4) parking spaces per one thousand (1,000) square feet of gross floor area.
 - b. For buildings greater than fifteen thousand (15,000) square feet in size, three and three-tenths (3.3) parking stalls per one thousand (1,000) square feet of gross leasable floor area.
 2. All other finance (credit agencies, securities and commodities services), insurance and real estate offices. Four (4) parking spaces per one thousand (1,000) square feet of gross floor area.
- H. Services (SIC Codes 70-89).
 1. Accommodation Hotels and other lodging places (NAICS 721110 ~~SIC Code 70~~). One and three-tenths (1.3) spaces per rentable room plus one (1) space for each three (3) seats in the restaurant and lounge plus one (1) space per five hundred (500) square feet of conference rooms.
 2. Personal and Laundry services (NAICS 812 ~~SIC Code 72~~).
 - a. Dry-cleaning and Laundry Services ~~Laundry, cleaning and garment services (NAICS 81232~~ ~~SIC Code 7210~~).

- (1) Dry-cleaning and Laundry Services (except Coin-Operated) cleaning pickup establishments (NAICS 812320 SIC Code 7249). One (1) space per one hundred fifty (150) square feet of floor area for the pickup area and one (1) space per three hundred (300) square feet of floor area for clothing storage and other areas.
- (2) All other uses. One (1) space per three hundred (300) square feet of floor area.
- b. Hair, Nail and Skin Care Services, Barber Shops, Beauty Salons, Nail Salons, and Other Personal Care Services Barbershops, beauty shops, nail salons and tanning salons (NAICS 81211), SIC Codes 7230 and 7240). Three and one-half (3.5) spaces per barber, beautician and/or manicurist station or one (1) space per one hundred (100) square feet of floor area, whichever is greater.
- c. Death Care Services Funeral homes, mortuaries and similar facilities (NAICS 8122 SIC Code 7260). One (1) space per fifty (50) square feet of floor space devoted to parlors, individual funeral service rooms and similar areas plus one (1) space for each funeral vehicle kept on the premises plus one (1) parking space per employee.
- d. All other personal service establishments. One (1) space per two hundred (200) square feet of floor area.
3. Miscellaneous business services (Advertising Agencies NAICS 54181, News Syndicates agencies NAICS 51911, and television and radio-Broadcasting (except Internet) Facilities, NAICS 5151) (SIC Code 73 except 737).
 - a. One (1) space per three hundred (300) square feet of floor area.
 - b. Computer Systems Design and Related Services Computer services (NAICS 5415 SIC Code 737). One (1) space per two hundred (200) square feet of floor area.
4. Automotive Repair and Maintenance Automobile repair and services (NAICS 6111 SIC Code 75). One (1) space per three hundred (300) square feet of floor area plus one (1) space per service bay.
5. Electronic and Precision Equipment Repair and Maintenance (NAICS 8112), Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance (NAICS 8113), and Personal and Household Goods Repair and Maintenance (NAICS 8114), Miscellaneous repair services (SIC Code 76). One (1) space per three hundred (300) square feet of floor area.
6. Motion Pictures and Video Industries (NAICS 5121 SIC Code 78).
 - a. Single motion picture theaters. One (1) space per three (3) seats.
 - b. Multi-plex motion picture theaters. (NAICS 512131) One (1) space per four (4) seats. Except, however, that such theaters may have their parking modified by the provisions of Section 405.800(G)(3) or for multi-plex theaters located with shopping centers containing over twenty-five thousand (25,000) square feet of floor area which provide at least six (6) parking spaces per one thousand (1,000) square feet of floor area or multi-plex theaters located with shopping centers over fifty thousand (50,000) square feet of floor area which provide at least five (5) parking spaces per one thousand (1,000) square feet of floor area may provide parking according to the following standards:

Gross Retail Area	Parking Standard
25,000--49,999	1 space per 5 seats

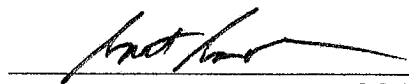
50,000--79,999	1 space per 6 seats
80,000--99,999	1 space per 7 seats
100,000 square feet and larger	1 space per 8 seats

- c. Video Tape and Disc Rental (NAICS ~~53223~~ SIC Code 7840). One (1) space per two hundred (200) square feet of floor area.
 - d. All other motion picture uses. One (1) space per three hundred (300) square feet of floor area.
7. Amusement and recreation facilities ~~SIC Code 79~~.
- a. Fine Arts Schools (NAICS 61161) and Sports and Recreation Instruction (NAICS 61162). ~~Dance studios, schools and halls (including martial arts and similar schools) (SIC Code 7910).~~ One (1) space per two hundred (200) square feet of floor area.
 - b. Fitness and Recreational Sports Centers (NAICS 71394), and All Other Amusement and Recreation Industries ~~Amusement game parlors, pool halls and other similar recreational buildings (NAICS 713990).~~ One (1) space per one hundred fifty (150) square feet of floor area.
 - c. Bowling centers (NAICS ~~71395~~ SIC Code 7930). Five (5) spaces per lane.
 - d. Golf Courses and Country Clubs ~~courses (NAICS 71391 SIC Code 7992).~~ Four (4) spaces per hole.
 - e. Public or private commercially operated recreational complexes and associated structures. Five (5) spaces per gross acre plus one (1) space per one hundred (100) square feet of floor area for associated support buildings.
8. Health Care and Social Assistance (NAICS 62). ~~Medical and other health services (SIC Code 80).~~
- a. Ambulatory Health Care Services (NAICS 621). ~~Medical and dental offices and outpatient clinics (SIC Codes 8010, 8020, 8030 and 8040).~~
 - (1) Buildings under fifteen thousand (15,000) square feet. Four (4) spaces per one thousand (1,000) square feet of gross leasable floor area.
 - (2) Buildings greater than fifteen thousand (15,000) square feet. Three and three-tenths (3.3) spaces per one thousand (1,000) square feet of gross leasable floor area.
 - b. Nursing and Residential Care personal care facilities (NAICS 623 ~~SIC Code 8050~~). One (1) space per two (2) patient beds.
 - c. Hospitals (NAICS 622 ~~SIC Code 8060~~).
 - (1) Eighty-five one-hundredths (0.85) space per employee on duty at any one (1) shift change or sixty-five one-hundredths (0.65) space per full-time equivalent total employment, whichever is greater, and additional parking spaces shall be provided for visitors on the basis of six-tenths (0.6) space per hospital bed.
 - (2) The parking requirements for a hospital may be reduced by the Planning and Zoning Commission if a total parking analysis which reflects all uses provided is submitted by the applicant and approved by the Planning and Zoning Commission.
 - d. Other health services. Four (4) parking spaces per one thousand (1,000) square feet of gross floor area.
9. Professional, Scientific, and Technical Services ~~Legal services (NAICS 54-SIC Code 84).~~ One (1) space per two hundred fifty (250) square feet of floor area.

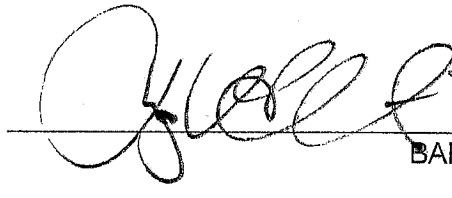
10. Educational Services (NAICS 61 SIC Code 82).
 - a. Elementary and Secondary Schools (NAICS 6111 SIC Code 8210).
 - (1) High schools. One (1) space for every four (4) students based on the maximum design capacity of the school plus one (1) space for every employee.
 - (2) Junior high and elementary schools. Two (2) spaces per classroom.
 - b. Colleges, Universities, Business Schools and Technical/Vocational Schools (NAICS 6112, 6113, 6114, and 6115 SIC Codes 8220 and 8240). One (1) space for every two (2) students based on the maximum design capacity of the school plus one (1) space for every employee.
 - c. Other educational services. One (1) space per three hundred (300) square feet of floor area.
11. Social Assistance services (NAICS 6244 SIC Code 83).
 - a. Child Day Care Services facilities (NAICS 62441 SIC Code 8350). One and one-half (1.5) spaces per staff person required for the licensed capacity of the facility. In addition, day care facilities shall provide safe drop-off areas near the main entrance to the facility.
 - b. All other social service uses. One (1) space per three hundred (300) square feet of floor area.
12. Museums, Historical Sites, and Similar Institutions ~~art galleries, botanical and zoological gardens~~ (NAICS 7121 SIC Code 84). One (1) space per three hundred (300) square feet of floor area plus one (1) space per two thousand five hundred (2,500) square feet of outdoor display area.
13. Grant-making and Giving Services, Social Advocacy Organizations, Civic and Social Organizations, and Business, Professional, Labor, Political and Similar Organizations ~~Membership organizations~~ (NAICS 8132, 8133, 8134, and 8139 SIC Code 86). One (1) space per two hundred (200) square feet of floor area.
14. ~~Other services (SIC Codes 87, 88 and 89). One (1) space per three hundred (300) square feet of floor area.~~

SECTION 22: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS 22nd DAY OF April, 2013.


SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS 22nd DAY OF April, 2013.


BARRY GLANTZ
MAYOR

ATTEST:


DEBORAH RYAN, MPCC
CITY CLERK

AN ORDINANCE REPEALING ARTICLE II, BUILDING CODE, OF CHAPTER 500 OF THE CITY CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, AND ENACTING IN LIEU THEREOF A NEW ARTICLE II, BUILDING CODE.

WHEREAS, the city regulates construction practices and standards by means of technical codes to protect the health, safety and welfare of its citizens, and

WHEREAS, such codes must be updated from time to time, and

WHEREAS, at least one copy of the 2009 International Building Code, which is hereby to be adopted by reference, has been filed with the City Clerk's office and made available for public use, inspection and examination for a period of at least 90 days prior to adoption of this ordinance pursuant to Section 67.280 RSMo and notice thereof has been publicly posted, and

WHEREAS, a copy of this ordinance has been available for public inspection in the City Clerk's office and it has been read two times by the City Council as required by the City's Charter prior to adoption.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: ARTICLE II, BUILDING CODE, of Chapter 500 of the City Code of Ordinances is hereby repealed and a new **ARTICLE II** of Chapter 500 is hereby enacted to be known as **"THE BUILDING CODE"**. Said **ARTICLE** to read as follows:

ARTICLE II. BUILDING CODE

SECTION 500.020 ADOPTED: A certain document, a copy of which is on file in the office of the City Clerk, such copy being marked and designated as the "INTERNATIONAL BUILDING CODE, 2009", FOURTH EDITION, including "APPENDIX H – SIGNS", as published by the International Code Council, Inc., is hereby adopted as the Building Code of the City of Creve Coeur, Missouri, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the INTERNATIONAL BUILDING CODE, 2009, FOURTH EDITION, are hereby referred to, adopted and made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions, and changes, prescribed in this Article.

SECTION 500.030 JURISDICTIONAL TITLES: Throughout the INTERNATIONAL BUILDING CODE, 2009, FOURTH EDITION, wherever the terms "name of jurisdiction" or "local jurisdiction" appear, it shall be deemed to mean "City of Creve Coeur, Missouri". Likewise, wherever the terms "department of building inspection" or "department of building safety" appear, it shall be deemed to mean "Creve Coeur Building Division". Wherever the term "code" appears, it shall mean the INTERNATIONAL BUILDING CODE, 2009, FOURTH EDITION, as amended in this Article.

**SECTION 500.040 AMENDMENTS TO CHAPTER 1 INTERNATIONAL BUILDING CODE:
– CHAPTER 1 – ADMINISTRATION:**

Chapter 1 of the International Building Code, 2009, Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

101.4.2 Mechanical. The provisions of the St. Louis County Mechanical Code, as adopted by the city, shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration

systems, incinerators and other energy-related systems. All references to the International Mechanical Code shall be interpreted as references to the adopted St. Louis County Mechanical Code.

This amendment made to clarify that the city's mechanical code is the St. Louis County Mechanical Code.

101.4.3 Plumbing. The provisions of the St. Louis County Plumbing Code, as adopted by the city shall apply to the installation, alteration, repair and replacement of plumbing systems including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system. All references to the International Plumbing Code shall be interpreted as references to the adopted St. Louis County Plumbing Code.

This amendment made to clarify that the city's plumbing code is the St. Louis County Plumbing Code.

102.7 Matters not provided for. Any requirements that are essential for the structural, fire or sanitary safety of an existing or proposed building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code, shall be determined by the building official.

This amendment made to add a new section to this code so as to be consistent with the city's present building code.

104.6.1 Interference with building official: No person shall hinder, obstruct, resist, fail to provide entry at reasonable times, or otherwise interfere with the code official in the performance of his official duties.

This amendment made to add a new section to this code so as to be consistent with the city's present building code.

104.6.1.1 Disasters. In the event of a disaster such as a windstorm, tornado, flood, fire, earthquake, bomb blast or explosion, the building official is authorized to deputize Missouri Structural Assessment and Visual Evaluation (SAVE) Volunteer Inspectors certified by the Missouri State Emergency Management Agency (SEMA) to conduct emergency post-disaster safety evaluations of buildings.

This amendment made to add a new section to this code that allows the building official to expand the city's inspection capabilities after a disaster. This is consistent with St. Louis County's building code adopting ordinance.

104.12 Rule-making authority. The building official shall have authority, as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code, to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety.

This amendment made to add a new section to this code so as to be consistent with the city's present building code.

105.1.1 Annual permit. [Delete this section in its entirety]

The city contracts with St. Louis County to issue annual mechanical, electrical and plumbing permits to qualified tradespersons employed by building owners.

105.1.2 Annual permit records. [Delete this section in its entirety]

See reason for deleting Section 105.1.1

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Retaining walls which are not over 2 feet (610mm) in height measured from the top of the proposed finished grade at the non-retained side of the wall to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
2. Painting, tiling, carpeting and similar finish work.
3. Prefabricated swimming pools accessory to a Group R-3 occupancy which have a maximum water depth of 24 inches (610mm), a maximum water volume of 5,000 gallons (18925L) and are installed entirely above ground.

Electrical:

Any work exempted from permits by the Electrical Code.

Gas:

Any work exempted from permits by the Mechanical Code.

Mechanical:

Any work exempted from permits by the Mechanical Code.

Plumbing:

Any work exempted from permits by the Plumbing Code.

This amendment made to clarify when permits are not required.

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced, or after one year from the date of issuance for tenant improvements, or after two years from the date of issuance for new buildings or building additions if the permit has not otherwise expired. The building official is authorized to grant, in writing, one or more extensions of time, for periods not to exceed 90 days each. An extension shall be requested in writing and justifiable cause must be demonstrated.

The city's present building code allows commercial building permits to be valid for up to two years regardless of the type of project. This amendment will limit the time frame for completing tenant improvements to one year instead of two years. New buildings and additions will still have two years to complete.

105.5.1 Expiration of demolition permits. Demolition work shall be completed within thirty (30) days after the date of issuance of the demolition permit. The building official may, after receiving a written request from the applicant, grant one or more thirty day extensions to this permit if the applicant presents evidence of justifiable cause.

This amendment made to reflect the city's present requirements.

105.7 Placement of permit and inspection placard. The building permit or copy shall be kept on the site of the work until the completion of the project. An inspection placard shall be posted on the job site in accordance with Section 110.1.1 of this code.

This amendment was made to add new section 105.7 so as to be consistent with the city's present building code.

107.1 General. The application for a permit shall be accompanied by four (4) complete sets of construction documents drawn to scale. The construction documents and site plans shall be prepared and sealed by an architect or an engineer licensed and registered in the State of Missouri to render this service. All construction documents and site plans shall be prepared by the appropriate registered design professional consistent with the professional registration laws of the State of Missouri. All construction documents submitted with an application for a building permit shall bear an original embossed or wet ink seal and an original dated signature of the responsible Missouri registered design professional for each discipline on the front sheet of each discipline within each set of construction documents. In addition, all other sheets of the construction documents, other than the specifications or calculations, shall bear the original embossed or wet ink seal and the original dated signature or the mechanically reproduced seal and dated signature of the responsible Missouri registered design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear the original seal and original dated signature of the responsible Missouri registered design professional. Such changes shall

be clearly indicated. The building official may waive these requirements when the scope of the work is of a minor nature and does not involve structural alterations.

This amendment made to reflect the city's present requirements.

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

This amendment made to delete the exceptions made to occupancies in groups R-2 and I-1. St. Louis County made the same amendment.

107.2.5.2 All buildings and structures. For all buildings and structures for all use groups to be constructed, the following additional information shall be shown on the site plan.

- A. The location of all front, side and rear building lines, together with all easements including utilities, drainage and roadways.
- B. The present and proposed finished grades of yards, driveways or walks for drainage in relation to the established first floor elevation including the slope away from the foundation.
- C. The lot number, block (if any), plat or subdivision number, recorded subdivision name, front street and side streets (where applicable) and the north direction arrow.

107.2.5.3 Private sewage disposal system. The site plan shall indicate the location of a private sewage system when a public sewage system is not available. All technical data and soil data required by the Plumbing Code shall be submitted with the site plan.

107.2.6 Residential Fire Sprinkler Option Form. An application for permit for a one or two family dwelling or residence or townhome shall be accompanied by the city's Residential Fire Sprinkler Option Form signed by the builder and the purchaser affirming that a fire sprinkler system was offered to the purchaser prior to entering into the purchase contract in conformance with Section 903.1 of this code. If there is no purchaser at the time of the permit application submittal, then said signed FORM shall be submitted as soon as there is a purchaser and prior to the issuance of a certificate of occupancy for the new residence. The provisions of this section shall expire on December 31, 2019.

This amendment was made to be consistent with state law.

107.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved in writing or by stamp, as "Reviewed for Code Compliance". Two (2) sets of construction documents so approved shall be retained by the building official. The other two (2) approved sets shall be returned to the applicant for submittal to the respective fire district for their approval. Upon their approval, the fire district shall return one (1) set of city and fire district-approved construction documents to the applicant. This set shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

109.2 Schedule of fees. The fees for plan reviews, issuing permits, making inspections, working overtime, issuing certificates of occupancy, establishing escrow funds and other administrative enforcement activities performed by the building department shall be paid in accordance with the fees established in Appendix B to Title IV, Community Development and Public Works Fee Schedule, of the City Code of Ordinances.

109.2.1 Building Code Board of Appeals filing fee. A filing fee of \$150.00 shall be paid upon the submittal of the written appeal in order for a quorum of the Building Code Board of Appeals to be notified to convene for the purpose of hearing an appeal of a decision of the building official as set forth in Section 112. The filing fee shall be refunded to the applicant if the Board reverses the decision of the building official.

109.3 Building permit valuations. The applicant for a permit shall provide an estimated construction cost for the project at the time of application. The estimated construction cost shall be for the total value of work, including

materials, labor, profit and overhead for all structural, architectural, mechanical, electrical and plumbing work, as it relates to the project for which the permit is to be issued. The estimated construction cost shall not include the cost of land or registered design professional fees. If, in the opinion of the building official, the estimated construction cost is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

109.4 Work commencing before permit issuance. Where any work for which a permit is required by this code is started, or proceeded with, prior to obtaining said permit, the normal applicable fee shall be doubled and a penalty fee of up to \$500.00 may be charged by the building official. The payment of said doubled fee or penalty shall not relieve any persons from fully complying with the requirements of this code or from other penalties prescribed herein.

109.6 Refunds. In the case of revocation of a permit no refund shall be granted. Any excess fee for a project that has not been commenced shall be returned to the permit holder upon written request received no later than twelve (12) months after the date the permit was issued and the permit shall be cancelled. All plan examination fees, permit processing fees, inspection fees and penalties that have been imposed upon the permit holder under the requirements of this code shall be deducted from the refund or paid by the permit holder prior to any refund being granted.

These amendments were made to Sections 107.2.5.2 through 109.6 to reflect the city's present requirements.

110.1.1 Inspection placard. Work requiring a permit shall not commence until the permittee or his/her agent posts a city-issued inspection placard at the job site for recording inspections. Failure to maintain this inspection placard will not relieve the permittee of responsibility as provided by this code. When work has progressed to a point of having windows, or when the job is an alteration or addition, the placard shall be attached to the glass in view for recording the balance of inspections required by the code. Absence of inspection placard shall result in the imposition of a penalty fee as set forth in Section 109.2.

110.1.2 Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available at the job site at the time of inspection.

110.3 Required inspections. After issuing a building permit, the building official shall conduct inspections as set forth in Sections 110.3.1 through 110.3.12 during and upon completion of the work for which a permit has been issued so as to be able to ensure that substantial compliance with this code has occurred. A record of all such inspections and any violations of this code shall be maintained by the building official. The owner shall provide for special inspections in accordance with Section 1704.

110.3.1 Soil and footing inspection: A soil inspection shall be made after excavation for the building or structure is complete and trenches for footings, spread footings, column pads, grade beams, and other types of footings are crumbed, formed, have the reinforcing steel tied in place, and are ready for concrete. A City-approved barrier shall be in place around the excavation until backfilling has occurred. No concrete shall be placed without this inspection.

110.3.1.1 Lowest floor elevation. Any building or structure permitted to be constructed on property designated as a flood hazard area shall have an elevation certification (as required by Section 1612.5 and prepared and sealed by a registered design professional) which certifies the lowest floor elevation, including the basement, submitted to the building official prior to the required foundation inspection. No foundation inspection shall be approved until said submittal is made.

110.3.2 Foundation inspection: A foundation inspection shall be made after the top of the footing has been cleaned, the foundation forms have been properly set, the reinforcing steel has been cleaned and tied in place, and the proper anchor bolts are on site. A City-approved barrier shall be in place around the excavation until backfilling has occurred. No concrete shall be placed without this inspection.

110.3.3 Pier inspection: A pier inspection shall be made where special foundations such as drilled and poured-in-place concrete piers, caissons, driven piles of all types, and other extraordinary types of foundations are required. Additional pier inspections shall be made when the code official determines the size of the project warrants it. The code official may require a special inspector, as set forth in Section 1704, to make these inspections when deemed necessary by the building official. Reinforcing steel required in the above cases shall be placed to allow for adequate inspections. A City-approved barrier shall be placed around the excavation until backfilling has occurred. No concrete shall be placed without this inspection.

110.3.4 Structural concrete slab and under-floor inspection. Structural concrete slab and under-floor inspections shall be made after 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 placed or floor sheathing installed, including the sub-floor.

110.3.5 Framing inspection: A framing inspection shall be made after the plumbing, mechanical, electrical and fire rough-in inspections have been made and approved by those inspection departments and their dated approval signatures have been noted on the posted inspection placard; and after all masonry walls, fireplace chimneys, vents, and all framing (including the floor, wall, and roof structures, fireblocking, bracing and sheathing) are completed. Protection of joints and penetrations in fire-resistance rated assemblies shall not be concealed from view until inspected and approved. No mechanical, electrical, plumbing, or framing systems shall be concealed before this inspection is made and approved by the code official.

110.3.6 Ceiling cover inspection. A ceiling cover inspection shall be made after the plumbing, mechanical, electrical and fire rough-in inspections have been made and approved by those inspection departments and their dated approval signatures have been noted on the posted inspection placard; and after all masonry walls, fireplace chimneys, vents, ceiling grid and hanger wires, and all framing (including the floor and/or roof structures, fireblocking, bracing and sheathing) are completed. Protection of joints and penetrations in fire-resistance rated assemblies shall not be concealed from view until inspected and approved.

110.3.7 Gypsum board and plaster: The following ceiling and wall gypsum board or plaster inspections shall be performed as specified:

- A) A lath inspection shall be made after all lathing, interior and exterior, is in place and before any plaster is applied.
- B) A gypsum board inspection shall be made after all gypsum board sheets are in place and properly fastened and before any joint compound is applied over joints and fasteners.

Each layer of a multi-layered fire-resistance rated assembly shall be inspected and approved prior to the next layer being applied. Protection of joints and penetrations in fire-resistance rated assemblies shall not be concealed from view until inspected and approved.

110.3.8 Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

110.3.9 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 of this Code and shall include, but not be limited to, inspections for envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

110.3.10 Supplemental inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections or re-inspections of any construction work to ascertain compliance with the provisions of this code, the city's zoning code and the city's code of ordinances.

110.3.11 Special inspections. For special inspections, see Section 1704.

110.3.12 Final inspection. A final building inspection shall be made after the prior required inspections have been completed and the final mechanical, electrical, and plumbing inspections have been made and approved by those inspection departments; and the final fire inspection has been made and approved by the appropriate fire district.

These amendments were made to Sections 110.3.1 through 110.3.12 to be more specific in content. The more specific language as to when inspections are required and what the inspector will be looking for will assist contractors with the field inspection process.

110.5.1 Duty to request a final inspection and obtain final approval: Upon completion of the work described in the permit application and on the approved construction documents, the permit holder shall request a final inspection and obtain final approval before any occupancy of the building or structure shall occur. Failure of the permit holder to make a timely request for a final inspection and obtain final approval shall constitute a violation of the building code, shall subject the permit holder to penalties as set forth in Section 114.4, and shall result in forfeiture to the City of any funds deposited in escrow in connection with the permit if the failure continues after 30 days written notice sent by certified mail to the last known address of the permit holder, in order to offset at least some of the costs incurred by the City as a result of such continuing failure. The building official shall be responsible for sending such notices, including to all permit holders that have failed to make a timely request for a final inspection as of the effective date of these provisions. Unless the permit holder applies in signed writing for segregated investment of its escrow deposit at the time of permit application, an escrow deposit may be invested by the City with other municipal funds and any income derived there from may be used for general revenue purposes at any time. If the permit holder applies by timely signed writing for segregated investment of its escrow deposit, the City shall segregate such funds and invest them in the same manner as allowed for municipal funds, to the extent practicable given the amount of the escrow; however, no return is assured and the City shall have no liability whatsoever other than to pay any income actually derived from such investment in the event of return of such escrow deposit. In the event of a forfeiture of an escrow deposit, any income from segregated investment shall also be forfeited.

110.7 Coordination of inspections. Whenever in the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

These amendments were made to Sections 110.5.1 and 110.7 to reflect the city's present requirements.

111.1 New buildings: Any building or structure hereafter constructed shall not be used or occupied in whole or in part until the certificate of occupancy shall have been issued by the code official. The person in whose name the building permit has been issued pursuant to Section 105 shall obtain the certificate of occupancy and shall prevent the occupancy of any building or structure or part thereof until such certificate is issued to him. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

111.1.1 Existing buildings: Upon written request from the owner or prospective tenant of an existing building or structure, the code official shall issue a certificate of occupancy, provided that there are not violations of law, or this code, or orders of the code official pending, or which are found to exist upon an inspection of the building, and it has been established after inspection and investigation that the alleged occupancy is also in conformance with the Zoning Ordinance of Creve Coeur, Missouri. This code shall not require the removal, alteration, or abandonment of, or prevent the continuance of, the occupancy of a lawfully existing building or structure, unless such use is deemed to endanger public safety and welfare. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

111.1.2 Residential occupancy. The requirements of Section 111.1.1 shall not be applicable to existing one- and two-family residential buildings and structures that were previously issued certificates of occupancy prior to the effective date of Section 111.1.

111.1.3 Required certificate of occupancy. Failure of the owner or tenant of a structure to obtain a certificate of occupancy as required by Sections 111.1 and 111.1.1 shall be deemed a violation of this code and shall subject said owner or tenant to penalties as set forth in Section 114.4.

111.4 Revocation of the certificate of occupancy: The certificate of occupancy shall always be subject to this code and other laws enforced by the building official. Non-compliance with the regulations of this code and other laws enforced by the building official shall be deemed a violation subject to the penalties set forth herein, and, in addition, the building official shall be empowered to revoke the certificate of occupancy issued for the building in question, until such time as the violations are corrected and the building is in compliance with this code and the Zoning Ordinance of Creve Coeur, Missouri. The issuance of a certificate of occupancy shall not relieve the owner or tenant from compliance with all regulations of this code and other applicable regulations.

111.5 Permanent address numbers: Every dwelling unit or business structure within the City of Creve Coeur shall have the correct street number(s) permanently affixed on said dwelling unit or business structure so as to be clearly visible from the street in front of the property. The street number(s) shall be a minimum of four (4) inches in height when displayed on a dwelling unit and a minimum of six (6) inches in height when displayed on a business structure. Said street numbers shall be contrasting in color to that of the structure and shall be placed in proximity to the main entrance into the structure. Permanent address numbers shall be permanently affixed on a dwelling unit or a business structure prior to the issuance of a certificate of occupancy.

These amendments were made to Sections 111.1 through 111.5 to reflect the city's present requirements.

113.1 General. 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 code, there is and shall remain a Building Code Board of Appeals. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. Any person shall have a right to appeal a decision of the building official to the Building Code Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Time limitation and filing procedure. All appeals shall be filed in writing with the building official. A written appeal may not be filed more than thirty days after the affected individuals are notified of the building official's decision.

113.3.1 Filing fee. An application for appeal shall not be filed without full payment of the filing fee as set forth in Section 109.2.1. Said filing fee shall be refunded to the applicant if the Board reverses the decision of the building official.

113.4 Membership of board. The Building Code Board of Appeals shall consist of five regular members, who shall be residents of the City of Creve Coeur, appointed pursuant to Section 4.4(i) of the City Charter for three-year staggered terms. To the extent possible, based on applications submitted to the City, members of the Building Code Board of Appeals should be representative of the following professions or disciplines: registered architects, builder or superintendent of building construction with ten years of experience, structural engineer, code enforcement professional, mechanical engineer, electrical engineer, civil engineer, fire protection engineer, mechanical contractor, electrical contractor, plumbing contractor, fire protection contractor, or other disciplines associated with the building trades or design professions.

113.4.2 Chair. The Chair of the Building Code Board of Appeals shall be elected annually by the members of the Building Code Board of Appeals.

113.4.3 Secretary. The City Administrator shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the city administrator.

113.4.4 Compensation of members. Members of the Building Code Board of Appeals shall not be compensated for service but shall be reimbursed for actual expenses pursuant to established City policy.

113.4.5 Code of Ethics for members. All members shall be subject to the city's Code of Ethics.

113.5 Notice of meeting. The Building Code Board of Appeals shall meet upon notice from the chair, within 5 calendar days of the filing of a written appeal with the building official, or at stated periodic meetings.

113.6 Open hearing. All hearings before the Building Code Board of Appeals shall be open to the public. Proper public notice shall be given. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given the opportunity to be heard.

113.6.1 Procedure. The Board shall adopt and make available to the public through the secretary procedures under which a hearing shall be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

113.7 Quorum. Three members of the Building Code Board of Appeals shall constitute a quorum for the purpose of hearing appeals.

113.8 Board decision. The Building Code Board of Appeals shall only reverse or modify the decision of the code official by a majority vote of the quorum present and voting. Otherwise, the decision shall be deemed to be upheld.

113.8.1 Notification of decision. The secretary of the board shall notify the appellant and the building official of the decision in writing.

113.8.2 Administration. The building official shall take immediate action in accordance with the decision of the board.

113.9 Court review: Any aggrieved person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision of the Building Code Board of Appeals in the office of the City Administrator.

These amendments were made to Sections 113.1 through 113.9 to reflect the city's present requirements.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an ordinance violation, punishable by a fine of not more than \$500, or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

115.1.1 Mud or debris or an excessive amount of surface water on streets and adjacent properties. After a verbal warning to the owner or contractor, the building official shall have the authority to issue a stop work order to any project which is causing mud or debris or an excessive amount of surface water to be transferred to any street or adjacent property.

115.3 Unlawful continuance. 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 subject to penalties as set forth in Section 114.4.

These amendments were made to Sections 114.4 through 115.3 to reflect the city's present requirements.

SECTION 117 EMERGENCY MEASURES

117.1 Imminent danger. When, in the opinion of the building official, there is imminent danger of failure or collapse of a building or structure or any part thereof which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the building official is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The building

official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure is Unsafe and its Occupancy has been Prohibited by the Building Official." It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or of demolishing the same, which work shall be done at such person's own risk.

117.2 Temporary safeguards. When, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official may cause the necessary work to be done in an effort to render such structure temporarily safe, whether or not the legal procedure described herein has been instituted. Neither the city or the building official or any other city employee shall be deemed to have guaranteed such security or safety or have any liability related to actions or omissions hereunder.

117.3 Closing streets. When necessary for the public safety, the building official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways, and places adjacent to unsafe structures, and prohibit the same from being used.

117.4 Emergency repairs. For the purpose of Section 117, the building official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

117.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the city on approval from the building official. The city attorney of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for purpose of recovering such costs and may cause a special tax lien to be placed against the property for such purposes.

These amendments were made to add Sections 117.1 through 117.5 to this code so as to be consistent with the city's present building code. St. Louis County made the same building code amendment.

SECTION 500.050 AMENDMENTS TO CHAPTER 2 INTERNATIONAL BUILDING CODE:

– CHAPTER 2 – DEFINITIONS:

Chapter 2 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Fire Code, International Fuel Gas Code, St. Louis County Mechanical Code, St. Louis County Electrical Code, St. Louis County Plumbing Code, International Energy Conservation Code or International Property Maintenance Code, such terms shall have the meanings ascribed to them as in those codes.

This amendment made to correctly identify the city's mechanical, electrical, and plumbing codes.

SECTION 500.060 AMENDMENTS TO CHAPTER 3 INTERNATIONAL BUILDING CODE:

– CHAPTER 3 – USE AND OCCUPANCY CLASSIFICATION:

Chapter 3 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set forth below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

303.1 Assembly Group A-4. Assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to:

- Arenas
- Skating Rinks
- Swimming Pools
- Tennis Courts
- Gymnasiums (with spectator seating/bleachers)

This amendment was made to add "Gymnasiums (with spectator seating/bleachers)" for clarification purposes. While Assembly Group A-3 is written to include "Gymnasiums (without spectator seating)", the code is silent on "Gymnasiums (with spectator seating/bleachers)" which should be included in the A-4 group category.

**SECTION 500.070 AMENDMENTS TO CHAPTER 4 INTERNATIONAL BUILDING CODE:
– CHAPTER 4 – SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY:**

Chapter 4 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

415.6.4 Dry cleaning plants. The construction and installation of dry cleaning plants shall be in accordance with the requirements of this code, the St. Louis County Mechanical Code, the St. Louis County Plumbing Code and NFPA 32. Dry cleaning solvents and systems shall be classified in accordance with the International Fire Code.

This amendment was made to reference the city's mechanical and plumbing codes.

**SECTION 500.080 AMENDMENTS TO CHAPTER 5 INTERNATIONAL BUILDING CODE:
– CHAPTER 5 – GENERAL BUILDING HEIGHTS AND AREAS:**

Chapter 5 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

501.2 Address identification. New and existing buildings shall be provided with approved address numbers or letters. Each character shall be a minimum of 4 inches high for dwelling units and 6 inches high for business structures and a minimum of 0.5 inch wide. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.

This amendment was made to be consistent with fire districts' requirements.

**SECTION 500.090 AMENDMENTS TO CHAPTER 6 INTERNATIONAL BUILDING CODE:
– CHAPTER 6 – TYPES OF CONSTRUCTION:**

Chapter 6 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

603.1.2 Piping. The use of combustible piping materials shall be permitted when installed in accordance with the limitations of the St. Louis County Mechanical Code and the St. Louis County Plumbing Code.

The amendment to Sections 603.1.2 was made to reference the city's mechanical and plumbing codes.

**SECTION 500.100 AMENDMENTS TO CHAPTER 7 INTERNATIONAL BUILDING CODE:
– CHAPTER 7 – FIRE AND SMOKE PROTECTION FEATURES:**

Chapter 7 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is

hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

Section 713.5 Penetrations in smoke barriers. Penetrations in smoke barriers shall be tested in accordance with the requirements of UL 1479 for air leakage. The air leakage of the penetration assemblies measured at 0.30 inch (7.47 Pa) of water in both the ambient temperature and elevated temperature tests, shall not exceed:

1. 5.0 cfm per square foot (0.025m³ / s x m²) of penetration opening for each through-penetration firestop system; and
2. A total cumulative leakage of 50 cfm (0.024m³ / s) for any 100 square feet of wall area or floor area.

This amendment was made for clarification purposes.

**SECTION 500.110 AMENDMENTS TO CHAPTER 8 INTERNATIONAL BUILDING CODE:
– CHAPTER 8 – INTERIOR FINISHES:**

Chapter 8 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

**SECTION 500.120 AMENDMENTS TO CHAPTER 9 INTERNATIONAL BUILDING CODE:
– CHAPTER 9 – FIRE PROTECTION SYSTEMS:**

Chapter 9 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

903.1 General. Automatic sprinkler systems shall comply with this section. Notwithstanding the provisions of the Building Code and International Building Code, as amended and adopted by the City of Creve Coeur, Missouri, a builder of one or two family dwellings or residences or townhouses 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 dwelling, residence or townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such dwelling, residence or townhouse shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling, residence or townhouse being purchased. The provisions of this section shall expire on December 31, 2019.

903.2.6.1 Existing Group I. All skilled nursing and intermediate care facilities not required prior to August 28, 2007, to install and maintain an automatic sprinkler system, shall install and maintain an automatic sprinkler system in accordance with NFPA 13 by December 31, 2012, unless the facility receives an exemption from the State of Missouri Department Of Health and presents evidence in writing from a certified sprinkler system representative or licensed engineer that the facility is unable to install an approved NFPA 13 automatic sprinkler system due to the unavailability of water supply requirements associated with this system.

This amendment was made to be consistent with state law.

903.2.10.3 Buildings more than 3 stories in height or having an occupied floor level located 55 feet or more above the lowest level of fire department vehicle access. An automatic sprinkler system shall be installed throughout all buildings that are more than 3 stories above the grade plane or have an occupied floor level located 55 feet or more above the lowest level of fire department vehicle access.

Exceptions: No changes made.

This amendment is similar to those approved when the city adopted the 1984 BOCA National Building Code in 10/1986, the 1990 BOCA National Building Code in 4/1992, the 1993 BOCA National Building Code in 6/1995, the 1999 BOCA National Building Code in 2/2002 and the 2003 International Building Code. These amendments have been made to be consistent with those made by the fire districts that serve the city and is related to the difficulties associated with manual suppression of a fire in multi-story buildings.

[F] 903.3.1.2 NFPA 13 or NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13 or NFPA13R.

This amendment was made to give a design professional more flexibility when designing the fire sprinkler system for multistory apartment, condominium and hotel buildings.

[F] 903.3.1.2.2 Combustible attics. Sprinkler protection shall be provided within attics constructed of or containing combustible materials.

This amendment was made as a result of the 7/17/2012 Central West End Apartment fire that destroyed this 4-story apartment building. This fire started in the attic and quickly throughout the attic because of the 'lumberyard' that was located between each line of draftstopping. If this building's attic had been provided with fire sprinklers the result would have been repairs being made instead of demolishing and rebuilding the entire structure. Missouri Baptist College has decided to sprinkler the attics of their Phase 2 dormitory buildings.

[F] 903.3.5 Water supplies. Delete the reference to the "International Plumbing Code" and substitute the "St. Louis County Plumbing Code".

This amendment made to reference the city's plumbing code.

[F] 903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72.

Exceptions: No changes made.

This amendment made to be consistent with the city's present code.

[F] 903.4.2 Alarms. The fire sprinkler system water flow device(s) shall activate alarm notification appliances, located throughout the entire building, which shall be components of an automatic fire alarm system installed in accordance with the provisions of Section 907 and NFPA 72. Such fire sprinkler water flow devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the fire sprinkler system.

Exception: Alarm notification appliances shall not be required for limited area sprinkler systems (see Section 903.3.5.1.1)

See the related proposed amendment for Section 907.2.24.

907.2.24 Buildings equipped throughout with an automatic sprinkler system. An automatic fire alarm system with alarm notification appliances shall be installed and maintained in all new buildings equipped throughout with an automatic sprinkler system that is designed and installed in accordance with Section 903.3.1.1 or Section 903.1.1.2. An automatic fire alarm system with alarm notification devices shall be installed and maintained in all existing unsprinklered buildings that become equipped throughout with an automatic sprinkler system that is designed and installed in accordance with Section 903.3.1.1 or Section 903.3.1.2. An automatic fire alarm system with alarm notification appliances shall be installed and maintained in all existing sprinklered buildings where the construction costs for the proposed renovation of these buildings exceeds 50 percent of their appraised values (as established by the St. Louis County Assessor's Office) prior to the proposed renovations occurring. Manual fire alarm boxes are not required unless otherwise required by Sections 907.2.1 through 907.2.23.

This amendment was made to add a new section to this code. In many cases, the proposed code, as written, only requires an audible bell mounted on an exterior wall to be activated by the building's fire sprinkler system water flow device. This means that there could be a fire some where in a fully sprinklered multi-story office building or retail shopping center or large warehouse and the only occupant notification device activated would be this single, exterior-mounted audible bell. Building occupants could be working or shopping in a building on fire and not be aware of it. The building department views this as a potentially unsafe condition that is not specifically

addressed by the code as written. This proposed amendment would require that a building's fire sprinkler system water flow device activate alarm notification appliances (horn / strobes) located throughout the entire building, thereby alerting all building occupants of a fire condition as soon as it is detected and expediting the evacuation process. See also the amendment to Section 903.4.2. Please note that this amendment was previously approved when the city adopted the 1993 BOCA National Building Code in 6/1995, the 1999 BOCA National Building Code in 2/2002 and the 2003 International Building Code in 5/2007.

907.14 Monitoring. All fire alarm and fire detection systems shall be monitored by an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72.
Exceptions: No changes made.

This amendment made to be consistent with the amendment made to Section 903.4.1.

**SECTION 500.130 AMENDMENTS TO CHAPTER 10 INTERNATIONAL BUILDING CODE:
– CHAPTER 10 – MEANS OF EGRESS:**

Chapter 10 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

1004.1.1 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.1. For areas without fixed seating, the occupant load shall not be less than the number determined by dividing the floor area under consideration by the occupant per unit of area factor assigned to the occupancy as set forth in Table 1004.1.1 or by the actual number of occupants for whom each occupied space, floor or building is designed, whichever number of occupants is greater.

This amendment was made to be consistent with the city's present building code.

Exception. Delete.

This amendment was made because the exception contains subjective language that would be difficult for the building official to consistently enforce.

1008.1.9.10 Stairway doors.

Exception 3. Delete.

This amendment was made to make this code section consistent with the city's present code. The exception, as written, would permit exit stairway doors to be locked from the stairway side if the stairway served 4 stories or less. The city's present code prohibits all exit stairway doors from being locked from the stairway side because of the concern that persons could enter an exit stairway filling with smoke and then attempt to exit the stairway only to discover that the exit stairway door had closed and locked behind them. This exception was also amended by the 2006 edition of the International Building Code.

1011.1 Where required. Amend "Exception 1" to read as follows:

Exceptions:

1. Exit signs are not required in buildings which require only one exit.

This amendment was made to be consistent with the city's present building code.

1011.5.1 Graphics. Amend the first sentence of this section to read as follows: Every exit sign and directional exit sign shall have plainly legible red letters not less than 6 inches high with the principle strokes of the letters not less than 0.75 inch wide.

No other changes made to rest of this section.

This amendment was made to be consistent with the city's present building code and fire district regulations. Red is the most recognized color for exit signs.

1013.3 Opening limitations. Required guards shall not have openings which allow passage of a sphere 4 inches (102 mm) in diameter from the walking surface to the required guard height. Guards shall not have an ornamental pattern that would provide a ladder effect. Angular intermediate balusters shall be installed at an angle 45 degrees or greater to an adjacent walking surface or stair tread. Exceptions 1 through 6. No changes made.

This amendment was made to make this section consistent with the city's present code as it relates to the 'ladder effect' language. The code as written does not define 'ladder effect'. The proposed language does. This amendment is identical to the amendment approved when the city adopted the 1999 BOCA National Building Code in 2/2002 and the 2003 International Building Code in 5/2007.

1013.7 Retaining walls. Guards shall be provided where retaining walls with differences in grade level on either side of the wall in excess of 30 inches (762 mm) are located closer than 24 inches (610 mm) to a walk, path, parking lot or driveway on the high side of the retaining wall. If deemed in the interest of public safety by the building official per Section 104.12, guards or other approved protective measures shall be provided where retaining walls with differences in grade level on either side of the wall in excess of 30 inches are located 24 inches or farther from a walk, path, parking lot or driveway.

This amendment was made to add a new code section to clarify when guards are required across the top of retaining walls.

1017.4.4 Dead ends in aisles. Where more than one exit or exit access doorway is required, the exit access shall be arranged such that there are no dead ends in aisles more than 20 feet in length.

Exceptions:

1. In occupancies in Use Group B where aisles are bounded by furniture, counters, partitions or similar dividers not more than 6 feet in height, the length of a dead-end aisle shall not be more than 50 feet.
2. In occupancies in Use Group B where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, the length of dead-end aisles shall not exceed 50 feet.
3. A dead-end aisle shall not be limited in length where the length of the dead-end aisle is less than 2.5 times the least width of the dead-end aisle.

This amendment was made to correct an oversight that occurred when the 1999 BOCA National Building Code transitioned to the International Building Code. The 2009 IBC has this language being applicable to corridors only. If this amendment is not made a designer could propose a dead-end aisle between office work stations up to 100 feet in length.

1023.1 General. Exits shall discharge directly to the exterior of the building. The exit discharge shall be at grade or shall provide direct access to grade. The exit discharge shall not reenter a building. The combined use of Exceptions 1 and 2 below shall not exceed 50 percent of the number and capacity of the required exits.

Exceptions:

1. A maximum of 50 percent of the number and capacity of the exit enclosures is permitted to egress through areas on the level of discharge provided all of the following conditions are met:
 - 1.1 Such exit enclosures egress to a free and unobstructed path of travel to an exterior exit door. This free and unobstructed path of travel shall not have any floor dimension less than ten (10) feet in width or length with a minimum floor area of three hundred (300) square feet and a minimum clear ceiling height of eight (8)

feet. This exterior exit door shall be readily visible and identifiable from the point of termination of the exit enclosure.

1.2 and 1.3 No change.

2. No change

This amendment was made to establish minimum dimensions for an exit discharge lobby. The code is silent on this issue. This amendment is identical to the one made when the city adopted the 1999 BOCA National Building Code in 2/2002 and the 2003 International Building Code in 5/2007.

SECTION 500.140 AMENDMENTS TO CHAPTER 11 INTERNATIONAL BUILDING CODE:

– CHAPTER 11 – ACCESSIBILITY:

Chapter 11 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

Section 1106.5 Van spaces. For every four or fraction of four accessible parking spaces, at least one shall be a van-accessible parking space. Where accessible parking is provided within or beneath a building, at least one van-accessible parking space shall also be provided within or beneath the building adjacent to the other interior accessible parking spaces.

Exception: No change.

This amendment was made to be consistent with state law.

SECTION 500.150 AMENDMENTS TO CHAPTER 12 INTERNATIONAL BUILDING CODE:

– CHAPTER 12 – INTERIOR ENVIRONMENT:

Chapter 12 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with the St. Louis County Mechanical Code.

This amendment made to reference the city's mechanical code.

1206.3.3 Court drainage. Delete the reference to the "International Plumbing Code" and substitute the "St. Louis County Plumbing Code".

This amendment made to reference the city's plumbing code.

SECTION 500.160 AMENDMENTS TO CHAPTER 13 INTERNATIONAL BUILDING CODE:

– CHAPTER 13 – ENERGY EFFICIENCY:

Chapter 13 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.170 AMENDMENTS TO CHAPTER 14 INTERNATIONAL BUILDING CODE:

– CHAPTER 14 – EXTERIOR WALLS:

Chapter 14 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.180 AMENDMENTS TO CHAPTER 15 INTERNATIONAL BUILDING CODE:

– CHAPTER 15 – ROOF ASSEMBLIES AND ROOFTOP STRUCTURES:

Chapter 15 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

[P] 1503.4 Roof drainage. Delete the reference to the “International Plumbing Code” and substitute the “St. Louis County Plumbing Code”.

This amendment made to reference the city's plumbing code.

SECTION 500.190 AMENDMENTS TO CHAPTER 16 INTERNATIONAL BUILDING CODE:**–CHAPTER 16 – STRUCTURAL DESIGN:**

Chapter 16 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

TABLE 1607.1**MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS AND MINIMUM CONCENTRATED LIVE LOADS**

Modify the following row within this table to read as follows:

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (psf)
5. Balconies(exterior)	100	----
Balconies on one- and two- family residences only, and not exceeding 100 sq. ft.	60	----
Decks (h)	Same as occupancy served	----

1608.2.1 Creve Coeur ground snow loads. Ground snow loads to be used in determining the design snow loads for roofs shall be 20 psf.

This section added for clarification purposes.

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for St. Louis County, Missouri and Incorporated Areas”, dated August 2, 1995, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

The proper dated engineering report was inserted as required.

1613.5.1 Acceleration parameters. The earthquake spectral response acceleration at short periods (Ss) shall be 0.54g. The earthquake spectral response acceleration at 1-second periods (S1) shall be 0.18g.

This amendment was made to be consistent with St. Louis County's adopting ordinance.

SECTION 500.200 AMENDMENTS TO CHAPTER 17 INTERNATIONAL BUILDING CODE:

– CHAPTER 17 – STRUCTURAL TESTS AND SPECIAL INSPECTIONS:

Chapter 17 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.210 AMENDMENTS TO CHAPTER 18 INTERNATIONAL BUILDING CODE:**– CHAPTER 18 – SOILS AND FOUNDATIONS:**

Chapter 18 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

1807.2.4 Guards. Guards shall be provided in accordance with Section 1013.7.

This section was added to clarify that there are circumstances when guards are required along the top of retaining walls.

Section 1809.5 Frost protection. Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending a minimum of thirty (30) inches below the finish grade.

No changes made to methods 2 or 3 or exceptions 1, 2 or 3.

This amendment was made to establish the frost line for the City of Creve Coeur.

Section 1805.4.3 Drainage discharge.

Delete the reference to the “International Plumbing Code” and substitute the “St. Louis County Plumbing Code”.

The city's plumbing code is the St. Louis County Plumbing Code.

Section 1805.5 Enclosure of surface water run-off: Surface water run-off concentrated into an enclosed pipe system shall not be discharged closer than ten (10) feet from any property line without prior approval from the building official. If this method of discharge causes a drainage nuisance to an adjacent property, an alternate drainage method shall be proposed for approval by the building official.

Exception: This section shall not apply to enclosed pipe storm water systems of twelve (12) inches or greater in diameter that are under the jurisdiction of the City of Creve Coeur or the Metropolitan Sewer District.

This amendment was added to prevent drainage nuisances caused by downspouts, footing drains, sump pumps, etc.

SECTION 500.220 AMENDMENTS TO CHAPTER 19 INTERNATIONAL BUILDING CODE:**– CHAPTER 19 – CONCRETE:**

Chapter 19 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.230 AMENDMENTS TO CHAPTER 20 INTERNATIONAL BUILDING CODE:**– CHAPTER 20 – ALUMINUM:**

Chapter 20 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.240 AMENDMENTS TO CHAPTER 21 INTERNATIONAL BUILDING CODE:**– CHAPTER -- 21 MASONRY:**

Chapter 21 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.250 AMENDMENTS TO CHAPTER 22 INTERNATIONAL BUILDING CODE:

– CHAPTER 22 – STEEL:

Chapter 22 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.260 AMENDMENTS TO CHAPTER 23 INTERNATIONAL BUILDING CODE:

– CHAPTER 23 – WOOD:

Chapter 23 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.270 AMENDMENTS TO CHAPTER 24 INTERNATIONAL BUILDING CODE:

– CHAPTER 24 – GLASS AND GLAZING:

Chapter 24 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.280 AMENDMENTS TO CHAPTER 25 INTERNATIONAL BUILDING CODE:

– CHAPTER 25 – GYPSUM BOARD AND PLASTER:

Chapter 25 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number is hereby enacted and added thereto.

Section 2503.1 Inspection. Lath and gypsum board shall be inspected in accordance with *Section 109.3.7.*

This amendment was made so as to be consistent with the city's required sequence of inspections.

SECTION 500.290 AMENDMENTS TO CHAPTER 26 INTERNATIONAL BUILDING CODE:

– CHAPTER 26 – PLASTIC:

Chapter 26 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.300 AMENDMENTS TO CHAPTER 27 INTERNATIONAL BUILDING CODE:

– CHAPTER 27 – ELECTRICAL:

Chapter 27 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.310 AMENDMENTS TO CHAPTER 28 INTERNATIONAL BUILDING CODE:

– CHAPTER 28 – MECHANICAL SYSTEMS:

Chapter 28 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number is hereby enacted and added thereto.

Section 2801.1 Scope. Delete the references to the “International Mechanical Code” and substitute “St. Louis County Mechanical Code”.

This amendment made to identify the St. Louis County Mechanical Code as the city's mechanical code for occupancies other than individual dwelling units.

SECTION 500.320 AMENDMENTS TO CHAPTER 29 INTERNATIONAL BUILDING CODE:

– CHAPTER 29 – PLUMBING SYSTEMS:

Chapter 29 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is

hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number is hereby enacted and added thereto.

Section 2901.1 Scope. Delete the references to the “International Plumbing Code” and the “International Private Sewage Disposal Code” and substitute “St. Louis County Plumbing Code”.

This amendment made to identify the St. Louis County Plumbing Code as the city's plumbing code.

Section 2902.1 Minimum number of fixtures. Each building shall be provided with plumbing fixtures as prescribed by the St. Louis County Plumbing Code. Table 2902.1 shall apply to new buildings, additions to existing buildings and any changes of occupancy or use in an existing building which result in an increased occupant load, except new cafeterias used only by employees. Access to public toilet facilities shall not be through areas used for food preparation, repair or assembly of products for consumer use, storage rooms or mechanical equipment rooms.

Requirements for the physically disabled shall be based on this Building Code and ICC/ANSI A117.1 – 2003.

The total occupant load used to determine plumbing fixture count shall be determined by the net floor area. The use or occupancy classification shall be determined by the actual use of the various spaces within the building. The minimum number of fixtures required shall be calculated at 50 percent female and 50 percent male based on the total occupant load, except when specific occupancy information relating to gender is provided that is acceptable to the Code Official.

Once the uses and occupant loads have been determined the requirements of applicable sections of the St. Louis County Plumbing Code shall be applied to determine the minimum number of plumbing fixtures required.

State of Missouri regulations that exceed these minimums shall apply.

Exceptions:

1. For Mercantile occupancies, square feet of the net floor area shall be used to calculate the number of occupants to determine plumbing fixtures.
2. For Industrial and Warehouse occupancies, the actual number of occupants shall be used as the total occupant load to determine plumbing fixtures. For a building with a warehouse area of ten thousand (10,000) square feet or greater, a minimum of one (1) unisex toilet room including one (1) floor drain, one (1) water closet, and one (1) lavatory with hot water shall be located in the warehouse area.
3. Where outdoor seating is provided for a restaurant the actual outdoor seating area shall be included in the total occupant load for the restaurant.
4. Re-occupancy with no change in use may require a change in the number of plumbing fixtures required due to an increase in occupant load or reconfiguration of the space.

This amendment made to be consistent with the St. Louis County Plumbing Code.

TABLE 2902.1 MINIMUM NUMBER OF REQUIRED PLUMBING FACILITIES. The contents of this Table as amended by the St. Louis County Plumbing Code shall apply.

This amendment made to be consistent with the St. Louis County Plumbing Code.

Section 2902.1.1 Fixture calculations. The requirements of Section 2902.1 shall apply.

Section 2902.1.2 Family or assisted use toilet and bath fixtures. The requirements of Section 413.0 of the St. Louis County Plumbing Code shall apply.

Section 2902.2 Separate facilities. The requirements of Section 412.3 and Section 413.3 of the St. Louis County Plumbing Code shall apply.

Section 2902.3 Required public toilet facilities. The requirements of Section 2902.1 of this code and Section 412.3 of the St. Louis County Plumbing Code shall apply.

Section 2902.3.1 Access. The requirements of Section 2902.1 of this code and Section 412.2 of the St. Louis County Plumbing Code shall apply.

Section 2902.3.2 Location of toilet facilities in occupancies other than covered mall buildings. The requirements of Section 412.5 of the St. Louis County Plumbing Code shall apply.

Section 2902.3.3 Location of toilet facilities in covered mall buildings. The requirements of Section 412.5 of the St. Louis County Plumbing Code shall apply.

Amendments were made to Sections 2901.1 through 2902.3.3 to be consistent with the St. Louis County Plumbing Code.

**SECTION 500.330 AMENDMENTS TO CHAPTER 30 INTERNATIONAL BUILDING CODE:
– CHAPTER 30 – ELEVATORS AND CONVEYING SYSTEMS:**

Chapter 30 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

**Section 3009
EXISTING ELEVATORS AND ESCALATORS**

Section 3009.1 Referenced standard. All existing elevators and escalators shall comply with the requirements of ASME (American Society of Mechanical Engineers) A17.3 Safety Code for Existing Elevators and Escalators listed in Chapter 35.

This new section added to be consistent with the St. Louis County's building code amending ordinance.

**SECTION 500.340 AMENDMENTS TO CHAPTER 31 INTERNATIONAL BUILDING CODE:
– CHAPTER 31 -- SPECIAL CONSTRUCTION:**

Chapter 31 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

Section 3102.1 General. Delete the reference to “180 days” and substitute “90 days”.

This amendment made to reflect the city's desire for a shorter duration for the erection of air-supported, air-inflated, or membrane-covered cable structures. This duration is consistent with the city's present code.

Section 3103.5 Membrane material. The membrane material for all tents, membrane structures and their appurtenances shall be of: approved noncombustible material as defined in Section 703.4; flame-resistant material as determined in accordance with NFPA 701 listed in Chapter 35; or material treated in an approved manner to render the material flame-resistant.

This amendment made to reinstate this section into the code. The ICC had deleted this section. St. Louis County also reinstated this section.

Section 3103.6 Certification. An affidavit or affirmation shall be submitted to the building official and a copy retained on the premises on which the tent or membrane structure is located. The affidavit shall attest to the following information relative to the flame-resistance of the fabric:

1. Names and addresses of the owners of the tent or membrane structure.
2. Date the fabric was last treated with flame-resistant solution.
3. Trade name or kind of chemical used in treatment.
4. Name of person or firm treating the material.
5. Name of testing agency and test standard by which the fabric was tested.

This amendment made to reinstate this section into the building code. The ICC had deleted this section. St. Louis County also reinstated this section.

Section 3103.7 Label. Membrane structures, tents and canopies shall bear a permanently affixed label that identifies the size and fabric or material type.

Section 3103.8 Anchorage. All temporary structures shall be anchored to the ground to resist the wind loads prescribed by Section 1609. At the discretion of the building official, the anchorage system may be required to be designed by a registered design professional.

These new sections were added to be consistent with St. Louis County's Building Code.

Section 3109.4.1.9 Pool structure as barrier. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a fixed or removable ladder or steps, the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections 3109.4.1.1 through 3109.4.1.8. A removable ladder or steps shall not constitute an acceptable alternative to enclosure requirements.

This amendment made to reflect present city building code language. St. Louis County made a similar amendment.

SECTION 3111 ANTENNAS

Section 3111.1 Permits not required. A building permit is not required for roof installation of antennal structures not more than twelve (12) feet in height. Such a structure shall be erected so as to not damage the roof covering, and when removed from the roof, the roof covering shall be repaired to maintain weather and water tightness. The installation of any antennal structure mounted on the roof of a building shall not be erected nearer to the lot line than the total height of the antennal structure above the roof, nor shall such structure be erected near electric power lines or encroach upon any street or other public space.

Section 3111.2 Permits required. Approval shall be secured for all roof-mounted antennal structures more than 12 feet in height above the roof. The application shall be accompanied by detailed drawings of the structure and methods of anchorage. All connections to the roof structure shall be properly flashed to maintain water tightness.

Section 3111.3 Dish antennas. An antenna consisting of a radiation element which transmits or receives radiation signals generated as electrical, light or sound energy, and supported by a structure with or without a reflective component to the radiating dish, usually in a circular shape with a parabolic curve design constructed of a solid or open mesh surface, shall be known as a dish antenna.

Section 3111.3.1 Permits. The approval of the building official shall be secured for all dish antenna structures more than 2 feet in diameter erected on the roof of or attached to any building or structure.

Section 3111.3.2 Structural provisions. Dish antennas larger than 2 feet in diameter shall be subject to the structural provisions of Sections 1608 and 1609. The snow load provisions of Section 1608 shall not apply where the antenna has a heater to melt falling snow.

This amendment made to reinstate Sections 3111.1 through 3111.3.2 into the building code. The ICC deleted this section. St. Louis County also reinstated this section.

SECTION 500.350 AMENDMENTS TO CHAPTER 32 INTERNATIONAL BUILDING CODE:**– CHAPTER 32 – ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY:**

Chapter 32 of the International Building Code, 2009 Fourth Edition, is adopted without modification.

SECTION 500.360 AMENDMENTS TO CHAPTER 33 INTERNATIONAL BUILDING CODE:**– CHAPTER 33 – SAFEGUARDS DURING CONSTRUCTION:**

Chapter 33 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

Section 3302.3 Street and adjacent property cleaning. Mud and debris on streets or adjacent properties caused either directly or indirectly by construction shall be removed immediately. This maintenance shall be performed at all times during construction. The responsibility for ensuring that streets leading to and from and properties adjacent to the construction site are kept clean shall be with the owner of said property. Failure to comply with this section shall result in the property owner being cited with a violation subject to penalties set forth in Section 114.4 or being served with a Stop Work Order specified in Section 115.0 or both.

This amendment made to satisfy the city's desire to keep streets and adjacent properties clean during construction.

Section 3303.4 Grading and restoration of lot. Where a structure has been demolished or otherwise removed from a lot and construction for the new structure has not begun, the vacant lot shall be filled, graded, and maintained in conformity to the established elevation of the street grade at curb level nearest the point of demolition or excavation. Provisions shall be made to prevent the accumulation of water or damage to any foundations on the premises or adjoining property. If construction activity as authorized by a grading permit or building permit has not commenced within thirty (30) days of the demolition of the structure, said lot shall be re-vegetated with approved vegetation.

This amendment made to prevent an unsightly or unsanitary condition to occur on a vacant lot for an extended period of time.

Section 3305.1 Facilities required. Delete the reference made to the “International Plumbing Code” and substitute “St. Louis County Plumbing Code”.

This amendment made to specify that sanitary facilities shall be provided during construction per the St. Louis County Plumbing Code.

SECTION 500.370 AMENDMENTS TO CHAPTER 34 INTERNATIONAL BUILDING CODE:**– CHAPTER 34 – EXISTING STRUCTURES:**

Chapter 34 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

Section 3401.3 Compliance with other codes. Alterations, repairs, additions and changes of occupancy to existing structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy in the International Fire Code, International Energy Conservation Code, International Fuel Gas Code, International Property Maintenance Code, International Residential Code, St. Louis County Mechanical Code, St. Louis County Plumbing Code and NFPA 70.

This amendment made to reference the proper plumbing, mechanical and electrical codes to govern such work in existing structures.

Section 3401.4 Alternative compliance. Delete this section in its entirety.

This deletion was made to be consistent with the city's present code. By deleting this section the city will use only Chapter 34 of the 2009 IBC to regulate existing buildings and not the International Existing Building Code.

Section 3410. Conformance. Structures moved into or within the City of Creve Coeur shall comply with the provisions of this code for new structures.

Exception: The moved structure may be granted nonconforming status provided all of the following conditions are met:

1. No change shall be made in the previous use or occupancy of the moved structure.
2. No addition shall be made to the structure after it is moved.
3. It can be demonstrated to the building official, in writing, that the moved structure's structural strength, means of egress facilities, life safety systems and mechanical, electrical and plumbing systems are in compliance with the building, mechanical, electrical and plumbing codes enforced when the moved structure was originally built.

The exception was added because requiring an old building to be brought into full compliance with present codes would discourage it being moved and could result in its demolition instead of it being reused. Reusing a structure instead of demolishing it would be considered a more 'green' approach.

Section 3412.2 Applicability. Insert the date "September 14, 1953".

This amendment made to reflect the effective date of the first building code adopted by the City of Creve Coeur. Any structures existing prior to this date may comply with SECTION 3412 COMPLIANCE ALTERNATIVES, when being altered or added on to instead of complying with Chapters 2 through 33 or Section 3401.3, and 3403 through 3409.

SECTION 500.380 AMENDMENTS TO CHAPTER 35 INTERNATIONAL BUILDING CODE: – CHAPTER 35 – REFERENCED STANDARDS:

Chapter 35 of the International Building Code, 2009 Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number is hereby enacted and added thereto.

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.4.

ASME – American Society of Mechanical Engineers

Three Park Avenue
New York, NY 10016-5990

Standard reference number	Title	Referenced in code section number
ADD: A17.3 – 2008	Safety Code for Existing Elevators and Escalators	3009.1

ICC – International Code Council, Inc.

500 New Jersey Ave., NW
6th Floor
Washington, DC 20001

Standard reference number	Title	Referenced in code section number.
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Amended BILL No 5422

ORDINANCE No _____

DELETE: IEBC- 09 International Existing Building Code

DELETED.

DELETE: IMC – 09 International Mechanical Code

ADD: Mechanical Code- St. Louis County Mechanical Code
City Ordinance No. 5214

ADD: 102.2.1, 105.2, 107.3.3.1

DELETE: IPC – 03 International Plumbing Code

ADD: Plumbing Code – St. Louis County Plumbing Code
City Ordinance No. 5214

ADD: 101.4.3, 105.2, 107.2.7,
2902.1, 2902.1.1, 2902.1.2,
2902.2, 2902.3, 2902.3.1,
2902.3.2, 2902.3.3

NFPA – National Fire Protection Association

1 Batterymarch Park
Quincy, MA 02169-7471

Standard reference number	Title	Referenced in code section number
ADD: 70-08	National Electrical Code / St. Louis County Electrical Code – City Ordinance No. 5214	ADD: 105.2
ADD: 701.4	Standards Methods of Fire Tests for Flame-propagation of Textiles and Films	ADD: 3103.5

These amendments made to be consistent with other amendments previously made.

SECTION 2: SAVING CLAUSE: Nothing in this ordinance or in the Building Code hereby adopted, shall be construed to affect any suit or proceeding currently pending in any court as of the effective date hereof, or any rights previously acquired or liability previously incurred, or any cause or causes of action existing under any ordinance hereby repealed, as cited herein.

SECTION 3: SEVERABILITY: If any section, subsection, provision, sentence, clause, or phrase of this ordinance or of the ICC International Building Code, Fourth Edition, 2009, is, for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City of Creve Coeur City Council hereby declares that it would have passed the same , even though such portion so held to be unconstitutional had not been included therein.

SECTION 4: EFFECTIVE DATE: This ordinance shall become effective **July 1, 2013**, in accordance with section 3.11(g) of the City Charter.

Adopted by the City Council this ___ day of _____, 2013.

ROBERT HOFFMAN
PRESIDENT OF THE CITY COUNCIL

Approved this ___ day of _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

MEMORANDUM

TO: Mark Perkins, City Administrator

CC: Paul Langdon, Director of Community Development

FROM: Steve Unser, Chief Building Official

DATE: May 8, 2013

RE: Building Division's Draft of a City Ordinance to
Amend and Adopt the 2009 International Building Code as the
City's New Commercial Building Code.

Please find attached the aforementioned draft for review, comments and approval. St. Louis County and the majority of municipalities within St. Louis County have adopted or are in the process of adopting this building code as their new commercial building code. In the interest of code enforcement consistency throughout our region, the building division is recommending that the City of Creve Coeur do the same. This code regulates building construction for and within structures such as office buildings, churches, temples, theaters, restaurants, schools, hospitals, shopping centers and warehouses.

Please note that an explanation for each amendment is written in *italics* and underlined after each proposed amendment. These "explanations" will be removed from the body of the ordinance prior to its adoption.

On December 11, 2012, this draft of this proposed ordinance was filed with the City Clerk's office and made available for public inspection and examination pursuant to Section 67.280 RSMo. This draft was posted on the city's website for public review on December 11, 2012. Also, on December 13, 2012, printed copies of this draft were mailed to members of the city's Building Code Board of Appeals, the Associated General Contractors of St. Louis and the Creve Coeur-Olivette Chamber of Commerce. Printed copies were also made available at the building division's public counter.

See attached Exhibit A for the Building Code Board of Appeals recommendation to adopt this code as proposed.

See attached Exhibit B for Caryl Kinsey Fox's recommendation to adopt this code as proposed.

The city requested that any comments from all interested parties regarding this draft be submitted to the building division for review within ninety (90) days of the date of it being made available to the public. These review comments will be shared with the city administrator and city council for possible inclusion into a revised draft.

See attached Exhibit C for the 3/27/13 comments from the Creve Coeur-Olivette Chamber of Commerce and the 4/11/13 responses from the Building Division.

AMENDMENTS OF NOTE

There are numerous amendments proposed during a new building code adoption process. While most of these amendments are administrative or technical in nature, some merit additional attention.

Referenced page numbers are from the proposed ordinance.

Section 105.5 Expiration. (See page 3)

The maximum time frame for commencing permitted work has been kept at 180 days. The expiration date for completing new buildings and additions has been kept at 2 years from the date of issuance. The expiration date for completing tenant improvements has been reduced from 2 years to 1 year from the date of issuance. This change is intended to reduce the backlog of active building permits.

Section 109.2.1 Building Code Board of Appeals filing fee. (See page 5)
Applicant will have the filing fee refunded if the board rules in the applicant's favor.

Sections 110.3 through 110.3.12 Required inspections. (See pages 6 and 7)
More specific language was added to better communicate field inspection requirements to contractors so as to expedite the building inspection process.

Sections 113.1 through 112.9 Board of Appeals (See pages 9 and 10)
These amendments were made to 'streamline' the appeals process.

Section 903.3.1.2.2 Combustible attics. (See pages 14 and 15)
The building code as written allows combustible attics to be 'draftstopped' at prescribed locations with ½ inch gypsum wallboard which does very little to prevent the spread of fire across a combustible attic space. Please see the italicized explanation.

Section 907.2.24 Buildings equipped throughout with an automatic sprinkler system (See page 15)

This amendment has been approved per the previous three code adoption cycles (6/1995, 2/2002 and 5/2007). Please see the italicized explanation.

Section 1008.1.9.10 Stairway doors. (See page 16)

This amendment restores code language from our present code so as to be consistent with the precedent the city has already established for locking stairway doors in the city's existing multi-story buildings.

Section 1013.7 Retaining walls. (See page 17)

This amendment was made to clarify when guards are required across the top of retaining walls.

Section 3303.4 Grading and restoration of lot. (See page 26)

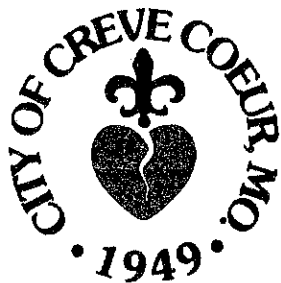
This amendment was made to prevent an unsightly or unsanitary condition from occurring on a vacant lot after demolition of the building has been completed.

Significant Building Code Changes

Every 3 years a new commercial building code is published by the International Code Council. The International Building Code is kept up to date through the review of proposed code changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed code changes are carefully considered through an open code development process in which all interested and affected parties may participate. A consensus is reached for each proposed code change by a majority vote of members at the ICC Code Change Hearings which are held twice a year (spring/fall) at various cities.

The intent of the city has been to adopt the building code as written through this model code development process and to ensure that any amendments proposed by the building division will not be less restrictive than the minimum regulations contained in the published International Building Code.

While every code change cannot be listed here, please ***see attached Exhibit D for a summary of significant changes that will be made to the city's present commercial building code (2003 IBC) by the city's adoption of the proposed commercial building code (2009 IBC).***



city
of

CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

EXHIBIT A

April 15, 2011

Mayor and Council Members
Creve Coeur Government Center
300 N. New Ballas Road.
Creve Coeur, MO 63141

RE: Building Code Board of Appeals Review of the Rough Drafts of the City
Ordinances being proposed to adopt the City's New Building Codes.

Dear Mayor and Council Members;

The Building Code Board of Appeals was asked by the Chief Building Official on December 11, 2012, to review the aforementioned ordinances that will amend and adopt the 2009 edition of the International Residential Code as our city's new building code for One- And Two-Family Dwellings, the 2009 edition of the International Building Code as our city's new commercial building code and the 2009 edition of the International Energy Conservation Code as our city's new energy conservation code.

Upon careful review of the aforementioned proposed ordinances and after our public meeting held on April 3, 2013, to further discuss these ordinances with each other and the Chief Building Official, the Building Code Board of Appeals recommends adoption of all three (3) of these proposed ordinances as written.

Thank you for your consideration of this recommendation.

Sincerely,

Building Code Board of Appeals
Bernard Colton, Chairperson

C A R Y L K I N S E Y F O X, AIA, LEED BD+C
4 6 1 P I N E B E N D D R I V E
W I L D W O O D M O 6 3 0 0 5
ckinseyfox@gmail.com
C. 310.428.1357

March 5, 2013

EXHIBIT B

Steve Unser
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

RE: Adoption of the 2009 I-Codes and International Energy Conservation Code

Dear Steve,

As an Architect, registered in Missouri, New York and California, I serve on the national committee of the AIA, American Institute of Architects, Codes and Standards Committee where I was the 2012 Chair. I am writing in support of Creve Coeur's adoption of the 2009 I-Codes including the International Energy Conservation Code (IECC). These are the codes that have been adopted by the City and County of St. Louis and represent the standard of construction expected by the building industry in the St. Louis Metropolitan area.

The I-Codes are the only set of building codes in the US and represent the best practices as decided by a consensus of the building industry. They are written with public safety in mind and are fully coordinated to address all building conditions. Editing or modifying specific sections of these codes could create serious conflicts or gaps in overall building safety.

For example, when the State of Missouri eliminated the requirement for fire sprinklers, they did not take into consideration that fire separations between occupants was removed from the code. The expectation was that entire buildings would be sprinkled eliminating the need for fire separations. This throws into confusion who becomes liable when fire spreads throughout a building, the builder who talked the owner out of installing the sprinklers or the designer who designed to the building code. For this reason, it is the position of the American Institute of Architects that the building codes should be adopted **without modifications**.

I am also a resident of Wildwood and attend St. Timothy's Episcopal Church at 808 N. Mason Road. Creve Coeur has a great reputation of being a conscientious community with high quality residential construction. For these reasons, I strongly support the adoption of the 2009 IECC.

The Energy Code requires minimum acceptable levels of construction including good insulation, windows and doors, as well as caulking and weatherstripping the gaps in construction. These do not add significantly to the cost of construction but do

contribute to the overall comfort of living in a home. The code also requires programable thermostats as well as efficient lighting, heating and air conditioning systems which lower operational expenses. For these reasons, I consider the IECC to be a type of consumer protection, ensuring that homeowners get a good quality home and lower energy bills for the long term.

Again, I point out that St. Louis City and County have been using the 2009 I-Codes since the end of 2011 and Missouri is one of the few states that does not have a statewide building code. Please take swift action to adopt these newer I-Codes.

Illinois and the Kansas City metro area have adopted the 2012 I-Codes including the Energy Code. Many other municipalities in our region have also adopted the 2009 IECC including, Clayton, Webster Groves, Florissant, Hazelwood, Lake St. Louis, O'Fallon, St. Charles, Troy and Wentzville.

In the end, homeowners are the biggest winners in the adoption of energy codes and for that reason, the American Institute of Architects are firmly in support of Creve Coeur Adopting the 2009 IECC.

Please feel free to contact me with any specific questions you need answered.

Caryl Kinsey Fox, AIA, LEED AP, BD&C

Subject: FW: Proposed New Building Codes (Creve Coeur - Olivette Chamber of Commerce)

EXHIBIT C

From: Unser, Steve
Sent: Thursday, April 11, 2013 5:51 PM
To: Perkins, Mark C.; 'skling@jenkinskling.com'
Cc: Katie Anderbery
Subject: RE: Proposed New Building Codes (Creve Coeur - Olivette Chamber of Commerce)

Mr. Kling;

Please see the building division's responses to your comments in red.

Please let me know if you have any questions.

Thank you.

Steve Unser, Chief Building Official
Building Division / City of Creve Coeur
300 N. New Ballas Rd, Creve Coeur, MO 63141
314.872.2513 Direct / 314.872.2505 Fax
sunser@ci.creve-coeur.mo.us / www.creve-coeur.org

From: Perkins, Mark C.
Sent: Wednesday, April 03, 2013 4:55 PM
To: 'skling@jenkinskling.com'
Cc: Unser, Steve; Katie Anderbery
Subject: RE: Proposed New Building Codes

Steve,

Thank you for your comments, our staff will provide a response. Thanks again for taking the time to review the proposed codes.

Sincerely,

Mark Perkins
City Administrator, ICMA-CM
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141
314.872.2511
www.creve-coeur.org

From: Steve Kling [<mailto:skling@jenkinskling.com>]
Sent: Wednesday, March 27, 2013 2:12 PM
To: Perkins, Mark C.

Cc: Unser, Steve; Katie Anderbery
Subject: RE: Proposed New Building Codes

I have not received any further comments. The below comments are the ones we initially focused and the Chamber collectively thought needed some discussion, PLUS, as I mentioned at the board meeting, some clarification on the changes as to grandfathering and application issues for many of the potentially more costly changes. For example, if a landlord improves one tenant space on a floor, do the requirements kick in for that space, the whole floor or the whole building.

Building Division's Response:

When the city issues a permit for tenant improvements the building code requires that the proposed tenant improvements within the space meet present building code requirements. Examples would include seismic bracing of new ceiling grid, door hardware, travel distances to egress doors, number of egress doors required from the tenant space, emergency egress lights and exit signs, accessible reception deck, etc.

Chapter 5 - I would seek clarification from the city on Chapter 5, the Address Identification number. New and existing buildings will be provided with address numbers and letters, which must be installed on a contrasting background visible from the street. My only concern is that business owners may not want these numbers on their building if they already have an address sign, or if the letters are not of a high quality or detract from the overall look and design of a building. I would consider having the Chamber ask for sample letters to see how they will look.

Building Division's Response:

Section 501.2 Address Identification. This section was added to be consistent with the fire districts' requirements. This section regulates minimum height and width of address numerals and wants address numerals to be clearly visible to emergency response vehicles. There has always been flexibility given to building owners in terms of design, colors, etc.

Chapter 9 - I think it is important for building owners to be aware of the new rules on sprinkler systems in Chapter 9, but I cannot answer on whether there will be concerns about the required installation of sprinkler systems that is described for buildings more than 3 stories. This decision may likely be based on whether or not a significant number of Chamber members would be required to install sprinkler systems, which could be expensive.

Building Division's Response:

For clarification purposes, this requirement would only apply to new buildings more than 3 stories in height. Existing, nonsprinklered buildings more than 3 stories in height would be unaffected. This section has been in the city's building code since 1986. Most new multi-story buildings are equipped with automatic fire sprinklers because of other 'trade-offs' the building code gives for buildings that are fully sprinklered.

For Chapter 10, I think the Chamber should notify their members of the changes relating to exit signs, guards, retaining walls and dead ends in aisles. If members are forced to make these changes, it could be costly.

Building Division Response:

These requirements would apply only to new construction or new tenant improvements. The building division would be happy to meet with the Chamber to discuss any specific concerns there may be.

Chapter 29 – with the changes to the requirements to public access to toilets, this may require that some Chamber members change the route to public toilets or install new public toilets altogether. This seems like a burdensome requirement, especially if it effective when enacted.

Building Division Response:

The city contracts with St. Louis County to enforce the city's plumbing code per Ordinance No. 5214. The building division's

understanding is that the county applies these requirements to “new buildings, additions to existing buildings or changes of occupancy or use in an existing building which results in an increased occupant load.” An example of a change in use that results in an increased occupant load would be when a mercantile use is converted to a restaurant. During plan review for the types of projects noted above, the building division works with the county to proactively communicate to the owner and their architect when these requirements get ‘triggered’ by the proposed scope of work.

Stephen L. Kling, Jr., Esq.

JENKINS & KLING, P.C.
150 North Meramec Avenue
Suite 400
Clayton, Missouri 63105
(314) 721-2525
(314) 721-5525 (fax)



www.jenkinsklings.com

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From: Perkins, Mark C. [<mailto:MPerkins@ci.creve-coeur.mo.us>]
Sent: Wednesday, March 27, 2013 2:03 PM
To: Steve Kling
Cc: Unser, Steve
Subject: RE: Proposed New Building Codes

Steve,

If you have any comments regarding the proposed building codes, please forward as soon as possible as we in the process of wrapping up our review.

Thanks,

Mark Perkins
City Administrator, ICMA-CM
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141
314.872.2511
www.creve-coeur.org

From: Perkins, Mark C.
Sent: Tuesday, February 19, 2013 10:52 AM
To: Steve Kling (skling@jenkinsklings.com)
Cc: Nancy Gray (ngray@ccochamber.com); Unser, Steve
Subject: Proposed New Building Codes

Steve,

Below is a link to our web page regarding the proposed new building codes, including summaries of the changes for each code. If you have any questions, please feel free to contact Steve Unser or myself.

<http://www.creve-coeur.org/index.aspx?NID=660>

Sincerely,

Mark Perkins
City Administrator, ICMA-CM
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141
314.872.2511
www.creve-coeur.org

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EXHIBIT D

City of Creve Coeur Building Division

Summary of Significant Changes To the City's Present Commercial Building Code (2003 IBC) By the City's Proposed Commercial Building Code (2009 IBC)

Section 422- AMBULATORY HEALTH CARE FACILITIES.

This new section provides additional regulations for outpatient surgery centers. Although patients usually are able to walk in and walk out of these facilities the same day with a quick recovery time after surgery, there is a period of time during surgery and recovery when a potentially large number of people will need physical assistance during an emergency that would require evacuation or relocation. As such, the building code now has specific requirements for smoke barriers, automatic fire sprinkler systems, refuge areas and fire alarm systems for outpatient surgery centers.

Section 423 – STORM SHELTERS.

This new section applies to the construction of storm shelters for the purpose of providing safe refuge from storms that produce high winds such as tornadoes or hurricanes. Storm shelters may be constructed as separate detached buildings or constructed as safe rooms within buildings. Although the building code does not mandate that storm shelters be provided, it does regulate their design if they are constructed.

TABLE 508.2.5 – INCIDENTAL ACCESSORY OCCUPANCIES.

The building code no longer requires fire barriers or smoke partitions between file or storage rooms and office spaces unless the floor area of the file or storage rooms exceed 10 % of the building area of the story on which they are located.

Section 703.6 – MARKING AND IDENTIFICATION.

This new section requires that fire walls, fire barriers, smoke barriers and smoke partitions be permanently identified with signs or stenciling. Such signage shall be located above suspended ceilings or other concealed spaces so as to inform tradespeople, maintenance workers and building inspectors that any existing or new pipes, wires, conduits or ducts penetrating these fire resistance rated walls shall be properly protected with through penetration firestop

systems or fire/smoke dampers. This will help prevent heat, smoke or fire from passing through unprotected openings.

Section 903.2.1.2 GROUP A-2.

This section now requires new restaurants/night clubs with an occupant load of 100 or more persons to be equipped with an automatic fire sprinkler system. The present building code requires restaurants/night clubs with an occupant load of 300 or more persons to be equipped with an automatic fire sprinkler system. The threshold has been lowered because numerous fire deaths have occurred in unsprinklered restaurants/nightclubs that had an occupant load greater than 100 persons but less than 300 persons.

Section 903.3.1.2.2 COMBUSTIBLE ATTICS.

This new section is being proposed as a result of the 7/17/2012 Central West End Apartment fire that destroyed this 4-story apartment building. This fire started in the attic and quickly spread throughout this attic because of the “lumberyard” that was located between each line of draftstopping. If this building’s attic had been protected by fire sprinklers the result would have been repairs being made instead of demolishing and rebuilding the entire building. Missouri Baptist College has decided to sprinkler the attics of their Phase 2 dormitory buildings.

Section 1008.1.9.8 ELECTROMAGNETICALLY LOCKED EGRESS DOORS.

This new section allows the use of a locking system that provides for a greater level of security than offered by other methods addressed in the code. In specific occupancies, doors in the means of egress are now permitted to be locked with an electromagnetic lock provided they are equipped with UL listed hardware that incorporates a built-in switch that interrupts the power supply to the electromagnetic lock that unlocks these doors. This type of locking system cannot be used where panic hardware is required by other sections of the code.

Section 1008.1.10 PANIC AND FIRE EXIT HARDWARE.

This section now requires that egress doors serving restaurants, schools and similar uses with an occupant load of 50 or more persons be equipped with panic hardware. The present building code requires panic hardware on egress doors serving an occupant load of 100 or more persons in restaurants, schools and similar uses.

Section 1011.1 WHERE REQUIRED.

This section requires that additional exit signs be provided in buildings or spaces with more complicated means of egress systems. Where travel direction is not clear within an exit, it creates uncertainty and causes delays in evacuations under threatening conditions. The additional exit signs are required to expedite egress from a building during an emergency.

AN ORDINANCE ENACTING NEW ARTICLE X, ENERGY CONSERVATION CODE, OF CHAPTER 500 OF THE CITY CODE OF ORDINANCES OF THE CITY OF CREVE COEUR.

WHEREAS, the city regulates construction practices and standards by means of technical codes to protect the health, safety and welfare of its citizens, and

WHEREAS, such codes must be updated from time to time, and

WHEREAS, at least one copy of the 2009 International Energy Conservation Code, which is hereby to be adopted by reference, has been filed with the City Clerk's office and made available for public use, inspection and examination for a period of at least 90 days prior to adoption of this ordinance pursuant to Section 67.280 RSMo and notice thereof has been publicly posted, and

WHEREAS, a copy of this ordinance has been available for public inspection in the City Clerk's office and it has been read two times by the City Council as required by the City's Charter prior to adoption.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: ARTICLE X, ENERGY CONSERVATION CODE, of Chapter 500 of the City Code of Ordinances is hereby enacted to be known as "THE ENERGY CONSERVATION CODE". Said ARTICLE to read as follows:

ARTICLE X. ENERGY CONSERVATION CODE

SECTION 500.1010. ADOPTED: A certain document, one copy of which are on file in the office of the City Clerk; such copy being marked and designated as the "INTERNATIONAL ENERGY CONSERVATION CODE, 2009", FIFTH EDITION, is hereby adopted as the Energy Conservation Code of the City of Creve Coeur, Missouri, for the regulation of the design and construction of residential and commercial buildings for the effective use of energy as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the INTERNATIONAL ENERGY CONSERVATION CODE, 2009, FIFTH EDITION, are hereby referred to, adopted and made a part thereof, as if fully set out in this Article, with the additions, insertions, deletions, and changes, prescribed in this Article.

SECTION 500.1020. JURISDICTIONAL TITLES: Throughout the INTERNATIONAL ENERGY CONSERVATION CODE, 2009, FIFTH EDITION, wherever the terms "name of jurisdiction" or "local jurisdiction" appear, it shall be deemed to mean "City of Creve Coeur, Missouri". Likewise, wherever the terms "department of building inspection" or "department of building safety" appear, it shall be deemed to mean "Creve Coeur Building Division". Wherever the term "code" appears, it shall mean the INTERNATIONAL ENERGY CONSERVATION CODE, 2009, FIFTH EDITION as amended in this Article.

SECTION 500.1030. AMENDMENTS TO CHAPTER 1 OF THE INTERNATIONAL ENERGY CONSERVATION CODE:

– CHAPTER 1 – Administration:

Chapter 1 of the International Energy Conservation Code, 2009, Fifth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the

following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

109.1 General. 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 code, there is and shall remain a Building Code Board of Appeals. The board shall adopt rules of procedure for conducting its business.

109.2 Limitations on authority. Any person shall have a right to appeal a decision of the building official to the Building Code Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction shall be allowed to be used. The board shall have no authority to waive requirements of this code.

109.3 Time limitation and filing procedure. All appeals shall be filed in writing with the building official. A written appeal may not be filed more than thirty days after the affected individuals are notified of the building official's decision.

109.3.1 Filing fee. An application for appeal shall not be filed without full payment of the filing fee of \$150.00. Said filing fee shall be refunded to the applicant if the Board reverses the decision of the building official.

109.4 Membership of board. The Building Code Board of Appeals shall consist of five regular members, who shall be residents of the City of Creve Coeur, appointed pursuant to Section 4.4(i) of the City Charter for three-year staggered terms. To the extent possible, based on applications submitted to the City, members of the Building Code Board of Appeals should be representative of the following professions or disciplines: registered architects, builder or superintendent of building construction with ten years of experience, structural engineer, code enforcement professional, mechanical engineer, electrical engineer, civil engineer, fire protection engineer, mechanical contractor, electrical contractor, plumbing contractor, fire protection contractor, or other disciplines associated with the building trades or design professions.

109.4.2 Chair. The Chair of the Building Code Board of Appeals shall be elected annually by the members of the Building Code Board of Appeals.

109.4.3 Secretary. The City Administrator shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the city administrator.

109.4.4 Compensation of members. Members of the Building Code Board of Appeals shall not be compensated for service but shall be reimbursed for actual expenses pursuant to established City policy.

109.4.5 Code of Ethics for members. All members shall be subject to the city's Code of Ethics.

109.5 Notice of meeting. The Building Code Board of Appeals shall meet upon notice from the chair, within 5 calendar days of the filing of a written appeal with the building official, or at stated periodic meetings.

109.6 Open hearing. All hearings before the Building Code Board of Appeals shall be open to the public. Proper public notice shall be given. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given the opportunity to be heard.

109.6.1 Procedure. The Board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

109.7 Quorum. Three members of the Building Code Board of Appeals shall constitute a quorum for the purpose of hearing appeals.

109.9 Board decision. The Building Code Board of Appeals shall only reverse or modify the decision of the code official by a majority vote of the quorum present and voting. Otherwise, the decision shall be deemed to be upheld.

109.9.1 Notification of decision. The secretary of the board shall notify the appellant and the building official of the decision in writing.

109.9.2 Administration. The building official shall take immediate action in accordance with the decision of the board.

109.10 Court review: Any aggrieved person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision of the Building Code Board of Appeals in the office of the City Administrator.

These amendments were made to Sections 109.1 through 109.10 to reflect the city's present requirements.

SECTION 500.1040. AMENDMENTS TO CHAPTER 2 OF THE INTERNATIONAL ENERGY CONSERVATION CODE:

– CHAPTER 2 – Definitions:

Chapter 2 of the International Energy Conservation Code, 2009, Fifth Edition, is adopted without modification.

SECTION 500.1050 AMENDMENTS TO CHAPTER 3 OF THE INTERNATIONAL ENERGY CONSERVATION CODE:

– CHAPTER 3 – GENERAL REQUIREMENTS:

Chapter 3 of the International Energy Conservation Code, 2009, Fifth Edition, is adopted without modification.

SECTION 500.1060 AMENDMENTS TO CHAPTER 4 OF THE INTERNATIONAL ENERGY CONSERVATION CODE:

– CHAPTER 4 – RESIDENTIAL ENERGY EFFICIENCY:

Chapter 4 of the International Energy Conservation Code, 2009, Fifth Edition, is adopted without modification.

SECTION 500.1070 AMENDMENTS TO CHAPTER 5 OF THE INTERNATIONAL ENERGY CONSERVATION CODE:

– CHAPTER 5 – COMMERCIAL ENERGY EFFICIENCY:

Chapter 5 of the International Energy Conservation Code, 2009, Fifth Edition, is adopted without modification.

SECTION 500.1080 AMENDMENTS TO CHAPTER 6 OF THE INTERNATIONAL ENERGY CONSERVATION CODE:

– CHAPTER 6 – REFERENCED STANDARDS:

Chapter 6 of the International Energy Conservation Code, 2009, Fifth Edition, is adopted without modification.

SECTION 2: SAVING CLAUSE: Nothing in this ordinance or in the Energy Conservation Code hereby adopted, shall be construed to affect any suit or proceeding currently pending in any court as of the effective date hereof, or any rights previously acquired or liability previously incurred, or any cause or causes of action existing under any ordinance hereby repealed, as cited herein.

SECTION 3: SEVERABILITY: If any section, subsection, provision, sentence, clause, or phrase of this ordinance or of the ICC International Energy Conservation Code, Fifth Edition, 2009, is, for any reasons held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City of Creve Coeur City Council hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein.

SECTION 4: EFFECTIVE DATE: This ordinance shall become effective **July 1, 2013**, pursuant to section 3.11(g) of the City Charter.

Adopted by the City Council this ___ day of _____, 2013.

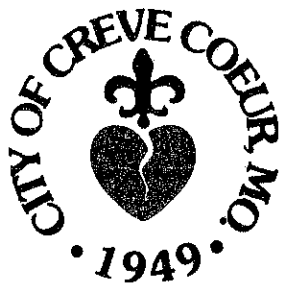
ROBERT HOFFMAN
PRESIDENT OF THE CITY COUNCIL

Approved this ___ day of _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK



city
of

CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

EXHIBIT A

April 15, 2011

Mayor and Council Members
Creve Coeur Government Center
300 N. New Ballas Road.
Creve Coeur, MO 63141

RE: Building Code Board of Appeals Review of the Rough Drafts of the City
Ordinances being proposed to adopt the City's New Building Codes.

Dear Mayor and Council Members;

The Building Code Board of Appeals was asked by the Chief Building Official on December 11, 2012, to review the aforementioned ordinances that will amend and adopt the 2009 edition of the International Residential Code as our city's new building code for One- And Two-Family Dwellings, the 2009 edition of the International Building Code as our city's new commercial building code and the 2009 edition of the International Energy Conservation Code as our city's new energy conservation code.

Upon careful review of the aforementioned proposed ordinances and after our public meeting held on April 3, 2013, to further discuss these ordinances with each other and the Chief Building Official, the Building Code Board of Appeals recommends adoption of all three (3) of these proposed ordinances as written.

Thank you for your consideration of this recommendation.

Sincerely,

Building Code Board of Appeals
Bernard Colton, Chairperson

C A R Y L K I N S E Y F O X, A I A, L E E D B D + C c k i n s e y f o x @ g m a i l . c o m
4 6 1 P I N E B E N D D R I V E
W I L D W O O D M O 6 3 0 0 5 C . 3 1 0 . 4 2 8 . 1 3 5 7

March 5, 2013

EXHIBIT B

Steve Unser
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

RE: Adoption of the 2009 I-Codes and International Energy Conservation Code

Dear Steve,

As an Architect, registered in Missouri, New York and California, I serve on the national committee of the AIA, American Institute of Architects, Codes and Standards Committee where I was the 2012 Chair. I am writing in support of Creve Coeur's adoption of the 2009 I-Codes including the International Energy Conservation Code (IECC). These are the codes that have been adopted by the City and County of St. Louis and represent the standard of construction expected by the building industry in the St. Louis Metropolitan area.

The I-Codes are the only set of building codes in the US and represent the best practices as decided by a consensus of the building industry. They are written with public safety in mind and are fully coordinated to address all building conditions. Editing or modifying specific sections of these codes could create serious conflicts or gaps in overall building safety.

For example, when the State of Missouri eliminated the requirement for fire sprinklers, they did not take into consideration that fire separations between occupants was removed from the code. The expectation was that entire buildings would be sprinkled eliminating the need for fire separations. This throws into confusion who becomes liable when fire spreads throughout a building, the builder who talked the owner out of installing the sprinklers or the designer who designed to the building code. For this reason, it is the position of the American Institute of Architects that the building codes should be adopted **without modifications**.

I am also a resident of Wildwood and attend St. Timothy's Episcopal Church at 808 N. Mason Road. Creve Coeur has a great reputation of being a conscientious community with high quality residential construction. For these reasons, I strongly support the adoption of the 2009 IECC.

The Energy Code requires minimum acceptable levels of construction including good insulation, windows and doors, as well as caulking and weatherstripping the gaps in construction. These do not add significantly to the cost of construction but do

contribute to the overall comfort of living in a home. The code also requires programable thermostats as well as efficient lighting, heating and air conditioning systems which lower operational expenses. For these reasons, I consider the IECC to be a type of consumer protection, ensuring that homeowners get a good quality home and lower energy bills for the long term.

Again, I point out that St. Louis City and County have been using the 2009 I-Codes since the end of 2011 and Missouri is one of the few states that does not have a statewide building code. Please take swift action to adopt these newer I-Codes.

Illinois and the Kansas City metro area have adopted the 2012 I-Codes including the Energy Code. Many other municipalities in our region have also adopted the 2009 IECC including, Clayton, Webster Groves, Florissant, Hazelwood, Lake St. Louis, O'Fallon, St. Charles, Troy and Wentzville.

In the end, homeowners are the biggest winners in the adoption of energy codes and for that reason, the American Institute of Architects are firmly in support of Creve Coeur Adopting the 2009 IECC.

Please feel free to contact me with any specific questions you need answered.

Caryl Kinsey Fox, AIA, LEED AP, BD&C

EXHIBIT C

February 20, 2013

Honorable Mayor and City Council
300 N New Ballas Rd
Creve Coeur, MO 63141

Re. International Energy Conservation Code

Dear Mayor and Members of the City Council:

On February 20, 2013, the Climate Action Task Force met and discussed the proposed International Energy Conservation Code. The Task Force voted with a unanimous recommendation to the City Council that the IECC be adopted as proposed by City staff. The Task Force has met multiple times to discuss the IECC and advises that its adoption will mark a key step toward enhancing the energy efficiency of new construction in the city and reducing the city's greenhouse gas emissions.

Sincerely,



Sue Baseley
Climate Action Task Force Vice Chair

City of Creve Coeur / Building Division **EXHIBIT D**
COMPARISON TABLE
BETWEEN
PRESENT ENERGY CONSERVATION CODE REQUIREMENTS
AND
2009 INTERNATIONAL ENERGY CONSERVATION CODE REQUIREMENTS.

NOTE: The Building Division will recommend that the 2009 International Energy Conservation Code and Chapter 11 – Energy Efficiency- of the 2009 International Residential Code be adopted as written.

Building Element	Current Requirement	2009 IRC, Chapter 11 Or 2009 IECC, Chapter 4	What St. Louis County Did
Roof R Value	30	38	30
Wall R Value	13	13	13
Floor R Value	19	19	19
Crawl Space R Value	5	10	5
Exposed Duct R Value	5	8	4
Fenestration U- Factor	0.40	0.35	0.40
Programmable Thermostats	Not Required	Required	Required
High Efficiency Light Bulbs	Not Required	Required for 50% of permanent light fixtures	Required for 50% of permanent light fixtures
Thermal Envelope Sealing/Testing	Not Required	Required	Amended 'sealing' Deleted 'testing'
Permanent Energy Conservation Certificate Posted	Not Required	Required	Deleted
Duct Sealing / Testing	Sealing Required	Sealing and Testing Required	Sealing Required. Testing Deleted.
Wood-Burning Fireplaces	Can be open to a room.	Must have gasketed doors and outside air	Deleted
Thermal Cover for Heated Swimming Pools	Not Required	Required	Required
Insulating & Weatherstripping Attic Access Panels	Not Required	Required	Insulating Required Weatherstripping Deleted

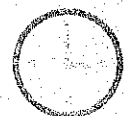
TRUE COST OF THE

2009 INTERNATIONAL ENERGY CONSERVATION CODE

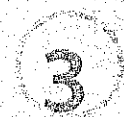


FOR NEW HOMES IN
MISSOURI
CLIMATE ZONE 4

Homes are the biggest investment we make—and everyone deserves a home that meets national minimum energy efficiency standards. While it's true that homeowners can always improve the efficiency of their homes, it is far more cost-effective to upgrade building components during construction, putting in better windows or swapping out one grade of insulation for a better one. Here's what buyers get with the 2009 IECC:



Payback Period
14 months



3-year Profit
\$476.75

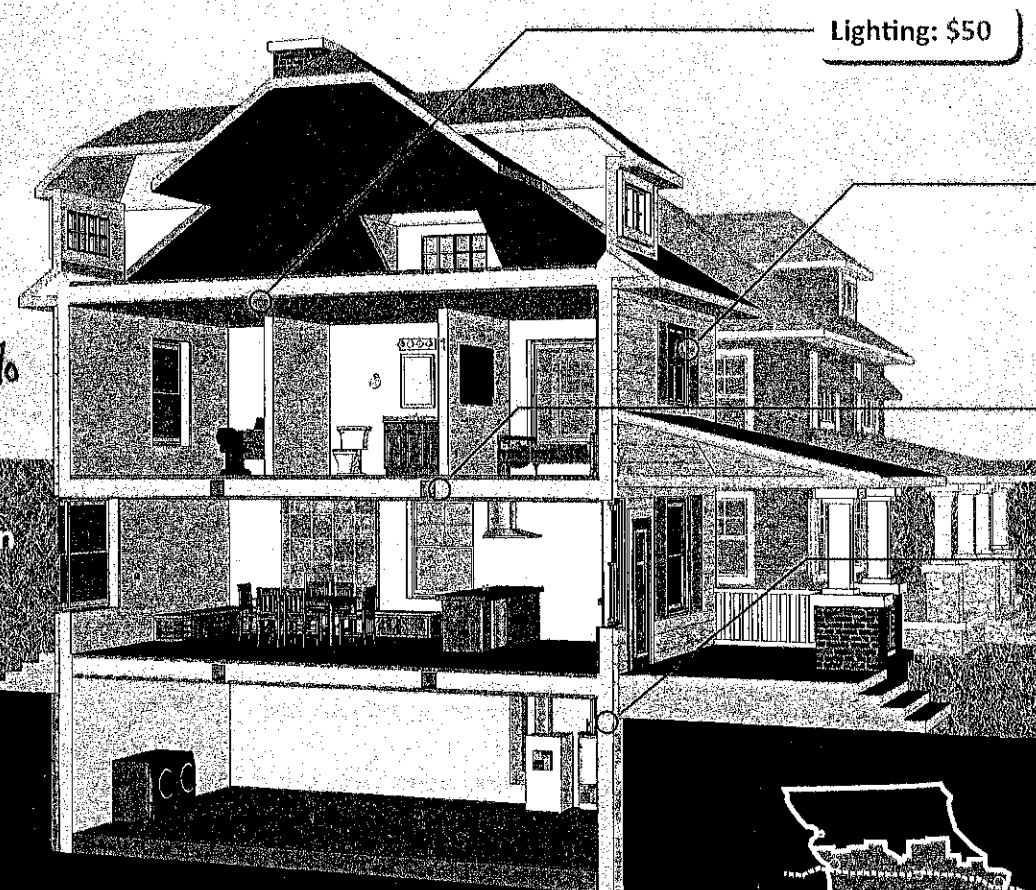


Annual Energy Reduction
18%



5-year Profit
\$992.69

18%



Lighting: \$50

Window Upgrades
CLIMATE ZONE 4: \$735

Duct Sealing and Testing: \$350

Insulation Upgrades
CLIMATE ZONE 4: \$383



Climate Zone 4 □□□□□□
u-factor: .5 → .35 WINDOW
r-value: 30 → 38 INSULATION
CEILING



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES



For the full Incremental Cost Analysis study, please visit bcap-ocean.org

TRUE COST OF THE



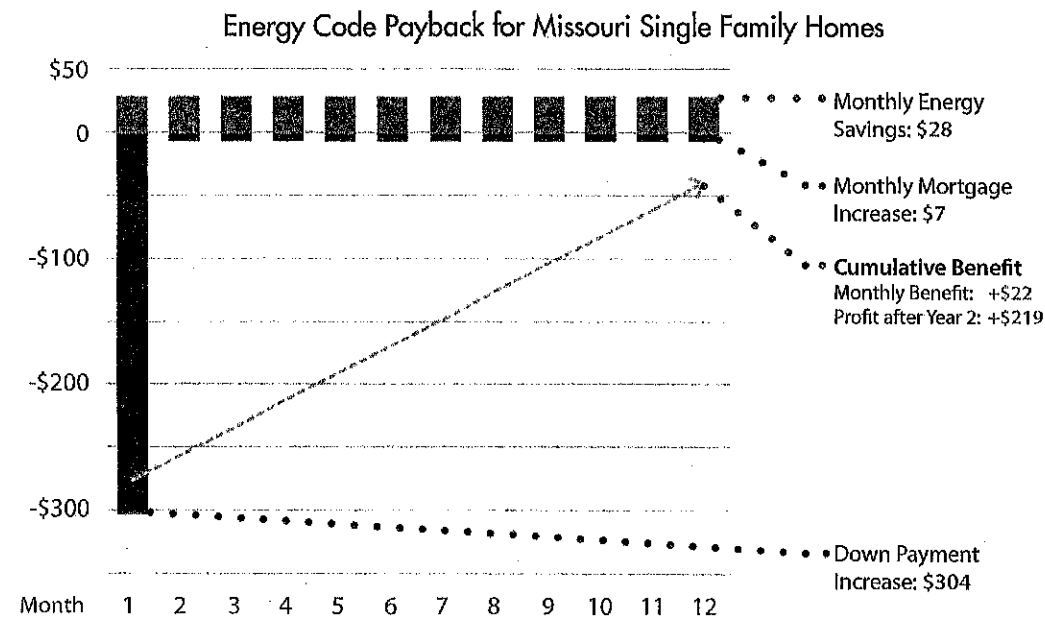
FOR NEW HOMES IN
MISSOURI
CLIMATE ZONE 4

2009 INTERNATIONAL ENERGY CONSERVATION CODE

One of the major barriers to energy code adoption across the country is the concern that new codes will add to the purchase price and potential buyers will not be able to afford the homes they want. In Missouri, upgrading homes to the 2009 International Energy Conservation Code will actually reduce out-of-pocket expenses for homeowners – paying off their initial investment in a matter of months.

For the average new home built in IECC climate zone 4*, BCAP estimates the costs of the new code will add no more than a total of \$1,519 in construction costs—an increase of only 0.6%. When this amount is rolled into the average mortgage, real costs to homebuyers will mean a down payment increase of \$303.72 and \$6.56 extra on monthly mortgage bills.

These added mortgage costs will be offset, however, by monthly energy savings of \$28.06, helping homebuyers pay off their initial investment in only fourteen months. After breaking even in month fourteen, the home will return buyers a profit of \$22 per month—for a total return of \$258 every year. This return on investment is graphed below and presented as a balance sheet at right.



Month	Mortgage Increase	Monthly Energy Savings	Cumulative Cost/Benefit
1	\$303.72	\$28.06	-\$275.66
2	\$6.56	\$28.06	-\$254.17
3	\$6.56	\$28.06	-\$232.67
4	\$6.56	\$28.06	-\$211.17
5	\$6.56	\$28.06	-\$189.67
6	\$6.56	\$28.06	-\$168.18
7	\$6.56	\$28.06	-\$146.68
8	\$6.56	\$28.06	-\$125.18
9	\$6.56	\$28.06	-\$103.68
10	\$6.56	\$28.06	-\$82.19
11	\$6.56	\$28.06	-\$60.69
12	\$6.56	\$28.06	-\$39.19
13	\$6.56	\$28.06	-\$17.69
14	\$6.56	\$28.06	\$3.81 Break Even
15	\$6.56	\$28.06	\$25.30 \$22 profit every month
16	\$6.56	\$28.06	\$46.80
17	\$6.56	\$28.06	\$68.30
18	\$6.56	\$28.06	\$89.80

This model assumes an average sale price of \$267,451 for a 2,400 square foot home. The mortgage is conservatively set at 30 years, with 20% down and the current average nationwide interest rate of 5.05%. With a lower down payment—such as 10% down—consumers will break even on their investment even sooner.

* Missouri's climate zone 4 covers the lower three-fourths of the state, and represents 93% of the state's population

MEMORANDUM

TO: Mark Perkins, City Administrator

CC: Paul Langdon, Director of Community Development

FROM: Steve Unser, Chief Building Official

DATE: May 8, 2013

**RE: Building Division's Draft of a City Ordinance to
Amend and Adopt the 2009 International Energy Conservation
Code as the City's New Energy Conservation Code.**

Please find attached the aforementioned draft for review and comments. Many municipalities within St. Louis County have adopted or are in the process of adopting this energy conservation code as their new energy conservation code. In the interest of code enforcement consistency throughout our region, the building division is recommending that the City of Creve Coeur do the same. This code regulates the design and construction of residential and commercial buildings for the effective use of energy.

The only amendments proposed to this code are in Chapter 1- ADMINISTRATION- Section 109- BOARD OF APPEALS. The reason these amendments are proposed is to make them consistent with the Board of Appeals process outlined in the city's commercial and residential building codes.

On December 11, 2012, this draft of this proposed ordinance was filed with the City Clerk's office and made available for public inspection and examination pursuant to Section 67.280 RSMo. This draft was posted on the city's website for public review on December 11, 2012. Also on December 13, 2012, printed copies of this draft were mailed to members of the city's Building Code Board of Appeals, the Associated General Contractors of St. Louis and the Creve Coeur-Olivette Chamber of Commerce. Printed copies were also made available at the building division's public counter.

See attached Exhibit A for the Building Code Board of Appeals recommendation to adopt this code as proposed.

See attached Exhibit B for Caryl Kinsey Fox's recommendation to adopt this code as proposed.

See attached Exhibit C for the Climate Action Task Force's recommendation to adopt this code as proposed.

The city requested that any comments from all interested parties regarding this draft be submitted to the building division for review within ninety (90) days of the date of it being made public. There were no public comments submitted to the building division regarding this code.

Significant Energy Code Changes

Every 3 years a new energy conservation code is published by the International Code Council. The International Energy Conservation Code is kept up to date through the review of proposed code changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed code changes are carefully considered through an open code development process in which all interested and affected parties may participate. A consensus is reached for each proposed code change by a majority vote of members at the ICC Code Change Hearings which are held twice a year (spring/fall) at various cities.

The intent of the city has been to adopt the energy conservation code as written through this model code development process and to ensure that any amendments proposed by the building division will not be less restrictive than the minimum regulations contained in the published International Energy Conservation Code.

While every code change cannot be listed here, please ***see attached Exhibit D for a summary of significant changes that will be made to the city's present energy conservation code (2003 IECC) by the city's adoption of the proposed energy conservation code (2009 IECC).***

Please see attached Exhibit E for the 'true cost' of the 2009 International Energy Conservation Code. These increased construction costs (\$1,519) are based on a 2,400 square foot home. This works out to an increased cost of \$0.63 per square foot. Another increased cost not included in this exhibit is approximately \$300 for the Blower Door Test required to test the air tightness of the building envelope. This would increase the average increased construction cost of a new home to \$1,819 or \$0.75 per square foot. The average size of a new home in Creve Coeur is approximately 3,000 – 4,000 square feet. This works out to be an increased cost of \$2,250 - \$3,000 for a new Creve Coeur home to be built in compliance with the 2009 IECC. This same exhibit points out that the monthly energy savings realized by complying with the 2009 IECC would be \$28.06 for a

2,400 square foot new home. The monthly energy savings for a new home that is 3,000 – 4,000 square feet in size would be approximately \$33- \$44.

Stronger energy – efficient construction helps to reduce pollution by reducing energy consumption.

AN ORDINANCE REPEALING ARTICLE VI, RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, OF CHAPTER 500 OF THE CITY CODE OF ORDINANCES OF THE CITY OF CREVE COEUR, AND ENACTING IN LIEU THEREOF A NEW ARTICLE VI, RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS.

WHEREAS, the city regulates construction practices and standards by means of technical codes to protect the health, safety and welfare of its citizens, and

WHEREAS, such codes must be updated from time to time, and

WHEREAS, at least one copy of the 2009 International Residential Code for One- and Two-Family Dwellings, which is hereby to be adopted by reference, has been filed with the City Clerk's office and made available for public use, inspection and examination for a period of at least 90 days prior to adoption of this ordinance pursuant to Section 67.280 RSMo and notice thereof has been publicly posted, and

WHEREAS, a copy of this ordinance has been available for public inspection in the City Clerk's office and it has been read two times by the City Council as required by the City's Charter prior to adoption.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri as follows:

SECTION 1: ARTICLE VI, RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, of Chapter 500 of the City Code of Ordinances is hereby repealed and a new ARTICLE VI of Chapter 500 is hereby enacted to be known as "THE RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS". Said ARTICLE to read as follows:

ARTICLE VI. RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

SECTION 500.420 ADOPTED: A certain document, one copy of which is on file in the office of the City Clerk, such copy being marked and designated as the "INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2009", FOURTH EDITION, including "APPENDIX A (IFGC) – SIZING AND CAPACITIES OF GAS PIPING"; "APPENDIX B (IFGC) – SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES, AND APPLIANCES LISTED FOR USE AND TYPE B VENTS"; APPENDIX C (IFGC) – EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS"; "APPENDIX G – SWIMMING POOLS, SPAS AND HOT TUBS"; AND "APPENDIX K – SOUND TRANSMISSION", as published by the International Code Council, Inc., is hereby adopted as the Residential Code of the City of Creve Coeur, Missouri, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2009, FOURTH EDITION, are hereby referred to, adopted and made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions, and changes, prescribed in this Article.

SECTION 500.430 JURISDICTIONAL TITLES: Throughout the INTERNATIONAL RESIDENTIAL CODE ONE- AND TWO-FAMILY DWELLINGS, 2009, FOURTH EDITION, wherever the terms “name of jurisdiction” or “local jurisdiction” appear, it shall be deemed to mean “City of Creve Coeur, Missouri”. Likewise, wherever the terms “department of building inspection” or “department of building safety” appear, it shall be deemed to mean “Creve Coeur Building Division”. Wherever the term “code” appears, it shall mean the INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2009, FOURTH EDITION as hereby amended.

SECTION 500.440 ADDITIONS, INSERTIONS AND CHANGES: The following subsections are hereby revised as follows:

Section R101.1 Insert: “City of Creve Coeur”.

SECTION 500.450 AMENDMENTS TO CHAPTER 1 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 1 – ADMINISTRATION:

Chapter 1 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth herein. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

R101.2 Scope. Add the following: Notwithstanding the provisions of this code, the maximum number of stories for any structure shall be as provided in the City Zoning Code.

Exception: Deleted in its entirety.

This change was made to be consistent with the city zoning code. The IRC, as written, would allow one- and two-family dwellings to be three stories in height. The city zoning code limits these type structures to 2 stories in height. The exception was deleted because the “live/work” concept would allow up to 50 percent of the area of a one or two family dwelling or townhome to be used for business purposes and would allow up to 5 “nonresidential employees” to work there. The city’s zoning code allows only 10 percent of a home to be used as a home occupation and only the home’s owner and family members who live in the home can be employees.

R102.8 Matters not provided for. Any requirements that are essential for the structural, fire or sanitary safety of an existing or proposed building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code, shall be determined by the building official.

This amendment made to add a new section to this code so as to be consistent with the city’s present building code.

R104.6.1 Interference with building official: No person shall hinder, obstruct, resist, fail to provide entry at reasonable times, or otherwise interfere with the code official in the performance of his official duties.

This amendment made to add a new section to this code so as to be consistent with the city’s present building code.

R104.6.1.1 Disasters. In the event of a disaster such as a windstorm, tornado, flood, fire, earthquake, bomb blast or explosion, the building official is authorized to deputize Missouri Structural Assessment

and Visual Evaluation (SAVE) Volunteer Inspectors certified by the Missouri State Emergency Management Agency (SEMA) to conduct emergency post-disaster safety evaluations of buildings.

This amendment made to add a new section to this code that allows the building official to expand the city's inspection capabilities after a disaster. This is consistent with St. Louis County's building code adopting ordinance.

R104.12 Rule-making authority. The building official shall have authority, as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code, to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety.

This amendment made to add a new section to this code so as to be consistent with the city's present building code.

R105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Retaining walls which are not over 2 feet (610mm) in height measured from the top of the proposed finished grade at the non-retained side of the wall to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
2. Painting, tiling, carpeting and similar finish work.
3. Prefabricated swimming pools accessory to a Group R-3 occupancy which have a maximum water depth of 24 inches (610mm), a maximum water volume of 5,000 gallons (18925L) and are installed entirely above ground.

Electrical:

Any work exempted from permits by the Electrical Code.

Gas:

Any work exempted from permits by the Mechanical Code.

Mechanical:

Any work exempted from permits by the Mechanical Code.

Plumbing:

Any work exempted from permits by the Plumbing Code.

This amendment made to clarify when permits are not required.

R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 90 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 90 days after the time the work is commenced, or after one year from the date of issuance if the permit has not otherwise expired. The building official is authorized to grant, in writing, one or more extensions of time, for periods not to exceed 30 days each. An extension shall be requested in writing and justifiable cause must be demonstrated.

This amendment made to reflect the city's present requirements.

R105.5.1 Expiration of demolition permits. Demolition work shall be completed within thirty (30) days after the date of issuance of the demolition permit. The building official may, after receiving a written request from the applicant, grant one or more thirty day extensions to this permit if the applicant presents evidence of justifiable cause.

This amendment made to reflect the city's present requirements.

R105.9 Placement of permit and inspection placard. The building permit or copy shall be kept on the site of the work until the completion of the project. An inspection placard shall be posted on the job site in accordance with Section R109.1.1 of this code.

R105.10 Compliance with permit. All work shall conform to the approved application and the approved construction documents for which the permit has been issued and any approved amendments to the approved application or the approved construction documents.

R105.11 Compliance with codes and ordinances. Neither the granting of a permit, nor the approval of the construction documents, nor inspections made by the building official, or his authorized representative, during the erection of the building, structure, or any alteration or addition thereto, shall in any way relieve the owner or tenant of such building, structure, or property from complying with the requirements of this code, the Creve Coeur Zoning Code or any other governing law or ordinance.

These amendments were made to add new sections 105.9 and 105.11 so as to be consistent with the city's present building code.

R106.1 Construction documents. The application for a permit shall be accompanied by three (3) complete sets of construction documents drawn to scale. The construction documents and site plans shall be prepared and sealed by an architect or an engineer licensed and registered in the State of Missouri to render this service. All construction documents and site plans shall be prepared by the appropriate registered design professional consistent with the professional registration laws of the State of Missouri. All construction documents submitted with an application for a building permit shall bear an original embossed or wet ink seal and an original dated signature of the responsible Missouri registered design professional for each discipline on the front sheet of each discipline within each set of construction documents. In addition, all other sheets of the construction documents, other than the specifications or calculations, shall bear the original embossed or wet ink seal and the original dated signature or the mechanically reproduced seal and dated signature of the responsible Missouri registered design professional. Any addenda or modifications submitted for changes to the construction documents shall also bear the original seal and original dated signature of the responsible Missouri registered design professional. Such changes shall be clearly indicated. The building official may waive these requirements when the scope of the work is of a minor nature and does not involve structural alterations.

This amendment made to reflect the city's present requirements.

R106.1.1.1 Residential Fire Sprinkler Option Form. An application for permit for a one or two family dwelling or residence or townhouse shall be accompanied by the city's Residential Fire Sprinkler Option Form signed by the builder and the purchaser affirming that a fire sprinkler system was offered to the purchaser prior to entering into the purchase contract in conformance with Sections R313.1 and R313.2 of this code. If there is no purchaser at the time of the permit application submittal, then said signed Form shall be submitted as soon as there is a purchaser and prior to the issuance of a certificate of occupancy for the new residence. The provisions of this section shall expire on December 31, 2019.

This amendment made to be consistent with state law.

R106.2.1 All buildings and structures. For all buildings and structures to be constructed, the following additional information shall be shown on the site plan:

- A. The location of all front, side and rear building lines, together with all easements including utilities, drainage and roadways.
- B. The present and proposed finished grades of yards, driveways or walks for drainage in relation to the established first floor elevation including the slope away from the foundation.
- C. The lot number, block (if any), plat or subdivision number, recorded subdivision name, front street and side streets (where applicable) and the north direction arrow.

R106.2.1.1 Private sewage disposal system. The site plan shall indicate the location of a private sewage system when a public sewage system is not available. All technical data and soil data required by the Plumbing Code shall be submitted with the site plan.

R108.2 Schedule of fees. The fees for plan examinations, issuing permits, making inspections, working overtime, issuing certificates of occupancy, establishing escrow funds and other administrative enforcement activities performed by the building department shall be paid in accordance with the fees established in Appendix A, Community Development and Public Works Fee Schedule, of the City Code of Ordinances.

R108.2.1 Building Code Board of Appeals filing fee. A filing fee of \$150.00 shall be paid upon the submittal of the written appeal in order for a quorum of the Building Code Board of Appeals to be notified to convene for the purpose of hearing an appeal of a decision of the building official as set forth in Section R112. The filing fee shall be refunded to the applicant if the Board reverses the decision of the building official.

These amendments were made to Sections R106.2.1 through R108.2.1 to reflect the city's present requirements.

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated construction cost for the project at the time of application. The estimated construction cost shall be for the total value of work, including materials, labor, profit and overhead for all structural, architectural, mechanical, electrical and plumbing work, as it relates to the project for which the permit is to be issued. The estimated construction cost shall not include the cost of land or registered design professional fees. If, in the opinion of the building official, the estimated construction cost is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

R108.5 Work commencing before permit issuance. Where any work for which a permit is required by this code is started, or proceeded with, prior to obtaining said permit, the normal applicable fee shall be doubled and a penalty fee of up to \$500.00 may be charged by the building official. The payment of said doubled fee or penalty shall not relieve any persons from fully complying with the requirements of this code or from other penalties prescribed herein.

R108.6 Refunds. In the case of revocation of a permit no refund shall be granted. Any excess fee for a project that has not been commenced shall be returned to the permit holder upon written request received no later than twelve (12) months after the date the permit was issued and the permit shall be cancelled. All plan examination fees, permit processing fees, inspection fees and penalties that have been imposed upon the permit holder under the requirements of this code shall be deducted from the refund or paid by the permit holder prior to any refund being granted.

These amendments were made to Sections 108.3 through 108.6 to reflect the city's present requirements.

R109.1.1 Inspection Placard. Work requiring a permit shall not commence until the permittee or his/her agent posts an inspection placard at the job site for recording inspections. Failure to maintain this inspection placard will not relieve the permittee of responsibility as provided by this code. When work has progressed to a point of having windows, or when the job is an alteration or addition, the placard shall be attached to the available glass in view for recording the balance of inspections required by the code. Absence of the inspection placard shall result in the imposition of a penalty fee as set forth in Section R108.2.

R109.2 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or caused to be examined buildings, structures and sites for which an application has been filed.

R109.3 Required inspections. After issuing a building permit, the building official shall conduct inspections as set forth in Sections R109.3.1 through R109.3.11 during and upon completion of the work for which a permit has been issued so as to be able to ensure that substantial compliance with this code and the city-approved construction documents has occurred. A record of all such inspections and any violations of this code shall be maintained by the building official.

R109.3.1 Soil and footing inspection. A soil inspection shall be made after excavation for the building or structure is complete and trenches for footings, spread footings, column pads, grade beams, and other types of footings are crumbed, formed, have the reinforcing steel tied in place, and are ready for concrete. A City-approved barrier shall be in place around the excavation until backfilling has occurred. No concrete shall be placed without this inspection.

R109.3.1.1 Lowest floor elevation. Any building or structure permitted to be constructed on property designated as a flood hazard area shall have an elevation certification (as required by Section R322.1.910 and prepared and sealed by a registered design professional) which certifies the lowest floor elevation, including the basement, submitted to the building official prior to the required foundation inspection. No foundation inspection shall be approved until said submittal is made.

R109.3.2 Foundation inspection. A foundation inspection shall be made after the top of the footing has been cleaned, the foundation forms have been properly set, the reinforcing steel has been cleaned and tied in place, and the proper anchor bolts are on site. A City-approved barrier shall be in place around the excavation until backfilling has occurred. No concrete shall be placed without this inspection.

R109.3.3 Pier inspection. A pier inspection shall be made where special foundations such as drilled and poured-in-place concrete piers, caissons, driven piles of all types, and other extraordinary types of foundations are required. Additional pier inspections shall be made when the code official determines the size of the project warrants it. Reinforcing steel required in the above cases shall be placed to allow for adequate inspections. A City-approved barrier shall be placed around the excavation until backfilling has occurred. No concrete shall be placed without this inspection.

R109.3.4 Structural concrete slab and under-floor inspection. Structural concrete slab and under-floor inspections shall be made after 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 placed or floor sheathing installed, including the sub-floor.

R109.3.5 Exterior wall sheathing inspection. An exterior wall sheathing inspection shall be made prior to the building wrap being installed over the braced wall panels or portal frames.

R109.3.6 Mechanical rough-in inspection. A mechanical rough-in inspection shall be made after all supply air ducts, return air ducts / plenums and appliance vents have been installed.

R109.3.7 Framing inspection. A framing inspection shall be made after the plumbing, mechanical and electrical rough-in inspections have been made and approved by those inspection departments and their dated approval signatures have been noted on the posted inspection placard; and after all masonry walls, fireplace chimneys, vents, and all framing (including the floor, wall, and roof structures, fireblocking, bracing and sheathing) are completed. Protection of joints and penetrations in fire-resistance rated assemblies shall not be concealed from view until inspected and approved. No mechanical, electrical, plumbing, or framing systems shall be concealed before this inspection is made and approved by the code official.

R109.3.8 Ceiling cover inspection. A ceiling cover inspection shall be made after the plumbing, mechanical and electrical rough-in inspections have been made and approved by those inspection departments and their dated approval signatures have been noted on the posted inspection placard; and after all masonry walls, fireplace chimneys, vents, ceiling grid and hanger wires, and all framing (including the floor and/or roof structures, fireblocking, bracing and sheathing) are completed. Protection of joints and penetrations in fire-resistance rated assemblies shall not be concealed from view until inspected and approved.

R109.3.9 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 11 of this Code and shall include, but not be limited to, inspections for envelope insulation R and U values, fenestration U value, duct system R value, duct sealing, building envelope air tightness and HVAC and water heating equipment efficiency.

R109.3.10 Gypsum board and plaster. The following ceiling and wall gypsum board or plaster inspections shall be performed as specified:

- A) A lath inspection shall be made after all lathing, interior and exterior, is in place and before any plaster is applied.
- B) A gypsum board inspection shall be made after all gypsum board sheets are in place and properly fastened and before any joint compound is applied over joints and fasteners.

Each layer of a multi-layered fire-resistance rated assembly shall be inspected and approved prior to the next layer being applied. Protection of joints and penetrations in fire-resistance rated assemblies shall not be concealed from view until inspected and approved.

R109.3.11 Rough grading inspection. A rough grading inspection shall be made after the site has been graded to the elevations and contours shown on the city-approved plans. No ground cover shall be planted or placed until this inspection has been approved.

R109.3.12 Final grading inspection. A final grading inspection shall be made after ground cover has been established and erosion of soil will no longer occur from the site.

R109.3.13 Supplemental inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections or re-inspections of any construction work to ascertain compliance with the provisions of this code, the city's zoning code and the city's code of ordinances.

R109.3.14 Final inspection. A final building inspection shall be made after the prior required inspections have been completed and the final mechanical, electrical, and plumbing inspections have been made and approved by those inspection departments.

These amendments were made to Sections R109.1.1 through R109.3.14 to be more specific in content. The more specific language as to when inspections are required and what the inspector will be looking for will assist contractors with the field inspection process.

R109.4 Inspection agencies. No change in content. Re-numbered from R109.2.

R109.5 Inspection requests. No change in content. Re-numbered from R109.3.

R109.5.1 Duty to request a final inspection and obtain final approval: Upon completion of the work described in the permit application and on the approved construction documents, the permit holder shall request a final inspection and obtain final approval before any occupancy of the building or structure shall occur. Failure of the permit holder to make a timely request for a final inspection and obtain final approval shall constitute a violation of the building code, shall subject the permit holder to penalties as set forth in Section R113.4, and shall result in forfeiture to the City of any funds deposited in escrow in connection with the permit if the failure continues after 30 days written notice sent by certified mail to the last known address of the permit holder, in order to offset at least some of the costs incurred by the City as a result of such continuing failure. The building official shall be responsible for sending such notices, including to all permit holders that have failed to make a timely request for a final inspection as of the effective date of these provisions. Unless the permit holder applies in signed writing for segregated investment of its escrow deposit at the time of permit application, an escrow deposit may be invested by the City with other municipal funds and any income derived there from may be used for general revenue purposes at any time. If the permit holder applies by timely signed writing for segregated investment of its escrow deposit, the City shall segregate such funds and invest them in the same manner as allowed for municipal funds, to the extent practicable given the amount of the escrow; however, no return is assured and the City shall have no liability whatsoever other than to pay any income actually derived from such investment in the event of return of such escrow deposit. In the event of a forfeiture of an escrow deposit, any income from segregated investment shall also be forfeited.

R109.6 Approval required. No change in content. Re-numbered from R109.4.

R109.7 Coordination of inspections. Whenever in the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

These amendments were made to Sections R109.5.1 and R109.7 to reflect the city's present requirements.

R110.1.1 Required certificate of occupancy. Failure of the owner or tenant of a structure to obtain a certificate of occupancy as required by Section R110.1 shall be deemed a violation of this code and shall subject said owner or tenant to penalties as set forth in Section R113.4.

R110.5 Revocation of the certificate of occupancy: The certificate of occupancy shall always be subject to this code and other laws enforced by the building official. Non-compliance with the

regulations of this code and other laws enforced by the building official shall be deemed a violation subject to the penalties set forth herein, and, in addition, the building official shall be empowered to revoke the certificate of occupancy issued for the building in question, until such time as the violations are corrected and the building is in compliance with this code and the Zoning Ordinance of Creve Coeur, Missouri. The issuance of a certificate of occupancy shall not relieve the owner or tenant from compliance with all regulations of this code and other applicable regulations.

R110.6 Permanent address numbers: Every dwelling unit within the City of Creve Coeur shall have the correct street number permanently affixed on said dwelling unit so as to be clearly visible from the street in front of the property. The street number shall be a minimum of four (4) inches in height when displayed on a dwelling unit. Said street number shall be contrasting in color to that of the structure and shall be placed in proximity to the main entrance into the structure. Permanent address numbers shall be permanently affixed on a dwelling unit prior to the issuance of a certificate of occupancy.

These amendments were made to Sections R110.1.1 through R110.6 to reflect the city's present requirements.

R112.1 General. 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 code, there is and shall remain a Building Code Board of Appeals. The board shall adopt rules of procedure for conducting its business.

R112.2 Limitations on authority. Any person shall have a right to appeal a decision of the building official to the Building Code Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction should be allowed to be used. The board shall have no authority to waive requirements of this code.

R112.3 Time limitation and filing procedure. All appeals shall be filed in writing with the building official. A written appeal may not be filed more than thirty days after the affected individuals are notified of the building official's decision.

R112.3.1 Filing fee. An application for appeal shall not be filed without full payment of the filing fee as set forth in Section R108.2.1. Said filing fee shall be refunded to the applicant if the Board reverses the decision of the building official.

R112.4 Membership of board. The Building Code Board of Appeals shall consist of five regular members, who shall be residents of the City of Creve Coeur, appointed pursuant to Section 4.4(i) of the City Charter for three-year staggered terms. To the extent possible, based on applications submitted to the City, members of the Building Code Board of Appeals should be representative of the following professions or disciplines: registered architects, builder or superintendent of building construction with ten years of experience, structural engineer, code enforcement professional, mechanical engineer, electrical engineer, civil engineer, fire protection engineer, mechanical contractor, electrical contractor, plumbing contractor, fire protection contractor, or other disciplines associated with the building trades or design professions.

R112.4.2 Chair. The Chair of the Building Code Board of Appeals shall be elected annually by members of the Building Code Board of Appeals.

R112.4.3 Secretary. The City Administrator shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the city administrator.

R112.4.4 Compensation of members. Members of the Building Code Board of Appeals shall not be compensated for service but shall be reimbursed for actual expenses pursuant to established City policy.

R112.4.5 Code of Ethics for members. All members shall be subject to the city's Code of Ethics.

R112.5 Notice of meeting. The Building Code Board of Appeals shall meet upon notice from the chair, within 5 calendar days of the filing of a written appeal with the building official, or at stated periodic meetings.

R112.6 Open hearing. All hearings before the Building Code Board of Appeals shall be open to the public. Proper public notice shall be given. The appellant, the appellant's representative, the building official, and any person whose interests are affected shall be given the opportunity to be heard.

R112.6.1 Procedure. The Board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

R112.7 Quorum. Three members of the Building Code Board of Appeals shall constitute a quorum for the purpose of hearing appeals.

R112.9 Board decision. The Building Code Board of Appeals shall only reverse or modify the decision of the building official by a majority vote of the quorum present and voting. Otherwise, the decision of the building official shall be deemed to be upheld.

R112.9.1 Notification of decision. The secretary of the board shall notify the appellant and the building official of the decision in writing.

R112.9.2 Administration. The building official shall take immediate action in accordance with the decision of the board.

R112.10 Court review: Any aggrieved person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision of the Building Code Board of Appeals in the office of the City Administrator.

These amendments were made to Sections R112.1 through R112.10 to reflect the city's present requirements.

R113.4 Violation, penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an ordinance violation, punishable by a fine of not more than \$500, or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

R114.1.1 Mud, debris or an excessive amount of surface water on streets and adjacent properties. After a verbal warning to the owner or contractor, the building official shall have the

authority to issue a stop work order to any project which is causing mud, debris or an excessive amount of surface water to be transferred to any street or adjacent property.

R114.2 Unlawful continuance. 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 subject to penalties as set forth in Section R113.4.

These amendments were made to Sections R113.4 through R114.3 to reflect the city's present requirements.

SECTION R115

UNSAFE STRUCTURES AND EQUIPMENT

R115.1 Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this Section R115. A vacant structure that is not secured against entry shall be deemed unsafe.

R115.2 Record. The building official shall cause a report to be filed when there is an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

R115.3 Notice. If an unsafe condition is found, the building official shall 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.

R115.4 Method of service. Such notice per Subsection R115.3 shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. 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.

R115.5 Restoration. The structure or equipment determined to be unsafe by the building official shall be restored to a safe condition, unless demolition has been ordered. To the extent that repairs, alterations or additions are made or a change in occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section R105.2.2 of this code and Chapter 34 of 2003 edition of the International Building Code, as adopted by the City.

SECTION R116

EMERGENCY MEASURES

R116.1 Imminent danger. When, in the opinion of the building official, there is imminent danger of failure or collapse of a building or structure or any part thereof which endangers life, or when any

structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the building official is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The building official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure is Unsafe and its Occupancy has been Prohibited by the Building Official." It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or of demolishing the same, which work shall be done at such persons' own risk.

R116.2 Temporary safeguards. When, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official may cause the necessary work to be done in an effort to render such structure secure and/or temporarily safe, whether or not the legal procedure described herein has been instituted, but neither the city nor its officials and employees shall be deemed to have guaranteed such security or safety or have any liability related to actions or omissions hereunder.

R116.3 Closing streets. When necessary for the public safety, the building official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways, and places adjacent to unsafe structures, and prohibit the same from being used.

R116.4 Emergency repairs. For the purpose of Section R116, the building official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

R116.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the city on approval from the building official. The city attorney of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for purpose of recovering such costs and may cause a special tax lien to be placed against the property for such purposes.

These amendments were made to add Sections R115.1 through R116.5 to this code so as to be consistent with the city's present building code. St. Louis County made the same building code amendment.

SECTION 500.460 AMENDMENTS TO CHAPTER 2 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO FAMILY DWELLINGS:

– CHAPTER 2 – DEFINITIONS:

Chapter 2 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

R201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, St. Louis County Mechanical Code, St. Louis County Electrical Code, St. Louis County Plumbing Code, International Energy Conservation Code or International Property Maintenance Code, such terms shall have the meanings ascribed to them as in those codes.

This amendment made to correctly identify the city's mechanical, electrical, and plumbing codes.

SECTION 500.470 AMENDMENTS TO CHAPTER 3 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 3 – BUILDING PLANNING:

Chapter 3 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set forth below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load (lbs/sf) (f)	Wind Speed (d) (mph) (h)	Topographical Effects (k)	Seismic Design Category (f)	Weathering (a)	Frost Line Depth (b)	Termite (c)	Winter Design Temp (e)	Ice Barrier Underlayment Required (h)	Flood Hazards (g)	Air Freezing Index (i)	Mean Annual Temp (j)
20	90	NO	C	Severe	30 inches	Moderate to Heavy	2 Degrees F	YES	8/2/1995	1500 days	54 Degrees F

For SI: 1 pound per square foot = 0.0479 k/Pa, 1 mile per hour = 0.477 m/s.

Notes a. through k. No changes proposed.

The blanks in this Table were filled-in to reflect the climatic and geographic conditions of this area of the country.

R302.2 Townhouses. 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.

Exceptions:

1. A common 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses protected by an automatic residential fire sprinkler system 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 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.
2. A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses not protected by an automatic residential fire sprinkler system 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 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.

Exception 2 was added because state law prohibits mandating the installation of an automatic fire sprinkler system in townhouses per Section R313.1. As a result, if someone chooses not to install a fire

sprinkler system in their townhome Exception 2 requires the additional hour of fire-resistance-rated wall construction which was previously required per the 2003 IRC.

R302.2.4 Structural independence. No changes made to the contents of this section.

Exceptions:

1 through 4. No changes made.

5. Townhomes separated by a common 1-hour or 2-hour fire-resistance-rated wall as provided in Section R302.2.

Exception 5 was amended to be consistent with Exception 2 of Section R302.2.

**TABLE R302.6
DWELLING/GARAGE SEPARATION**

SEPARATION	MATERIAL
From the residence and attic	Not less than ½ -inch Type X gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage	Not less than 5/8 –inch Type X gypsum board or equivalent applied to garage ceiling joists
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8 –inch Type X gypsum board or equivalent applied to supporting structure(s)
Garages located less than 3 feet from a dwelling unit on the same lot.	Not less than ½ -inch Type X gypsum board or equivalent applied to the interior side of the exterior walls that are within this area.

This Table amended to be consistent with the city's present building code.

R302.6.1 Garage attic access. An attic access located in a garage shall meet the requirements of Section R807.1 and the Type X gypsum board attic access panel shall be supported by minimum 2 inch thick by 4 inch wide nominal size lumber or by other materials approved by the building official.

This amendment was made to ensure that the attic access panel would stay in place as long as the garage ceiling during a garage fire.

R302.7 Under-stair protection. The underside of stair stringers shall be protected with a layer of ½ -inch Type X gypsum board. Enclosed accessible space under stairs shall have their walls, under-stair surface and any soffits protected on the enclosed side with ½ -inch Type X gypsum board.

This amendment was made to be consistent with the city's present building code.

R302.11 Fireblocking. No change to section language.

Amend Location 4 to read as follows:

4. At openings around vents, pipes, ducts, cables and wires at ceiling and floor levels, with an approved fire caulk tested in accordance with ASTM E814 or UL 1479 or approved

noncombustible materials tested in accordance with ASTM E136 to resist the free passage of flame and products of combustible.

Add Location 7 to read as follows:

7. To separate an unfinished basement area from a finished basement ceiling or soffit area.

This amendment was made to be consistent with the city's present building code.

R302.14 Fire protection of floors. Floor assemblies, not required elsewhere in this code to be fire-resistance rated, shall be provided with ½-inch gypsum wallboard membrane, 5/8-inch wood structural panel membrane, or equivalent on the underside of the floor framing member.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.
2. Floor assemblies located directly over a crawl space not intended for storage or fuel-fired appliances.
3. Portions of floor assemblies can be unprotected when complying with the following:
 - 3.1. The aggregate area of the unprotected portions shall not exceed 80 square feet per story.
 - 3.2. Fire blocking in accordance with Section R302.11.1 shall be installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.

This amendment was made to add fire-resistance protection to the underside of lightweight engineered wood products such as I-joists. When subjected to fire, these types of floor assemblies fail much sooner than floor assemblies built of dimensional lumber. During tests, Underwriter's Laboratories has found that wooden I-joists fail within 6 minutes of fire ignition. That time frame is typically less than the fire department response time from fire ignition to arrival of the fire department. Often times these lightweight floors are near the point of collapse upon arrival of the fire department. It has been documented that there is little warning of their impending collapse even with the use of thermal imaging cameras. As a result, there is an increasing number of firefighter deaths and injuries being caused by the collapse of floors that are built of lightweight, wooden I-joists. The ½-inch gypsum wallboard membrane will provide an additional 20 minutes of fire-resistance protection. This requirement will provide additional safety to firefighters and occupants which is the intent of the code per Section R101.3. Also, this section is part of the 2012 edition of the IRC.

R303.9 Kitchen exhaust. All kitchens shall be provided with a mechanical exhaust system above or adjacent to the cooking range in accordance with Section M1503 and Section M1507.3.

R305.1 Minimum height. No changes made to the contents of this section.

Exceptions:

1 and 2. No changes made.

3. Beams and girders spaced not more than 4 feet on center may project not more than 6 inches below the required ceiling height.

Exception 3 was added to be consistent with the city's present building code.

R306.5 Hose bibb. Every dwelling unit shall be provided with a minimum of one exterior, frost-proof hose bibb. Hose bibbs shall be protected from backflow in accordance with the St. Louis County Plumbing Code.

R306.6 Floor drain. A floor drain shall be installed within 15 feet of and in the same room as the heating/cooling system(s) and the hot water heater(s). Floor drains shall be installed in accordance with the St. Louis County Plumbing Code.

New Code Sections R303.9, R306.5 and R306.6 were added to be consistent with St. Louis County's adopting ordinance.

R308.4 Hazardous locations. The following shall be considered specific hazardous locations for the purposes of glazing:

1 through 3. No changes.

4. All glazing in railings regardless of an area or height above a walking surface. Included are structural baluster panels and nonstructural in-fill panels. The minimum nominal thickness of this type of glazing shall be $\frac{1}{4}$ inch.

5 through 8. No changes.

This amendment was made to add the $\frac{1}{4}$ inch thickness requirement which had been deleted.

R311.2.1 Interior egress doors. Interior egress doors shall have a minimum clear width of $29\frac{3}{4}$ inches and a minimum height of 78 inches. The clear width of door openings at swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Where a door opening includes two door leaves without a mullion, one leaf shall provide a clear opening width of $29\frac{3}{4}$ inches. Door openings to storage closets, bathrooms and all other nonhabitable spaces shall not be limited by the minimum width.

This amendment was made to be consistent with the city's present code. The only door the the 2009 IRC regulates is a dwelling unit's required exit door to the exterior. The minimum width or height of a dwelling unit's interior egress doors serving bedrooms, offices, recreation rooms, etc. would not be regulated unless this section were added.

R311.7.4.1 Riser height. No change to the original section. ADD:

Exception: Where the bottom riser adjoins a sloping walk or driveway which has an established grade and serves as a landing, a variation in the height of the bottom riser shall not exceed 3 inches in every 3 feet of stairway width.

This amendment was made to include the exception which had been deleted.

R312.1.1 Guards required at retaining walls. Retaining walls with differences in grade level on either side of the wall in excess of 30 inches which are located closer than 2 feet to a walk, path or driveway on the high side shall be provided with guards or other approved protective measures.

This amendment was made because the 2009 IRC is silent on this issue. This amendment is also consistent with the city's present code.

R312.3 Guard opening limitations. Required guards shall not have openings from the walking surface to the required guard height which allow passage of a sphere 4 inches (102 mm) in diameter. Guards shall not have an ornamental pattern that would provide a ladder effect. Angular intermediate balusters shall be installed at an angle 45 degrees or greater to an adjacent walking surface or stair tread.

Exceptions 1 and 2. No changes made.

This amendment was made to be consistent with the city's present code as it relates to the 'ladder effect' language. The code as written does not define ladder effect. The proposed language does. This amendment is identical to the amendment approved when the city adopted the 2003 IRC in 5/2007.

R313.1 Townhouse automatic fire sprinkler systems. A builder of townhomes shall offer any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install fire sprinklers in the townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such townhouse shall be denied the right to choose or decline to install a fire sprinkler system in such townhouse being purchased. The provisions of this section shall expire on December 31, 2019.

Exception: No changes made.

R313.2 One- and two-family dwellings automatic fire sprinkler systems. A builder of one- and two-family dwellings shall offer any purchaser on or before the time of entering into the purchase the option, at the purchaser's cost, to install fire sprinklers in the dwelling. Notwithstanding any other provision of law to the contrary, no purchaser of such one- or two- family dwelling shall be denied the right to choose or decline to install a fire sprinkler in such dwelling being purchased. The provisions of this section shall expire on December 31, 2019.

Exception: No changes made.

The amendments were made to Sections R313.1 and R313.2 to be consistent with state law.

R317.3.1 Fasteners for preservative-treated wood. Fasteners for preservative-treated wood shall be of hot-dipped zinc-coated galvanized steel, stainless steel, silicon bronze or copper. Coating types and weights for connectors in contact with preservative-treated wood shall be in accordance with the manufacturer's recommendations. In the absence of manufacturer's recommendations, a minimum of ASTM A 653 type zinc-coated galvanized steel, or equivalent, shall be used.

Exceptions:

1. Deleted.
2. Re-numbered to Exception 1.

The proposed exception, which would allow steel bolts of one-half-inch diameter or greater to be unprotected against corrosion, does not consider the new ACQ or CB preservative-treated wood manufacturers' recommendations that all fasteners be hot-dipped galvanized steel or stainless steel.

R322.1.7 Protection of water supply and sanitary sewage systems. Substitute the reference made to the "International Private Sewage Disposal Code" with the "St. Louis County Plumbing Code".

SECTION 500.480 AMENDMENTS TO CHAPTER 4 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 4 – FOUNDATIONS:

Chapter 4 of the International Residential Code for One- and Two- Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

R403.1.4.1 Frost protection. No change to content of this subsection.

Exceptions:

1. Freestanding accessory structures with an area of 100 square feet or less and an eave height of 10 feet or less shall not be required to be protected.
2. Decks not supported by a dwelling need not be provided with footings that extend below the frost line.

This amendment was made to be consistent with the city's present code which states that structures 100 sf or less in area do not need frost protection instead of the 400 sf area and 600 sf area allowed by the IRC.

R405.1 Concrete or masonry foundations. 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 to daylight or be connected to an approved sump 15 inches in diameter and 18 inches deep with a fitted cover. A sump located in a basement with a finished area shall have a sump pump and piping installed to discharge the water to daylight. Gravel or crushed stone drains shall extend at least 1 foot beyond the outside edge of the footing and 6 inches 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 roofing paper, and the drainage tiles or perforated pipe shall be placed on a minimum of 2 inches of washed gravel or crushed rock at least one sieve larger than the tile joint opening or perforation and covered with not less than 6 inches of the same material.

Exception: A drainage system is not required when the foundation is installed on well-drained ground or sand-gravel mixture soils according to the United Soil Classification System, Group 1 Soils, as detailed in Table R405.1.

R405.3 Special conditions. Drainage tiles, gravel or crushed stone drains, perforated pipe, or other approved systems or materials shall be placed on both the inside and the outside of the foundation in areas where a high water table exists, other severe soil-water conditions exists or water is present in the excavation. The drainage system shall be discharged by gravity to daylight or connected to an approved sump having a sump pump and piping to discharge the water to daylight.

Sections R405.1 and R405.3 were amended to be consistent with the city's present code.

R405.4 Enclosure of surface water run-off. Surface water run-off concentrated into an enclosed pipe system shall not be discharged closer than ten (10) feet to any property line without prior approval from the building official. If this method of discharge causes a drainage nuisance to an adjacent property, an alternate drainage method shall be proposed for approval by the building official.

Exception: This subsection shall not apply to enclosed pipe storm water systems of twelve (12) inches or greater in diameter that are under the jurisdiction of the City of Creve Coeur or the Metropolitan Sewer District.

This Section was added to prevent drainage nuisances caused by downspouts, footing drains, etc.

SECTION 500.490 AMENDMENTS TO CHAPTER 5 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 5 – FLOORS:

Chapter 5 of the International Residential Code for One- and Two- Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

R502.11.1 Design. Wood trusses shall be designed in accordance with approved engineering practice. The design and manufacture of metal plate connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared and sealed by a Missouri Registered Professional Engineer.

This amendment was made to be consistent with the city's present code.

R502.11.4 Truss design drawings. Truss design drawings, prepared in compliance with Section R502.11.1, shall be provided to the building official and approved prior to the issuance of the building permit. Truss design drawings shall include, at a minimum, the information specified below:
No changes proposed to Items 1 through 12.

This section was amended to be consistent with the city's present building code.

SECTION 500.500 AMENDMENTS TO CHAPTER 6 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 6 – WALL CONSTRUCTION:

Chapter 6 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.510 AMENDMENTS TO CHAPTER 7 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

– CHAPTER 7 – WALL COVERING:

Chapter 7 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition is adopted without modification.

SECTION 500.520 AMENDMENTS TO CHAPTER 8 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 8 – ROOF-CEILING CONSTRUCTION:

Chapter 8 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically

corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

R802.10.1 Truss design drawings. Truss design drawings, prepared in compliance with R802.10.2, shall be provided to the building official and approved prior to the issuance of the building permit. Truss design drawings shall include, at a minimum, the information specified below:
No changes proposed to Items 1 through 12.

R802.10.2 Design. Wood trusses shall be designed in accordance with approved engineering practice. The design and manufacture of metal plate connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared and sealed by a Missouri Registered Professional Engineer.

Sections R802.10.1 and R802.10.2 were amended to be consistent with the city's present code.

SECTION 500.530 AMENDMENTS TO CHAPTER 9 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 9 – ROOF ASSEMBLIES:

Chapter 9 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

R903.4.1 Overflow drains and scuppers. Delete the reference to the “International Plumbing Code” and substitute the “St. Louis County Plumbing Code”.

SECTION 500.540 AMENDMENTS TO CHAPTER 10 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 10 – CHIMNEYS AND FIREPLACES:

Chapter 10 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

R1004.5 Chimney separation. Factory-built chimneys shall be separated from the interior and attic spaces by a minimum layer of ½ -inch Type X gypsum board. This gypsum board shall be secured to the interior of the chimney chase from the top of the firebox to the underside of the roof deck. A minimum clearance of 2 -inches shall be maintained between the factory-built chimney and the gypsum board. All joints shall be tight and fire-taped.

R1005.7 Fireplace separation. Factory-built fireplaces shall be enclosed on all sides with a minimum layer of ½ -inch Type X gypsum board. A minimum clearance of 1 –inch shall be maintained between the factory-built fireplace and the gypsum board. All joints shall be tight and fire-taped.

Sections R1002.7 and 1004.5 were added to be consistent with the city's present code and fire district requirements.

SECTION 500.550 AMENDMENTS TO CHAPTER 11 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 11 – ENERGY EFFICIENCY:

Chapter 11 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.560 AMENDMENTS TO CHAPTER 12 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**– CHAPTER 12 – MECHANICAL ADMINISTRATION:**

Chapter 12 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.570 AMENDMENTS TO CHAPTER 13 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**– CHAPTER 13 – GENERAL MECHANICAL SYSTEM REQUIREMENTS:**

Chapter 13 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.580 AMENDMENTS TO CHAPTER 14 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS.**– CHAPTER 14 – HEATING AND COOLING EQUIPMENT:**

Chapter 14 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

M1401.3 Sizing. Heating and cooling equipment shall be sized in accordance with ACCA Manual S based on building load calculations in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies. The design temperatures for the City of Creve Coeur shall be in accordance with Table M1401.3.

**TABLE M1401.3
DESIGN TEMPERATURES**

	Outdoor	Inside
Winter	DB 2 degrees F	DB 70 degrees F
Summer	DB 95 degrees F WB 76 degrees F	DB 78 degrees F

SECTION 500.590 AMENDMENTS TO CHAPTER 15 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**– CHAPTER 15 – EXHAUST SYSTEMS:**

Chapter 15 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

M1503.1 General. All kitchens shall be equipped with a means of mechanical exhaust directly over, or immediately adjacent to, a range or cook top. Range hoods shall discharge directly to the outdoors through a single-wall duct. The duct serving the hood shall have a smooth interior surface, shall be air-

tight and shall be equipped with a backdraft damper. Ducts serving range hoods shall not terminate in an attic or crawl space or areas inside the building.

Exception: Where installed in accordance with the manufacturer's installation instructions, and where mechanical or natural ventilation is otherwise provided, listed and labeled ductless range hoods shall not be required to discharge to the outdoors.

This amendment was made to clarify that kitchen ranges or cook tops are always required to have a range hood above or near them. St. Louis County made a similar amendment.

M1503.4 Makeup air required. Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute shall be provided with makeup air at a rate equal to the exhaust air rate. The cumulative exhaust flow rate of the kitchen exhaust system(s) may exceed 400 cfm if a mechanical makeup air system is installed that will provide an amount of makeup air equal to the amount of exhaust air during the operation of the kitchen exhaust system. Such makeup air systems shall be equipped with a means of closure and shall be electrically interlocked with the kitchen exhaust fan so as to operate whenever the kitchen exhaust fan is operating. Makeup air shall be tempered by an inline duct heater.

Research has shown that kitchen exhaust systems with an exhaust flow rate in excess of 400 cfm for an individual dwelling unit are greatly oversized and their continued operation can "depressurize" an airtight home to the point that 'backdrafting' of carbon monoxide gases from gas-fired appliances and wood-burning fireplaces back into the home can occur. Depressurization can also adversely affect indoor air quality by air being drawn from garages, mechanical rooms and storage rooms. The exception was recommended by several area mechanical contractors who have stated that this is the most effective method of providing the required makeup air to a residential kitchen exhaust system.

SECTION 500.600 AMENDMENTS TO CHAPTER 16 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

–CHAPTER 16 – DUCT SYSTEMS:

Chapter 16 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition is adopted without modification.

SECTION 500.610 AMENDMENTS TO CHAPTER 17 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 17 – COMBUSTION AIR:

Chapter 17 of the International Residential Code for One- and Two-Family Dwellings, 2003, Second Edition is adopted without modification.

SECTION 500.620 AMENDMENTS TO CHAPTER 18 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 18 – CHIMNEYS AND VENTS:

Chapter 18 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

M1801.1 Venting required. Add "Exception: Unvented appliances where the manufacturer's instructions require a window to be open during the operation of the appliance shall be prohibited."

SECTION 500.630 AMENDMENTS TO CHAPTER 19 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**– CHAPTER 19 – SPECIAL FUEL-BURNING EQUIPMENT:**

Chapter 19 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.640 AMENDMENTS TO CHAPTER 20 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**– CHAPTER 20 – BOILERS AND WATER HEATERS :**

Chapter 20 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.650 AMENDMENTS TO CHAPTER 21 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**-- CHAPTER 21 – HYDRONIC PIPING:**

Chapter 21 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set forth below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

M2101.11 Joints between different piping materials. Joints between different piping materials shall be made with approved adapter fittings. Joints between different metallic piping materials shall be made with approved dielectric fittings or brass converter fittings.

This amendment was made for clarification purposes. St. Louis County has the same amendment.

SECTION 500.660 AMENDMENTS TO CHAPTER 22 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TW-FAMILY DWELLINGS:**– CHAPTER 22 – SPECIAL PIPING AND STORAGE SYSTEMS:**

Chapter 22 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.670 AMENDMENTS TO CHAPTER 23 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**– CHAPTER 23 – SOLAR SYSTEMS:**

Chapter 23 of the International Residential Code for One- and Two-Family dwellings, 2009, Fourth Edition, is adopted without modification.

SECTION 500.680 AMENDMENTS TO CHAPTER 24 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:**– CHAPTER 24 – FUEL GAS:**

Chapter 24 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

G2402.3 (201.3) Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, St. Louis County Electrical Code, St. Louis County Plumbing

Code, St. Louis County Mechanical Code, International Energy Conservation Code or International Fire Code such terms shall have the meanings ascribed to them in those codes.

This amendment was made to properly reference St. Louis County's electrical, plumbing and mechanical codes.

G2439.5.5.1 (614.6.5.1) Specified length. The maximum length of the exhaust duct shall be 25 feet (7620 mm) from the connection to the transition duct from the dryer to the outlet terminal. Where fittings are used, the maximum length of the exhaust duct shall be reduced in accordance with Table G2439.5.5.1.

This amendment was made so that the 25 feet exhaust duct length would be consistent with Section 1502.4.4.1.

SECTION 500.690 AMENDMENTS TO CHAPTER 25 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 25 – PLUMBING ADMINISTRATION:

Chapter 25 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

P2501.1 Scope. The St. Louis County Plumbing Code shall regulate plumbing administration.

P2501.2 through P2503.9. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates plumbing work within our city.

SECTION 500.700 AMENDMENTS TO CHAPTER 26 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 26 – GENERAL PLUMBING REQUIREMENTS:

Chapter 26 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, sub-section, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, sub-section, or clause number in the code is hereby enacted and added thereto.

P2601.1 Scope. The St. Louis County Plumbing Code shall regulate general plumbing requirements.

P2601.2 through P2608.5. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates plumbing requirements within our city.

SECTION 500.710 AMENDMENTS TO CHAPTER 27 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 27 – PLUMBING FIXTURES:

Chapter 27 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically

corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

P2701.1 Scope. The St. Louis County Plumbing Code shall regulate the installation of plumbing fixtures.

P2702.1 through P2724.1. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates the installation of plumbing fixtures within our city.

SECTION 500.720 AMENDMENTS TO CHAPTER 28 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 28 – WATER HEATERS:

Chapter 28 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

P2801.1 Scope. The St. Louis County Plumbing Code shall regulate the installation of water heaters.

P2801.2 through P2803.7. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates the installation of water heaters within our city.

SECTION 500.730 AMENDMENTS TO CHAPTER 29 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 29 – WATER SUPPLY AND DISTRIBUTION:

Chapter 29 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection or clause number in the code is hereby enacted and added thereto.

P2901.1 Scope. The St. Louis County Plumbing Code shall regulate the installation of water supply and distribution systems.

P2902.1 through P2908.3. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates the installation of water supply and distribution systems within our city.

SECTION 500.740 AMENDMENTS TO CHAPTER 30 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 30 – SANITARY DRAINAGE:

Chapter 30 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or

amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

P3001.1 Scope. The St. Louis County Plumbing Code shall regulate the installation of sanitary drainage systems.

P3001.2 through P3008.5. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates the installation of sanitary drainage systems within our city.

SECTION 500.750 AMENDMENTS TO CHAPTER 31 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 31 -- VENTS :

Chapter 31 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

P3101.1 Scope. The St. Louis County Plumbing Code shall regulate the installation of plumbing vent systems.

P3101.2 through P3114.8. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates the installation of plumbing vent systems within our city.

SECTION 500.760 AMENDMENTS TO CHAPTER 32 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 32 – TRAPS:

Chapter 32 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

P3201.1 Scope. The St. Louis County Plumbing Code shall regulate the installation of plumbing traps.

P3201.2 through P3201.7. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates the installation of plumbing traps within our city.

SECTION 500.770 AMENDMENTS TO CHAPTER 33 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 33 – STORM DRAINAGE:

Chapter 33 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or

amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

P3301.1 Scope. The St. Louis County Plumbing Code shall regulate the materials, design, construction and installation of storm drainage.

P3302.1 through P3303.1.4. Delete.

These amendments were made to identify the St. Louis County Plumbing Code as the plumbing code that regulates the materials, design, construction and installation of storm drainage within our city.

SECTION 500.780 AMENDMENTS TO CHAPTER 34 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 34 – GENERAL ELECTRICAL REQUIREMENTS:

Chapter 34 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E3401.2 Scope. The St. Louis County Electrical Code shall regulate general electrical requirements.

E3401.3 through E3407.4.2. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates general electrical requirements within our city.

SECTION 500.790 AMENDMENTS TO CHAPTER 35 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 35 – ELECTRICAL DEFINITIONS:

Chapter 35 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E3501.1 Scope. The St. Louis County Electrical Code shall regulate definitions applicable to electrical requirements.

DEFINITIONS. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates electrical definitions as they pertain to electrical work within our city.

SECTION 500.800 AMENDMENTS TO CHAPTER 36 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

– CHAPTER 36 – ELECTRICAL SERVICES:

Chapter 36 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or

amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E3601.1 Scope. The St. Louis County Electrical Code shall regulate the installation of electrical services.

E3601.2 through E3611.5. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates the installation of electrical services within our city.

SECTION 500.810 AMENDMENTS TO CHAPTER 37 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 37 – ELECTRICAL BRANCH CIRCUITS AND FEEDER REQUIREMENTS:

Chapter 37 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E3701.1 Scope. The St. Louis County Electrical Code shall regulate the installation of electrical branch circuits and feeders.

E3701.2 through E3706.5. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates the installation of electrical branch circuits and feeders.

SECTION 500.820 AMENDMENTS TO CHAPTER 38 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 38 – ELECTRICAL WIRING METHODS:

Chapter 38 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E3801.1 Scope. The St. Louis County Electrical Code shall regulate electrical wiring methods.

E3801.2 through E3803.11. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates electrical wiring methods within our city.

SECTION 500.830 AMENDMENTS TO CHAPTER 39 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 39 – ELECTRICAL POWER AND LIGHTING DISTRIBUTION:

Chapter 39 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E3901.1 Scope. The St. Louis County Electrical Code shall regulate the installation of electrical power and lighting distribution systems.

E3901.2 through E3909.4. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates electrical power and lighting distribution systems within our city.

SECTION 500.840 AMENDMENTS TO CHAPTER 40 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 40 – ELECTRICAL DEVICES AND LUMINAIRES:

Chapter 40 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E4001.1 Scope. The St. Louis County Electrical Code shall regulate the installation of electrical devices and luminaires.

E4001.2 through E4005.6. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates the installation of electrical devices and luminaires within our city.

SECTION 500.850 AMENDMENTS TO CHAPTER 41 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 41 – ELECTRICAL APPLIANCE INSTALLATION:

Chapter 41 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below.. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E4101.1 Scope. The St. Louis County Electrical Code shall regulate the installation of electrical appliances.

E4101.2 through E4101.7. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates the installation of electrical appliances within our city.

SECTION 500.860 AMENDMENTS TO CHAPTER 42 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 42– SWIMMING POOLS:

Chapter 42 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E4201.1 Scope. The St. Louis County Electrical Code shall regulate the installation of electrical wiring and equipment associated with swimming pools, wading pools, hot tubs and spas and fountains.

E4201.2 through E4209.4. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates the installation of electrical wiring and equipment associated with swimming pools, etc. within our city.

SECTION 500.870 AMENDMENTS TO CHAPTER 43 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 43 – CLASS 2 REMOTE-CONTROL, SIGNALING AND POWER-LIMITED CIRCUITS:

Chapter 43 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

E4301.1 Scope. The St. Louis County Electrical Code shall regulate the installation of electrical Class 2 remote-control, signaling and power-limited circuits.

E4301.2 through E4304.5. Delete.

These amendments were made to identify the St. Louis County Electrical Code as the electrical code that regulates the installation of wiring and circuits associated with thermostats, door bells, security systems, etc.

SECTION 500.875 AMENDMENTS TO CHAPTER 44 OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- CHAPTER 44 – REFERENCED STANDARDS:

Chapter 44 of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, and amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section R102.4.

R4401.1 Deleted sections. The standards referenced by sections previously deleted by this amending ordinance are also hereby deleted.

ICC – International Code Council
5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

Standard reference number code section number	Title	Referenced in
--	-------	---------------

DELETE: IPC – 09	International Plumbing Code	
-------------------------	-----------------------------	--

ADD: Plumbing Code – made. City Ordinance No. 5214	St. Louis County Plumbing Code	No changes
---	--------------------------------	------------

No other changes to this referenced standard are proposed.

NFPA – National Fire Protection Association

Batterymarch Park
Quincy, MA 02269

Standard reference number code section number	Title	Referenced in
--	-------	---------------

DELETE: 70-08	National Electrical Code	
----------------------	--------------------------	--

No other changes to this referenced standard are proposed.

ADD: Electrical Code – made. City Ordinance No. 5214	St. Louis County Electrical Code	No changes
---	----------------------------------	------------

These amendments were made to be consistent with other amendments previously made.

SECTION 500.880 AMENDMENTS TO APPENDIX G OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

-- APPENDIX G – SWIMMING POOLS, SPAS AND HOT TUBS:

Appendix G of the International Residential Code for One- and Two-Family Dwellings, 2009, Fourth Edition, is amended as set forth below. Each section, subsection, or clause of the code that numerically corresponds to one of the following numbered provisions is hereby deleted where so noted, or amended to read as set forth below. Each provision set out below without a corresponding section, subsection, or clause number in the code is hereby enacted and added thereto.

AG103.4 Drainage systems. The swimming pool shall be equipped to be emptied completely of water and the equipment shall be equipped to be properly flushed. Any discharged or flushed water shall be disposed of onto an adjacent street or in an approved manner that will not create a nuisance to adjoining property.

This section was added so that the city could regulate the disposal of pool water in an approved manner. The city's present building code is silent on this manner.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

Items 1 through 9. No changes proposed.

Item 10. Where an aboveground pool structure is used as a pool barrier or where the barrier is mounted on top of the pool structure, and the means of pool access is a ladder or steps, then the ladder or steps

shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. A removable ladder shall not constitute an acceptable alternate to enclosure requirements.

Item 11. There shall be a clear zone of at least 4 feet between the barrier and any permanent structures or pool equipment located outside of the pool, hot tub or spa area that can be used to climb the barrier.

Item 10 was amended to not allow removable ladders to as part of the barrier. This is consistent with the city's present code. St. Louis County also amended this section.

Item 11 was added to clarify the fact that there should be no permanent structures (retaining walls, pool equipment, play equipment, etc.) close enough to a pool barrier that would enable a child to use the structure to climb over the barrier. St. Louis County made this same addition.

SECTION 2: SAVING CLAUSE: Nothing in this ordinance or in the Building Code hereby adopted, shall be construed to affect any suit or proceeding currently pending in any court as of the effective date hereof, or any rights previously acquired or liability previously incurred, or any cause or causes of action existing under any ordinance hereby repealed, as cited herein.

SECTION 3: SEVERABILITY: If any section, subsection, provision, sentence, clause, or phrase of this ordinance or of the ICC International Residential Code for One- and Two-Family Dwellings, Fourth Edition, 2009, is, for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or of said code, and the City of Creve Coeur City Council hereby declares that it would have passed the same , even though such portion so held to be unconstitutional had not been included therein.

SECTION 4: EFFECTIVE DATE: This ordinance shall become effective **July 1, 2013**, pursuant to section 3.11(g) of the City Charter.

Adopted by the City Council this ___ day of _____, 2013.

ROBERT HOFFMAN
PRESIDENT OF THE CITY COUNCIL

Approved this ___ day of _____, 2013.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

MEMORANDUM

TO: Mark Perkins, City Administrator

FROM: Steve Unser, Chief Building Official

CC: Paul Langdon, Director of Community Development

DATE: May 8, 2013 (amended May 23, 2013)

RE: Building Division's Draft of a City Ordinance to
Amend and Adopt the 2009 International Residential Code as
the City's New Building Code for One- and Two-Family
Dwellings.

Please find attached the aforementioned draft for review, comments and approval. St. Louis County and the majority of municipalities within St. Louis County have adopted or are in the process of adopting this building code as their new building code for One- and Two-Family Dwellings. In the interest of code enforcement consistency throughout our region, the building division is recommending that the City of Creve Coeur do the same. This code regulates the construction, alteration, movement, enlargement, replacement, repair, location and demolition of detached one- and two-family dwellings and townhouses not more than 3 stories in height with a separate means of egress. Residential dwelling units more than 3 stories in height or that share a means of egress are regulated by the 2009 International Building Code.

Please note that an explanation for each amendment is written in *italics* and underlined after each proposed amendment. These "explanations" will be removed from the body of the ordinance prior to its adoption.

On December 11, 2012, this draft of this proposed ordinance was filed with the City Clerk's office and made available for public inspection and examination pursuant to Section 67.280 RSMo. On December 11, 2012, this draft was posted on the city's website for public review. Also on December 13, 2012, printed copies of this draft were mailed to members of the city's Building Code Board of Appeals and the Homebuilder's Association of Greater St. Louis. Printed copies were also made available at the building division's public counter.

See attached Exhibit A for the Building Code Board of Appeals recommendation to adopt this code as proposed.

See attached Exhibit B for Caryl Kinsey Fox's recommendation to adopt this code as proposed.

The city requested that any comments from all interested parties regarding this draft be submitted to the building department for review within thirty (30) days of the date of it being made public. These review comments will be shared with the city administrator and city council for possible inclusion into a revised draft.

See attached Exhibit C for the 2/13/13 comments from the Homebuilders Association of Greater St. Louis and the 3/13/13 responses from the Building Division.

See attached Exhibit M for the 4/17/13 letter from the HBA regarding city staff's disapproval of HBA's recommendations.

See attached Exhibit D for the 3/8/13 comments from Richard Kutta and the 4/8/13 responses from the Building Division.

AMENDMENTS OF NOTE

There are numerous amendments proposed during a new building code adoption process. While most of these amendments are administrative or technical in nature, some merit additional attention.

Referenced page numbers are from the proposed ordinance.

Section R106.1.1.1 Residential Fire Sprinkler Option Form (See page 4.)

This amendment was made to be consistent with a state law that prohibits cities from mandating that new homes and townhomes be equipped throughout with an automatic fire sprinkler system as required by Sections R313.1 and R313.2 of the 2009 IRC. This form needs to be signed by the homebuilder and the purchaser affirming that a fire sprinkler system was offered to the purchaser prior to the purchase contract.

Section R108.2.1 Building Code Board of Appeals filing fee. (See page 5.)

Applicant will have the filing fee refunded if the board rules in the applicant's favor.

Sections R109.3 through R109.3.14 Required inspections. (See pages 6 and 7.)

More specific language was added to better communicate field inspection requirements to contractors so as to expedite the building inspection process.

Sections R112.1 through 112.10 Board of Appeals. (See pages 9 and 10.)

These amendments were made to 'streamline' the appeals process.

R302.2 Townhouses. (See page 13)

Exception 2 was added because state law prohibits mandating the installation of an automatic fire sprinkler system in townhouses. See further explanation in *italics*.

R302.14 Fire protection of floors. (See page 15)

This amendment was made to add fire-resistant protection to the underside of lightweight engineered wood products such as I-joists. When subjected to fire, these types of floor assemblies fail much sooner than floor assemblies built of dimensional lumber. During tests, Underwriter's Laboratories has found that unprotected wood I-joists fail within 6 minutes of fire ignition (**See Exhibit E**). That time frame is typically less than the fire department response time from fire ignition to their arrival. Often times, these lightweight floors are near the point of collapse upon arrival of the fire department. As a result, there are an increasing number of firefighter injuries and deaths being caused by the collapse of lightweight, wooden I-joist floor systems involved in a fire (**See Exhibit F**). By comparison, unprotected dimensional lumber floor systems (using 2 x 10 floor joists) do not fail until 18 minutes 45 seconds after fire ignition (**See Exhibit E**). The ½ -inch gypsum wallboard membrane required by this code section will provide an additional 20 minutes of fire-resistant protection. This requirement will provide additional safety to firefighters and residents during a fire event. The additional costs of installing this gypsum wallboard membrane will be more than offset by the additional safety it will provide to firefighters during rescue operations and to residents attempting to escape during a home fire.

NOTE: This code section already appears in the 2012 edition of the International Residential Code. When this code change was proposed at the 2010 International Code Council's Code Change Hearings, one of its proponents was the National Association of Home Builders (**See Exhibit G**). APA- The Engineered Wood Association, who helps to oversee the manufacturing and performance of engineered wood products (including I-joists) recommended in their November 2007 TECHNICAL TOPICS publication "the use of a single layer of ½ -inch thick gypsum on the underside of all I-joists used in floor/ceiling assemblies over habitable spaces" to increase the fire resistance of I-joist floor systems (**See Exhibit H**). Since the city is not adopting the 2012 edition of the IRC, the building division believes that this code section's inclusion into the proposed building code is necessary.

See also Exhibit I - Creve Coeur Fire Protection District's approval of this proposed code section. The 3/18/2013 article reference in this letter is EXHIBIT F.

See also Exhibit J- Monarch Fire Protection District's approval of this proposed code section.

Other jurisdictions that have made this same amendment are as follows:

- City of Frontenac

- City of Richmond Heights
- Fenton Fire Protection District

SIGNIFICANT BUILDING CODE CHANGES

Every 3 years a new residential building code is published by the International Code Council. The International Residential Code is kept up to date through the review of proposed code changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed code changes are carefully considered through an open code development process in which all interested and affected parties may participate. A consensus is reached for each proposed code change by a majority vote of members at the ICC Code Change Hearings which are held twice a year (spring/fall) at various cities.

The intent of the city has been to adopt the building code as written through this model code development process and to ensure that any amendments proposed by the building division will not be less restrictive than the minimum regulations contained in the published International Residential Code.

R312.1 GUARDS WHERE REQUIRED

This code change clarifies that when determining the required minimum height of a guard, fixed seating (built-in benches on a deck) is considered a walking surface and the required guard height is measured from the seat to the top of the guard. Also, in determining when a guard is required, the vertical distance from the walking surface to the grade or floor below is measured to the lowest point within 36 inches horizontally from the edge of the open-sided walking surface.

R315 CARBON MONOXIDE ALARMS

This new section requires that within new homes and within existing homes where work requiring a building permit occurs, a carbon monoxide detector shall be installed in the immediate vicinity of the bedrooms. The intent of this section is to reduce accidental deaths from carbon monoxide poisoning. The carbon monoxide detectors are not required to be hard-wired or interconnected like smoke detectors. UL listed, plug-in or battery-powered CO detectors are acceptable.

R323 STORM SHELTERS

This new section does not require storm shelters to be built. However, if installed they are required to be constructed in accordance with this section. Storm shelters protect persons from injury due to flying debris during a tornado, hurricane or other high-wind event.

R612.2 WINDOW SILLS

This new section requires that operable windows have a minimum sill height of 24 inches above the finish floor when the sill is more than 72 inches above the finished grade or surface below. This requirement is intended to prevent small children from

falling out of open windows. The minimum sill height may be lowered if the window meets one of the four exceptions listed.

CHAPTER 11 ENERGY EFFICIENCY

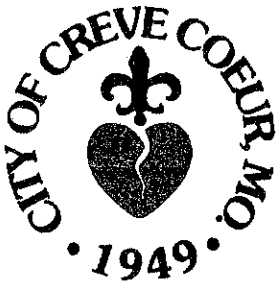
Please see **Exhibit K - for a summary of significant changes that will be made to Chapter 11 of the city's present residential code (2003 IRC) by the city's adoption of the proposed residential code (2009 IRC).**

Please see **Exhibit L - for a summary of the 'true cost' of the 2009 International Energy Conservation Code and Chapter 11 – Energy Efficiency – of the 2009 International Residential Code.** These increased construction costs (\$1,519) are based on a 2,400 square foot home. This works out to be an increased cost of \$0.63 per square foot. Another increased cost not included in this exhibit is approximately \$300 for the Blower Door Test required to test the air tightness of the building envelope. This would increase the average increased construction cost of a new 2,400 square foot home to \$1,819 or \$0.75 per square foot. The average size of a new home in Creve Coeur is approximately 3,000 – 4,000 square feet. This works out to be an increased cost of \$2,250 - \$3,000 for a new Creve Coeur home to be built in compliance with the 2009 IECC or Chapter 11 – Energy Efficiency – of the 2009 IRC. This same exhibit points out that the monthly energy savings realized by complying with these new requirements would be \$28.06 for a 2,400 square foot new home. The monthly energy savings for a new home that is 3,000 – 4,000 square feet in size would be approximately \$33 - \$44.

Stronger energy –efficient construction also helps to reduce pollution by reducing energy consumption.

M1503.4 MAKE-UP AIR REQUIRED

This code change reduces the maximum exhaust rate allowed for kitchen exhaust systems from 600 cfm to 400 cfm as the threshold for requiring make-up air. Research has shown that kitchen exhaust systems with an exhaust flow rate greater than 400 cubic feet per minute are oversized and their continued operation can 'depressurize' an airtight home to the point where 'backdrafting' of carbon monoxide gas from gas-fired appliances and wood burning fireplaces can occur. This 'depressurization' could also affect indoor air quality by drawing air from garages, mechanical rooms and storage rooms.



city
of

CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

EXHIBIT A

April 15, 2011

Mayor and Council Members
Creve Coeur Government Center
300 N. New Ballas Road.
Creve Coeur, MO 63141

RE: Building Code Board of Appeals Review of the Rough Drafts of the City
Ordinances being proposed to adopt the City's New Building Codes.

Dear Mayor and Council Members;

The Building Code Board of Appeals was asked by the Chief Building Official on December 11, 2012, to review the aforementioned ordinances that will amend and adopt the 2009 edition of the International Residential Code as our city's new building code for One- And Two-Family Dwellings, the 2009 edition of the International Building Code as our city's new commercial building code and the 2009 edition of the International Energy Conservation Code as our city's new energy conservation code.

Upon careful review of the aforementioned proposed ordinances and after our public meeting held on April 3, 2013, to further discuss these ordinances with each other and the Chief Building Official, the Building Code Board of Appeals recommends adoption of all three (3) of these proposed ordinances as written.

Thank you for your consideration of this recommendation.

Sincerely,

Building Code Board of Appeals
Bernard Colton, Chairperson

C A R Y L K I N S E Y F O X, A I A, L E E D B D + C c k i n s e y f o x @ g m a i l . c o m
4 6 1 P I N E B E N D D R I V E
W I L D W O O D M O 6 3 0 0 5 C. 310.428.1357

March 5, 2013

EXHIBIT B

Steve Unser
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

RE: Adoption of the 2009 I-Codes and International Energy Conservation Code

Dear Steve,

As an Architect, registered in Missouri, New York and California, I serve on the national committee of the AIA, American Institute of Architects, Codes and Standards Committee where I was the 2012 Chair. I am writing in support of Creve Coeur's adoption of the 2009 I-Codes including the International Energy Conservation Code (IECC). These are the codes that have been adopted by the City and County of St. Louis and represent the standard of construction expected by the building industry in the St. Louis Metropolitan area.

The I-Codes are the only set of building codes in the US and represent the best practices as decided by a consensus of the building industry. They are written with public safety in mind and are fully coordinated to address all building conditions. Editing or modifying specific sections of these codes could create serious conflicts or gaps in overall building safety.

For example, when the State of Missouri eliminated the requirement for fire sprinklers, they did not take into consideration that fire separations between occupants was removed from the code. The expectation was that entire buildings would be sprinkled eliminating the need for fire separations. This throws into confusion who becomes liable when fire spreads throughout a building, the builder who talked the owner out of installing the sprinklers or the designer who designed to the building code. For this reason, it is the position of the American Institute of Architects that the building codes should be adopted **without modifications**.

I am also a resident of Wildwood and attend St. Timothy's Episcopal Church at 808 N. Mason Road. Creve Coeur has a great reputation of being a conscientious community with high quality residential construction. For these reasons, I strongly support the adoption of the 2009 IECC.

The Energy Code requires minimum acceptable levels of construction including good insulation, windows and doors, as well as caulking and weatherstripping the gaps in construction. These do not add significantly to the cost of construction but do

contribute to the overall comfort of living in a home. The code also requires programable thermostats as well as efficient lighting, heating and air conditioning systems which lower operational expenses. For these reasons, I consider the IECC to be a type of consumer protection, ensuring that homeowners get a good quality home and lower energy bills for the long term.

Again, I point out that St. Louis City and County have been using the 2009 I-Codes since the end of 2011 and Missouri is one of the few states that does not have a statewide building code. Please take swift action to adopt these newer I-Codes.

Illinois and the Kansas City metro area have adopted the 2012 I-Codes including the Energy Code. Many other municipalities in our region have also adopted the 2009 IECC including, Clayton, Webster Groves, Florissant, Hazelwood, Lake St. Louis, O'Fallon, St. Charles, Troy and Wentzville.

In the end, homeowners are the biggest winners in the adoption of energy codes and for that reason, the American Institute of Architects are firmly in support of Creve Coeur Adopting the 2009 IECC.

Please feel free to contact me with any specific questions you need answered.

Caryl Kinsey Fox, AIA, LEED AP, BD&C

EXHIBIT C

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BUILDING DEPT.

HBA Recommended Change to ~~Creve Coeur~~ Draft Ordinance

Recommendation 1:

Revise as follows:

R302.2 Townhouses. 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.

Exceptions:

1. A common 1-hour fire-resistance-rate wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses protected by an automatic residential fire sprinkler system 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 the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 to 43. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.
2. A common 2-hour fire-resistance-rates wall assembly or a two 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses not protected by an automatic residential fire sprinkler system 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 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 R 302.4.

Reason:

The HBA agrees with the intent of the code change. However, the HBA has recommended the option of a two one-hour fire-rated wall assemblies to help address concerns with property law. Technically, there is a property line between townhomes that runs through the middle of the shared interior wall. Therefore, by allowing two one-hour walls, residents will be able to address issues to their property without affecting their neighbors.

Cost Impact:

Minimal

City's Response:

The recommended change to Exception 2 is unnecessary. Section R302.2's reference to Section R302.1 for exterior walls already accomplishes what is recommended.

1.

Recommendation 2:**Revise as follows:**

R302.7 Under-stair protection. The underside of stair stringers shall be protected with a layer of ½ inch Type X gypsum board. Enclosed accessible space under stairs shall have their walls, under-stair and any soffits protected on the enclosed side with ½ inch Type X gypsum board.

Reason:

HBA recommends the deletion of the Type X requirement in order to match the code change recommended in 302.14, as regular gypsum will still provide additional protection for stairways in the event of a fire.

Cost Impact:

\$300.00 to \$500.00 depending on whether it is a straight run or switch back stair run.

City's Response:

The requirement for Type X gypsum board at this location has been in the city's building code since 5/29/2007. ½ inch gypsum board provides 15 minutes of protection to the stair stringers when exposed to a fire. ½ inch Type X gypsum board provides 25 minutes of protection to the stair stringers when exposed to a fire. That's 10 additional minutes of escape time for residents and 10 additional minutes of rescue time for firefighters during the course of a home fire.

Recommendation 3:**Revise as follows:**

R302.14 Fire protection of floors. ~~Floor assemblies, not required elsewhere in this code to be fire-resistance-rated, shall be provided with ½ inch gypsum wallboard membrane, 5/8-inch wood structural panel membrane, or equivalent on the underside of the floor framing member.~~

Exceptions:

- ~~1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.~~
- ~~2. Floor assemblies located directly over a crawl space not intended for storage or fuel-fired appliances.~~
- ~~3. Portions of floor assemblies can be unprotected when complying with the following:

 - ~~a. The aggregate area of the unprotected portions shall not exceed 80 square feet per story.~~
 - ~~b. Fire blocking in accordance with Section R302.11.1 shall be installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.~~~~

4. ~~Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch nominal dimension or other approved floor assemblies demonstrating equivalent fire performance.~~

Reason:

HBA members and staff would appreciate the opportunity to discuss the reasoning behind this recommended code change in person.

Cost Impact:

Varies with home size and design but approximately \$4,000 to \$5,000.

City's Response:

The city's amendment to add new section R302.14 was made to add fire resistance rating to the underside of lightweight engineered wood products such as I-joists. When subjected to fire, these types of floor assemblies fail much sooner than floor assemblies built of dimensional lumber. During tests, Underwriter's Laboratories found that wooden I-joists fail within 6 minutes of fire ignition. That time frame is typically less than the fire department response time from fire ignition to arrival of the fire department. Often times these lightweight floors are near the point of collapse upon arrival of the firefighters. It has been documented there is little warning of their impending collapse even with the use of thermal imaging cameras. As a result, there is an increasing number of firefighter deaths and injuries being caused by the collapse of floors that are built of lightweight, wooden I-joists. The ½ inch gypsum wallboard membrane will provide an additional 20 minutes of fire-resistance protection. This requirement will provide additional safety to firefighters and residents which is the intent of the building code per section R101.3. Also this section is part of the 2012 edition of the IRC.

Recommendation 4:

~~**R311.2.1 Interior egress doors.** Interior egress doors shall have a minimum clear width of 29 ¾ inches and a minimum height of 78 inches. The clear width of door openings at swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Where a door opening includes two door leaves without a mullion, one leaf shall provide a clear opening width of 29 ¾ inches. Door openings to storage closets, bathrooms, and other non-habitable spaces shall not be limited by the minimum width.~~

Reason:

Necessity for this code requirement is unclear.

Cost Impact:

Varied

City's Response:

This code requirement has been in the city's building code since 1995. The only door the 2009 IRC regulates is the dwelling unit's required exit door to the exterior. The minimum

width or height of a dwelling unit's interior egress doors serving bedrooms, offices, recreation rooms, etc. would not be regulated unless this section were added.

Recommendation 5:

R1004.5 Chimney separation. Wood burning factory built chimneys shall be separated from the interior and attic spaces by a minimum layer of ½-in Type X gypsum board. This gypsum board shall be secured to the interior of the chimney chase from the top of the firebox to the underside of the rood deck. A minimum clearance of 2-inches shall be maintained between the factory-built chimney and the gypsum board. All joints shall be tight and fire-taped. Gas appliance direct-vent or vent-free fire places shall be installed as per manufacturer's directions.

Reason:

It has been the experience of industry experts that it is best to install factory built chimneys as per manufacturer's instructions.

Cost Impact:

Varied

City's response:

There are factory-built fireplaces that are UL listed to burn wood or house gas-fired log heaters (appliances). Since a resident may burn wood or install a gas-fired appliance in the same factory-built fireplace, the city believes that when a factory-built chimney is initially installed it should be protected to the most hazardous condition that may occur.

Recommendation 6:

R1005.7 Fireplace separation. Factory-built wood-burning fire places shall be enclosed on all sides with a minimum layer of ½-inch Type X gypsum board. A minimum clearance of 1-inch shall be maintained between the factory-built fireplace and the gypsum board. All joints shall be tight and fire taped. Gas appliances that are direct-vent or vent-free shall be installed as per manufacturer's instructions.

Reason:

It has been the experience of industry experts that it is best to install factory built chimneys as per manufacturer's instructions.

Cost Impact:

Varied

City's Response:

See response to Section R1004.5 above.

Recommendation 7:

M1401.3 Sizing. Heating and cooling equipment shall be sized in accordance with ACCA Manual S based on building load calculations in accordance with ACCA Manual

5.

J and other approved heating and cooling calculation methodologies. The design temperatures for the City of Creve Coeur shall be in accordance with Table M1401.3.

Table M1401.3
Design Temperatures

	Outdoor	Inside
Winter	DB 2 degrees F	DB 70 degrees F
Summer	DB 95 degrees F WB 76 degrees F	DB 78 degrees F

Reason:

The HBA believes that the manuals listed provide more than adequate methodologies, and industry experts noted that the temperatures outlined here will not change the load design of the HVAC system of the home.

Cost Impact:

N/A

City's Response:

This amendment proposed by the city is consistent with the amendment made by St. Louis County when they adopted the 2009 IRC.

Recommendation 8:

~~**M1503.4 Makeup air required.** Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute shall be provided with makeup air at a rate equal to the exhaust air rate. The cumulative exhaust flow rate to the kitchen exhaust system(s) may exceed 400 cfm if the range hood or down-draft exhaust system provided is equipped with a built-in mechanical makeup air system that will provide an amount of makeup air equal to the amount of exhaust air interlocked with the kitchen exhaust fan so as to operate whenever the kitchen exhaust fan is operating. Makeup air shall be tempered by an inline duct heater.~~

Reason:

See HBA recommended code amendment 1503.4.

City's Response:

Research has shown that kitchen exhaust systems with an exhaust flow rate in excess of 400 cfm for an individual dwelling unit are greatly oversized. The industry recommendation is a minimum 40 cfm exhaust rate per linear foot of cooktop. A 48 inch wide cooktop can be adequately served by an exhaust system that has an exhaust system rate of 160 cfm. The continued operation of a kitchen exhaust system with an exhaust flow rate in excess of 400 cfm can "depressurize" an air-tight home to the point that "backdrafting" of carbon monoxide gases from gas-fired appliances and woodburning fireplaces can occur. This code requirement is recommended by several mechanical contractors who have stated that the 400 cfm threshold is reasonable and that any exhaust system greater than 400 cfm resembles a commercial-type range hood that is required to be provided with make-up air.

6.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R106.3.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

Approval of Construction documents. When the *building official* issues a *permit*, the *construction documents* shall be *approved* in writing or by a stamp which sets "REVIEWED FOR CODE COMPLIANCE." One set of *construction documents* so reviewed shall be retained by the building official. The other set shall be returned to the applicant, ~~shall be kept at the site of work~~ may be kept at the site of work or made available at time of inspection and shall be open to inspection by the building official or his or her authorized representative.

Reason:

Unfortunately, it is not always possible to maintain records on a construction site, especially in the beginnings of the construction process when materials and other important documents are easily subject to theft. However, records are always maintained and can be made available to any building official or representative upon request.

Cost Impact:

Copy costs \$7 to \$60 – varies with complexity of copy and administrative costs (delivery and return of annotated copy costs approximately \$20).

City's Response:

The city has always required that the city-approved plans be kept on site until the final inspection is approved. The inspectors need to refer to these approved plans during the course of their inspections.

7.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: R108.6

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

Work commencing before permit issuance. Any person who commences work requiring a *permit* on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority that shall be in addition to the required *permit* fees.

Exemptions:

1. Earthwork
2. Stakeouts and other necessary planning procedures

Reason:

These exemptions allow for planning and other preliminary procedures that do not consist of the erection of a building to commence as permits and other important paper work are processed. This will also allow builders to install necessary construction Best Management Practices to comply with municipal Stormwater Phase II requirements.

Cost Impact:

No cost impact.

City's Response:

The city may issue a grading permit or a footing/foundation permit prior to the issuance of a building permit. Recommended exemptions are unnecessary.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: Chapter 2: Definitions – Story Above Grade Plane

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

STORY ABOVE GRADE PLANE. Any *story* having its finished floor surface entirely above the *grade plane*, except that a *basement* shall be considered as a *story above grade plane* where the finished surface of the floor above the *basement* meets ~~any one~~ of the following:

1. Is more than 6 feet (1829 mm) *above grade plane*, and
2. Is more than 6 feet (1829 mm) above the finished ground level for more than 50 percent of the total building perimeter, and
3. Is more than 12 feet (3658 mm) above the finished ground level at any point.

Reason:

The 2009 IRC requirements would dramatically effect current building design requirements and put restrictions on three-story homes.

Cost Impact:

This definition will have a significant impact on the cost of construction.

City's Response:

The building division disagrees with this recommendation. This definition, as written, has been in the city's building code since 1992. It gives clear parameters as to when a basement becomes a story above grade plane. If any one of the criteria listed is met, the basement is considered a story above grade plane. As recommended, all 3 criteria have to be met before a basement becomes a story above grade. Per the recommended definition a basement would almost never be considered a story above grade plane.

9.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: Table R 301.2(1) – Note h.

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

Ground Snow Load	Wind Design		Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed (mph)	Topographic Effect		Weathering	Frost Line Depth	Termite					
					<u>30 Inches</u>			<u>NO</u>			

h. ~~In accordance with Section R905.2.7.1, R905.4.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the~~ The jurisdiction shall fill in this part of the table with "YES." "NO." ~~Otherwise, the jurisdiction shall fill in this part of the table with "NO."~~

Reason:

St. Louis County does not have a climate that would warrant an ice barrier underlayment and the frost depth for the area is 30 inches.

Cost Impact:

Estimated cost savings for this amendment range from \$350 to \$750 depending on the size and design of the home.

City's Response:

The building division agrees that the frost line depth in our area is 30 inches. The building division disagrees that our climate would not warrant an ice barrier underlayment. Ice has formed along roof eaves in this area and the ice barrier helps to prevent damage to the roof sheathing along the edge of the roof.

10.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: *2009 International Residential Code*

Code Section: R301.2.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R301.2.2 Seismic provisions. The seismic provisions of this code shall apply to buildings constructed in Seismic Design Categories C, D₀, D₁ and D₂, as determined in accordance with this section.

Exemption: Detached one- and two-family dwellings located in Seismic Design Category C and D₀ are exempt from the seismic requirements of this code.

Reason:

 **Cost Impact:**

City's Response:

The building division does not believe this change is necessary. St. Louis County has been determined to be in Seismic Design Category C.

11.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R302.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R302.1 Exterior walls. Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1.

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the fire separation distance.
2. Walls of dwellings and accessory structures located on the same lot.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
4. Detached garages accessory to a dwelling located within 2 feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with this code are permitted.
6. Cantilevered manufactured fireplaces.
7. Roof eave overhangs.
8. Uncovered decks.

Reason:

Exception 6 includes a product that poses no serious health or safety risk.

Exception 7 has been added as it is often impossible to predict construction projections within a few inches. Including specific distances for roof eave overhangs is also unnecessary as the constructed exterior wall will be in compliance with the noted distance separations and all portions of the vertical wall above the sheathing are fire rated.

Exception 8 includes a structure that poses no serious health or safety risk.

Cost Impact:

The additions to R302.1 would be a significant cost savings.

12.

City's Response:

The building division does not think this change is needed. The city's zoning code does not allow the walls of dwellings or accessory structures to be located closer than 5 feet to any property line.

13.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: R303.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 m²), one-half of which must be openable.

Exception:

1. The glazed areas shall not be required where artificial light and a mechanical *ventilation* system are provided. The minimum *ventilation* rates shall be 50 cubic feet per minutes (24 L/s) for intermittent *ventilation* or 20 cubic feet per minute (10 L/s) for continuous *ventilation*. *Ventilation* air form the space shall be exhausted directly to the outside or to an attic gable vent or ventilated soffit

Reason:

This code comment is offered to help builders maintain current building practices.

Cost Impact:

City's Response:

The building division disagrees with this recommendation. The intent of the code is to exhaust moisture-laden air directly to the outside through the soffit, through the attic gable vent or through the roof.

14.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: *2009 International Residential Code*

Code Section: R303.4.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R303.4.2 Exhaust openings. Exhaust air shall not be directed below 6 feet and 8 inches onto a public walkway.

Reason:

Keeping exhaust air above 6 feet and 8 inches protects the health and safety of the passerby, while maintaining design flexibility.

Cost Impact:

Addition to the code would save approximately \$400 per exhaust opening.

City's Response:

The building division disagrees with this recommendation. The intent of this code section is to prevent moisture-laden air from bathroom, kitchen or dryer vents from creating a slipping hazard on all walkways, not just public walkways.

15.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: R311.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R311.3 Floors and landings at exterior doors. There shall be a landing or floor on each side of at each required egress 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 $\frac{1}{4}$ unit of vertical in 12 units horizontal (2-percent).

Exception: Exterior balconies less than 60 square feet (5.6 m²) and only accessible from a door are permitted to have a landing less than 36 inches (914 mm) measured in the direction of travel.

Reason:

Landing requirements should only apply toward required egress openings, not all egress doors. This maintains the importance of safety while allowing for a greater freedom with design.

Cost Impact:

The proposed amendment to the code would save approximately \$300 to \$2,000 per home. The cost savings varies with the home's design and number of exterior egress doors.

City's Response:

The building division disagrees with this recommendation. The intent of the building code is to have a landing of the proper size at all exterior doors.

16.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: R311.3.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R311.3.2 Floor elevations for other exterior doors. Doors other than the required egress door shall be provided with landing 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 ~~two~~ four or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

Reason:

The change from two to four or fewer risers makes this provision compatible with other requirements regulating conditions for risers outlined in R311.7.7.

 Cost Impact:

City's Response:

The building division disagrees with this recommendation. The code does not want a resident to walk out through their exterior door directly onto a stairway that has more than 2 risers. Section R311.7.7 has nothing to do with stairways in proximity to exterior doors. It requires handrails to be provided on at least one side of stairways with 4 or more risers.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: *2009 International Residential Code*

Code Section: R311.7.4

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R311.7.4 Stair treads and risers. Stair treads and risers shall meet the requirements of this section. For the purposes of this section all dimensions and dimensioned surfaces shall be exclusive of carpets, rugs or runners.

R311.7.4.1 Riser height. The maximum riser height shall be $7\frac{3}{4}$ 8 $\frac{1}{4}$ inches (196 228.6 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than $\frac{3}{8}$ inch (9.5 mm).

R311.7.4.2 Tread depth. The minimum tread depth shall be 10 $\frac{1}{2}$ inches (254 228.6 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than $\frac{3}{8}$ inch (9.5 mm). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and do not have to be within $\frac{3}{8}$ inch (9.5 mm) of the rectangular tread depth.

Winder treads shall have minimum depth of 10 $\frac{1}{2}$ inches (254 228.6 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stair. Within any flight of stairs, the largest winder tread depth at the walkline shall not exceed the smallest winder tread by more than $\frac{3}{8}$ inch (9.5 mm).

Reason:

The purpose of this amendment is to retain the stair geometry requirements to those that have historically been allowed under the Building Officials and Code Administrators National Building Code (BOCA). This amendment will allow for the continued use of the $8\frac{1}{4}$ " x 9" geometry, which is also the historically accepted requirement of many other state and local jurisdictions across the country. Many others actually adopt stair geometry requirements of $8\frac{1}{4}$ " x 9."

These dimensions, originally accepted in the First Draft of the International Residential Code (IRC) and the historic dimensions in the Council of American Building Officials' CABO One- and Two-family Building Code, adequately provide for stair safety in residential occupancies.

The 8 1/4" x 9" geometry has always adequately provided for occupant safety in residential occupancies. No sound documentation or data has ever been presented demonstrating that the 8 1/4" x 9" geometry is any less safe than a stair geometry of 7 3/4" x 10" or other even more stringent geometries. More specifically, there is no sound data showing or otherwise indicating a stair geometry of 8 1/4" x 9" is a contributing factor in accidental residential falls anymore than a stair geometry of 7 3/4" x 10" or any other stair geometry that has been proposed.

The safety benefits of the 7 3/4" riser and 10" tread stair geometry are technically unsubstantiated and are not practical in many home designs. If the footprint of the house must be increased to accommodate the additional space needed for 7 3/4" x 10" vs. an 8 1/4" x 9" geometry, adequately sized living spaces are sacrificed without any demonstrated gain. This can lead to an economic hardship upon first-time homebuyers of smaller homes, and in particular for construction on smaller lots, in-fill projects, and townhomes.

As outlined in Section R101.3 of the IRC, the purpose the requirements in the code are to provide minimum requirements for occupant safety and health. There is adequate substantiation to show that 8 1/4" x 9" geometry provides this minimum level of occupant safety.

Cost Impact:

Revisions would have a potential cost savings of approximately \$100 to \$350 per home (varies with style, design and number of stair cases).

City's Response:

The 7 3/4" maximum riser height / 10" minimum tread width stair geometry has been part of the BOCA National Building Code since 1996, the International Residential Building Code since 2000 and the city's building code since 2/2002. It has been demonstrated by various studies and code-change committees that the less steep 7 3/4" / 10" stair geometry provides for a safer stair and an easier stair to ascend and descend than a stair with the 8 1/4" / 9" stair geometry. This is an important factor as our society gets older. The building division believes these recommendations should not be included in the city's new building code.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: R311.7.5 Landings for Stairways

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R311.7.5 Landings for stairways. There shall be a floor or landing at the top and bottom of each stairway.

Exception: A floor or landing is not required at the top of an interior or exterior flight of stairs, including stairs in an enclosed garage, provided a door does not swing over the stairs. A flight of stairs shall not have a vertical rise larger than 12 feet (3658 mm) between floor levels or landings. The width of each landing shall not be less than the width of the stairway served. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel.

Reason:

Direction of travel does not require a landing to safely open a door.

Cost Impact:

Proposed code amendment would save approximately \$918.75 to \$1,225 per home (cost varies with the price of the landing and value of home per square foot.)

City's Response:

The building division does not believe this recommendation is necessary. There are other code sections (R311.3 through R311.3.2) that regulate landings at exterior doors. Also, there is code language in the exception that appears to have been moved from the body of Section R311.7.5 for no apparent reason.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R 313.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R 313.2 One- and two-family dwellings automatic fire systems. ~~Effective January 1, 2011, an automatic residential fire sprinkler system shall be installed in one- and two-family dwellings. A builder of a single family dwellings or residences or multi-unit dwellings of four or fewer units 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 dwelling, residence, or unit. Notwithstanding any other provision of law to the contrary, no purchaser of such a single family dwelling, residence, or multi-unit dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased by any code, ordinance, rule, regulation, order, or resolution by any county or other political subdivision. Any county or other political subdivision shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory option for purchasers to have the right to choose and the requirement that builders offer to purchasers the option to purchase fire sprinklers in connection with the purchase of any single family dwelling, residence, or multi-unit dwelling of four or fewer units.~~

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

Reason:

Amendment above brings St. Louis County Building Code into compliance with the Missouri's Revised Statutes.

Cost Impact:

Estimated cost savings range from \$9,688.81 to \$22,725.42.

City's Response:

The city attorney has reviewed and approved the city's proposed amending language to this section and determined it to be in compliance with state law.

21.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: *2009 International Residential Code*

Code Section: R403.1.4

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R403.1.4.1 Frost Protection. Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. ~~Extended below the frost line specified in Table R301.2.(1)~~ Extend 30 inches below finish grade;
2. Constructing in accordance with Section R403.3;
3. Constructing in accordance with ASCE 32; or
4. Erected on solid rock.

 **Reason:**

City's Response:

The 30 inch depth is already specified in Table R301.2.(1).

Cost Impact:

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R404 Tables

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R404.1.1 (1) Concrete Foundation Walls

Max. Wall Height	Max. Depth of Unbalanced Backfill	Min. Nominal Wall Thickness
7'-0"	6'-0" or less 7'-0"	8" 10" Note a
8'-0"	6'-0 or less 7'-0" 8'-0"	8" Note a 8" Note a 8" Note a
9'-0"	6'-0" or less 7'-0" 8'-0" 9'-0"	10" 10" 10" Note b 10" Note b
10'-0"	9'-0"	12" Note c

Note a: Concrete foundation walls may be constructed a minimum of nominal 8" thick where the wall height from the top of the footing to the top of the wall does not exceed 8'. A minimum of (2) #4 reinforcing bars shall be placed horizontally in top and bottom of the foundation wall. A minimum of (2) #5 reinforcing bars shall be provided around all window and door openings in concrete foundation and basement walls; bars shall extend a minimum of 24" beyond the corners of the openings.

Note b: Concrete foundation walls may be constructed a minimum of nominal 10" thick. A minimum of (2) #5 reinforcing bars shall be placed horizontally in the top, middle, and bottom of the foundation wall. A minimum of (2) #5 reinforcing bars shall be provided around all window and door openings in concrete foundation and basement walls; bars shall extend a minimum of 24" beyond the corners of the openings.

Note c: Concrete foundation walls may be constructed a minimum of nominal 12" thick. A minimum of (3) #5 reinforcing bars shall be placed horizontally in the top, middle, and bottom of the foundation wall. A minimum of (2) #5 reinforcing barts shall be provided around all window and door openings in

concrete foundation and basement walls; bars shall extend a minimum of 24" beyond the corners of the openings.

The concrete minimum nominal wall thickness shall be 8 inches for foundation walls in soil classes SC, MH, ML-MC and inorganic CL when the maximum wall height is 8 feet.

The concrete minimum wall thickness shall be 10 inches for foundation walls in soil classes SC, MH, ML-CL and inorganic CL when the maximum wall height is 9 feet.

The concrete minimum wall thickness shall be 12 inches for foundation walls in soil classes SC, MH, ML-CL and inorganic CL when the maximum wall height is 10 feet.

Reason:

Richard W. Stephenson, P.E. Ph.D. stated on a study vetted during the 2003 code cycle (copy available), "there are no stability problems with nominally 8-inch thick foundation walls for residential construction. Consequentially, there is no compelling justification to require 10-inch foundation walls. Similarly, current reinforcements for steel reinforcement are adequate." The same conditions exist today and, therefore, this proposal allows for current construction practices to continue.

Cost Impact:

Proposed code changes would yield a potential cost savings of \$1,200 to \$4,000 depending on the size of the foundation.

City's Response:

The building division believes this recommendation is unnecessary. Table R404.1.2(1) through Table 404.1.2(8) more than adequately regulate the construction of concrete foundation walls.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: R405.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

405.1 Concrete or masonry foundations. Drains shall be provided around all concrete or masonry foundation that retain earth and enclose habitable or usable space 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, and the 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 drainage system is not required when the foundation is installed on well-drained ground or sand-gravel mixture soils according to the Unified Soil Classification System, Group 1 Soils, as detailed in Table R405.1.
2. Drains provided as detailed in Section R405.1.2 are approved as an alternative method to meet the requirements of this Section.

R405.1.2 Soil Evaluations. An evaluation of the soil for the presence or absence of ground water is required. The evaluation report shall be based on either a subsurface soil investigation or satisfactory data from adjacent areas together with an inspection of the excavation prior to pouring concrete.

R405.1.2.1 Groundwater present. Provide drain tile, perforated pipe, or other approved foundation drainage systems (such as water channel system) around perimeter of the outside of the foundation and inside the foundation. Drain discharge shall be by gravity to daylight or be connected to a basement floor sump.

R405.1.2.2 No ground water present. Provide drain tile, perforated pipe, or other approved foundation drainage systems (such as water channel system) around

perimeter of the outside of the foundation or inside the foundation. Drain discharge shall be by gravity to daylight or be connected to a basement floor sump.

R405.1.2.3 Filter membranes. An approved filter membrane shall be placed over the top of the joints/pipe perforations. The tile/pipe shall be placed on 2" minimum gravel or crushed stone and have 6" minimum cover.

R405.1.2.4 Drainage system. Drainage system shall discharge by gravity to daylight or be connected to an approved sump (15" in diameter x 18" deep with fitted cover). A sump pump shall be provided if basement is finished or partially finished with pump discharge by an approved method.

Reason:

The proposed code change has been an alternative used in the past that is an effective draining method for foundations.

Cost Impact:

The proposed code change will save approximately \$300 to \$400 per home.

City's Response:

The city's amending language in the proposed adopting ordinance has similar requirements organized in a different manner.

26.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R502.2.2.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R502.2.2.3 Deck lateral load connection. The lateral load connection required by Section R502.2.2 shall be permitted to be in accordance with Figure R502.2.2.3. Hold-down tension devices shall be installed in not less than two locations per deck, and each device shall have an allowable stress design capacity of not less than 1500 pounds (6672N).

Exception: All decks that are 100 square feet or less.

Reason:

Decks that are less than 100 square feet do not need the extra support required in the code as published. This requirement exempts the new stringency for the decks that do not require it and maintains the new safety allowance for the decks that might need the additional support.

Cost Impact:

The proposed code amendment would save approximately \$180. It costs \$90 per device (two required per deck); price includes \$25 for materials and \$65 for additional hour of labor for installation of each device.

City's Response:

The building division believes there is no substantiated basis for this recommendation (exception) to be included in the city's new building code.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R602.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R602.3 Design and construction. Exterior walls of wood-frame construction shall be designed and constructed in accordance with the provisions of this chapter and Figures R602.3(1) and R602.3(2) or in accordance with AF&PA's NDS. Components of exterior walls shall be fastened in accordance with Tables R602.3(1) through R602.3(4). Structural wall sheathing shall be fastened directly to structural framing members. Exterior wall coverings shall be capable of resisting the wind pressures listed in Table R301.2(2) adjusted for height and exposure using Table R301.2(2) adjusted for height and exposure using Table R301.2(3). Wood structural panel sheathing used for exterior wall shall conform to the requirement of Table R602.3(3).

Studs shall be continuous from support at the sole plate to a support at the top plate to resist loads perpendicular to the wall. The support shall be a foundation on floor, ceiling or roof diaphragm or shall be designed in accordance with accepted engineering practice.

Exceptions:

1. Jack studs, trimmer studs and cripple studs at openings in walls that comply with Tables R502.5(1) and R502.5(2).
2. Headers can be on top of an opening in a wall.

Reason:

Provides increased shear properties and avoids "hinged" lateral complications with no adverse structural effects. This change serves clarifies the approval of this detail as there have been interpretations denying such configurations in the past. The code change also conforms to standard construction practices and helps to facilitate sheer wall calculations.

Cost Impact:

Estimated cost savings are minimal.

City's Response:

The building division believes this recommendation is unnecessary. Figure R602.3(2) and Tables R502.5(1) and R502.5(2) allow headers across the top of openings in exterior walls.

28.

**City of Creve Coeur
Code Change Proposal Form**

Code: 2009 International Residential Code

Code Section: R602.10.1.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R602.10.1.1 Braced wall panels. Braced wall panels shall be constructed in accordance with the intermittent bracing methods specified in Section R602.10.2, or the continuous sheathing methods specified in Sections R602.10.4, [and] R602.10.5, and R602.10.10. With the exception of the bracing method detailed in Section R602.10.10 [M] mixing of bracing method shall be permitted as follows:

1. Mixing bracing methods from story to story is permitted.
2. Mixing bracing methods from braced wall line to braced wall line within a story is permitted, except that continuous sheathing methods shall conform to the additional requirements of Sections R602.10.4 and R602.10.5.
3. Mixing bracing methods within a braced wall line is permitted only in Seismic Design Categories A and B, and detached dwellings in Seismic Design Category C. The length of required bracing for the braced wall line with mixed sheathing types shall have the higher bracing length requirement, in accordance with Tables R602.10.1.2(1) and R602.10.1.2(2), of all types of bracing used.

R602.10.1.2 Length of bracing. The length of bracing along each braced wall line shall be the greater of that required by the design wind speed and braced wall line spacing in accordance with Table R602.10.1.2(1) as adjusted by the factors in the footnotes or the Seismic Design Category and braced wall line length in accordance with Table R602.10.1.2(2) as adjusted by the factors in Table R602.10.1.2(3) or braced wall panel location requirements of Section R602.10.1.4. Only walls that are parallel to the braced wall line shall be counted toward the bracing requirement of that line, except angled walls shall be counted in accordance with Section R602.10.1.3. In no case shall the minimum total length of bracing in a braced wall line, after all adjustments have been taken, be less than 48 inches (1219 mm) total.

Exception: Structures braced using Section R602.10.10.

R602.10.10 Simplified bracing method for one- and two-family dwellings when the entire structure is sheathed with wood structural panels and located in wind exposure A or B. The construction documents shall detail the locations and widths of all braced wall panels in accordance with this section.

R602.10.10.1 Wood structural sheathing. The building exterior walls shall be sheathed with 7/16 inch (11.1 mm) or thicker plywood or OSB wood structural panels. The wood structural panels shall be applied to all exterior walls, gable ends, and band boards. All vertical joints between panels shall be blocked. Horizontal joints in braced wall panels shall be blocked.

R602.10.10.2 Braced wall panel locations. Braced wall panels shall be located in every exterior braced wall line in accordance with the following criteria:

1. The outside edge of the first braced wall panel meeting the width established in Table R602.10.10.3 shall be a maximum of 12.5 feet (3810 mm) or less from each end of the braced wall line. The outside stud of the first braced wall panels closest to the end of the braced wall line shall be secured with a hold-down device securing the end stud to the foundation with a minimum uplift design value of 800 pounds.

Exception: The 800 pound hold-down device is not required when the braced wall panel is placed at the end of the braced wall line and there is a 24 inch (610) wide full height sheathed wall placed 90 degrees to the end of the braced wall line and panel.

2. The centerline spacing of braced wall panels in a braced wall line may not exceed 25 feet (7620 mm).

R602.10.10.3 Braced wall panel widths. Braced wall panel locations shall be shown on the floor plans or the elevation views and meet the widths established in Table R602.10.10.3.

**TABLE 602.10.10.3
SIMPLIFIED BRACING PANEL WIDTHS**

		WIDTH OF SOLID PANEL ^{a, b}			
		8' wall height	9' wall height	10' wall height	12' wall height
Plywood/OSB Panel	3:1	32"	36"	40"	48"
Simplified Portal Wall ^c	6:1	16" ^d	18" ^d	20" ^d	24" ^d

a. Linear interpolation is permitted.

b. Wall height is the vertical distance from the bottom of the sole/sill plate to the top of the double top plate. An additional 2 inch (50.8 mm) variation in height is allowed for pre-cut stud framing.

c. The Simplified Portal Wall, if applicable, shall be constructed in accordance with the applicable detail in Figure R602.10.10.3. The designer shall provide this detail on the construction documents.

d. The Simplified Portal Wall width assumes the beam is placed under the top plate of the wall. A smaller width may be calculated for a lower top of beam height using the 6:1 height to width ratio.

R602.10.10.4 Corner framing. The exterior wall corners shall be constructed in accordance with the applicable detail in Figure R602.10.10.4.

Exception: Braced wall panels located in accordance with Section R602.10.10.2.

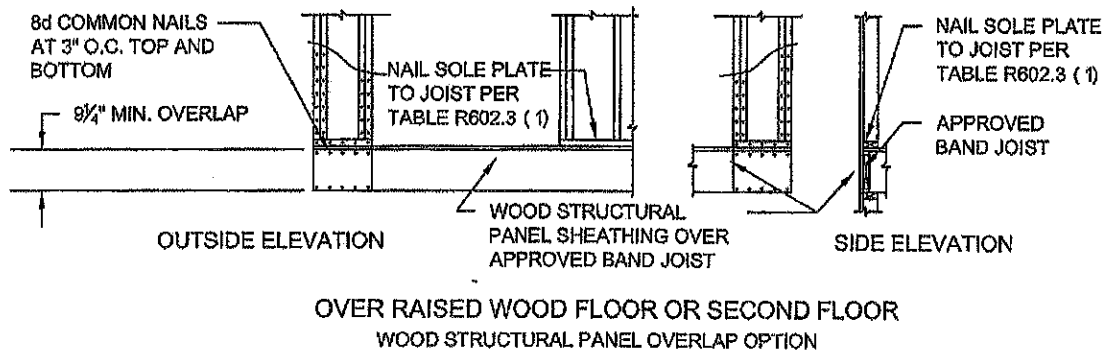
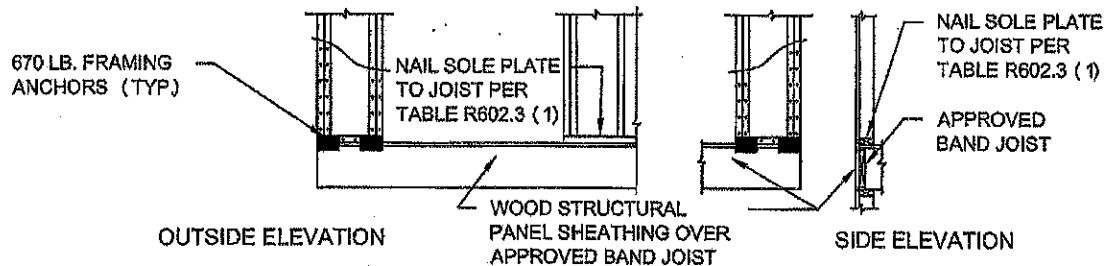
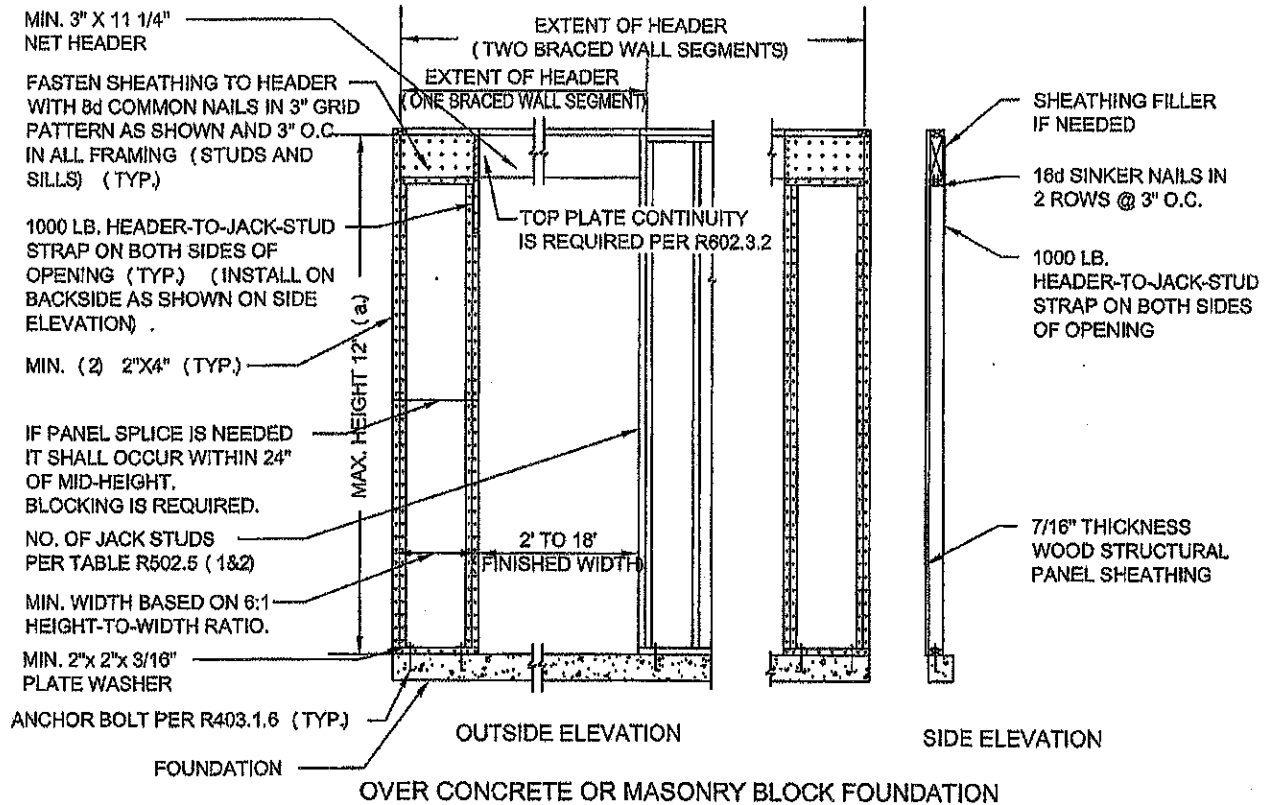
R602.10.10.5 Braced wall line spacing. When the perpendicular distance between the exterior braced wall lines exceeds 50 feet (15240 mm), the registered design professional shall include the following certification on the drawings:

30.

The interior and exterior wall configuration braces the structure in accordance with or equivalent to the lateral bracing provisions of Section R602.10 of the International Residential Code, 2009 edition or Section 2305 of the International Building Code, 2009 edition.

R602.10.10.6 Maximum wall height. Wall height may not exceed 12 feet (3658 mm) (12 feet 2 inches (3708 mm) actual). Walls greater than 12 feet (3658 mm) in height shall be designed and detailed by the registered design professional to resist wind loads in both the longitudinal and transverse directions.

31.



**FIGURE R602.10.10.3
SIMPLIFIED PORTAL WALL**

- a. CRIPPLE WALL FRAMING CONSISTING OF STUD FRAMING, SINGLE BOTTOM PLATE, AND DOUBLE TOP PLATE MAY BE ADDED TO THE TOP OF THE NARROW PORTAL WALL AS LONG AS THE COMBINED HEIGHT OF THE TWO WALLS IS LESS THAN OR EQUAL TO 12 FEET AND THE TWO WALLS ARE STRAPPED TOGETHER ON THE INTERIOR SIDE WITH A 18GAUGE METAL 1 1/2 INCH WIDE BY 21 INCH LONG STRAP. A MINIMUM 10 INCHES OF THE STRAP SHALL BE CONNECTED TO EACH WALL OR GABLE TRUSS WITH 9 - 16D NAILS FOR A TOTAL OF 18-16D NAILS IN THE ENTIRE STRAP. STRAPS SHALL BE LOCATED AT EACH END OF THE CONNECTED WALLS OR WALL AND GABLE TRUSS WHERE SPACE ALLOWS FOR THE 10 INCH LENGTH OF STRAP. THE SPACING BETWEEN THE STRAPS MAY NOT EXCEED 4 FEET ON CENTER. THE STRAPS SHALL NOT BE BENT HORIZONTALLY TO ACCOMMODATE WOOD FRAMING. IF APPLICABLE, NAILERS SHALL BE ADDED TO ONE OF THE WALLS OR GABLE END USING A MINIMUM OF 9-16D NAILS TO CREATE THE VERTICAL PLANE NEEDED TO MOUNT THE STRAP.

MINIMUM 24" WIDE FULL HEIGHT
7/16" WOOD STRUCTURAL PANEL
8d NAIL AT 6" O.C. ON ALL
FRAMING MEMBERS AT PANEL EDGES
AND 12" O.C. ON ALL FRAMING
MEMBERS NOT AT PANEL EDGES

2-16d NAILS AT 24" O.C.

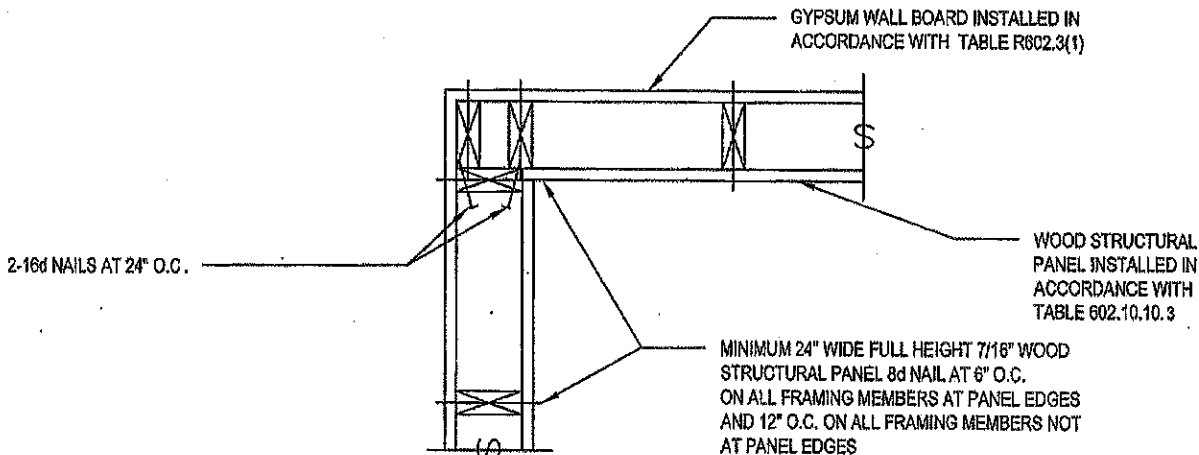
8d NAIL AT 6" O.C.
(ALL PANEL EDGES)

GYPSUM WALL BOARD INSTALLED IN
ACCORDANCE WITH TABLE R602.3(1)

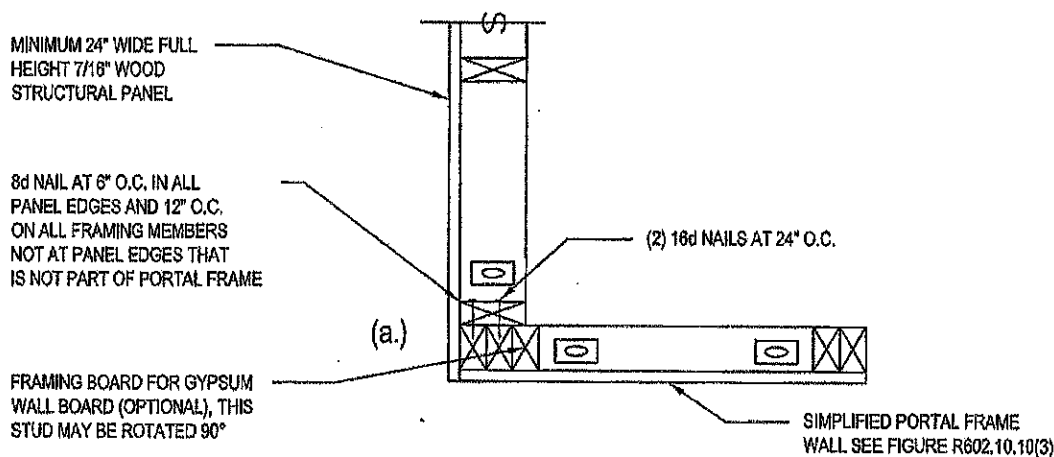
WOOD STRUCTURAL
PANEL INSTALLED IN
ACCORDANCE WITH
TABLE 602.10.10.3

8d NAIL AT 12" O.C. ON ALL
FRAMING MEMBERS NOT AT PANEL EDGES

OUTSIDE CORNER DETAIL



INSIDE CORNER DETAIL



CORNER DETAIL

USED IN CONJUNCTION WITH SIMPLIFIED PORTAL WALL

FIGURE R602.10.10.4
SIMPLIFIED BRACING EXTERIOR CORNER FRAMING

- a. END STUD INDICATED ON THE ABOVE DETAILS MAY BE SHIFTED 7/16" TO ALLOW STUD FACE TO BE ALIGNED WITH SHEATHING, OR AN OPTIONAL NON-STRUCTURAL FILLER PANEL MAY BE USED.

33.



City's response:

The building division believes these recommendations are unnecessary. Sections R602.10 through R602.10.9.2, as written, more than adequately address wall bracing. Also, Section R301.1.3 Engineered Design, allows another wall bracing option if the prescriptive requirements in Sections R602.10 through R602.10.9.2 cannot be met.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R602.10.3.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R602.10.3.3 Method PFH: Portal frame with hold-downs. Method PFH *braced wall panels* constructed in accordance with one of the following provisions are also permitted to replace each 4 feet (1219 mm) of *braced wall panel* as required by Section R602.10.3 for use adjacent to a window or door opening with a full-length header:

1. Each panel shall be fabricated in accordance with Figure R602.10.3.3. The wood structural panel sheathing shall extend up over the solid sawn or glued-laminated header and shall be nailed in accordance with Figure R602.10.3.3. A spacer, if used with a built-up header, shall be placed on the side of the built-up beam opposite the wood structural panel sheathing. The header shall extend between the inside faces of the first full-length outer studs of each panel. One anchor bolt not less than $\frac{5}{8}$ ½ inch-diameter (16 12.7 mm) and installed in accordance with Section R403.1.6 shall be provided in the center of each sill plate. The hold-down devices shall be embedded-strap type, installed in accordance with the manufacturer's recommendations. The panels shall be supported directly on a foundation which is continuous across the entire length of the braced wall line. The foundation shall be reinforced as shown on Figure R602.10.3.2. The reinforcement shall be lapped not less than 15 inches (381 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.
2. In the first *story* of the two-story buildings, each wall panel shall be braced in accordance with item one above, except that each panel shall have a length of not less than 24 inches (610 mm).

Exception: The minimum width of a portal frame in the first story of a two-story building may be approved if it is constructed at a 1:6 ratio and the maximum height of a structure may extend to 12 feet (3657.6 mm).

Reason:

This addition is a standard building practice and accepting this exception would allow for this method to continue.

Cost Impact:

35.



City's Response:

The building division believes this exception is unnecessary. Sections R602.10.3.3 through R602.10.4.1.1, as written, adequately address portal frame construction. Section R301.1.3 Engineered Design, also gives another option if the prescriptive requirements of the sections noted above cannot be met.

36.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R612.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

~~**R612.2 Window sills.** In dwelling units, where the opening of an operable window is located more than 72 inches (1829 mm) above the finished grade or surface below, the lowest part of the clear opening of the window shall be a minimum of 24 inches (610 mm) above the finished floor of the room in which the window is located. Operable sections of windows shall not permit openings that allow passage of a 4 inch (102 mm) diameter sphere where such openings are located within 24 inches (610 mm) of the finished floor.~~

~~Exceptions:~~

- ~~1. Windows whose openings will not allow a 4 inch diameter (102 mm) sphere to pass through the opening when the opening is in its largest position.~~
- ~~2. Openings that are provided with window fall prevention devices that comply with Section R612.3.~~
- ~~3. Openings that are provided with fall prevention devices that comply with ASTM 2090.~~
- ~~4. Windows that are provided with opening limiting devices that comply with Section R612.4.~~

~~**R612.3 Window fall prevention devices.** Window fall prevention devices and window guards, where provided, shall comply with requirements~~

~~**R612.4 Window opening limiting devices.** When required elsewhere in this code, window opening limited devices shall comply with the provisions of this section.~~

~~**R612.4.1 General requirements.** Window opening limiting devices shall be self acting and shall be positioned so as to prohibit the free passage of a 4.0 in. (102 mm) diameter rigid sphere through the window opening when the window opening limiting device is installed in accordance with the manufacturer's instructions.~~

~~**R612.4.2 Operation for emergency escape.** Window opening limiting devices shall be designed with release mechanisms to allow for emergency escape through the window opening without the need for keys, tools or special knowledge. Window opening limiting devices shall comply with all of the following:~~

1. ~~Release of the window opening limiting device shall require no more than 15 pounds (66 N) of force.~~
2. ~~The window opening limiting device release mechanism shall operate properly n all types of weather.~~
3. ~~Window opening limiting devices shall have their release mechanisms clearly identified for proper use in an emergency.~~
4. ~~The window opening limiting device shall not reduce the minimum net clear opening area of the window unit below what is required by Section R310.1.1 of the code.~~

Reason:

This amendment is offered as the proposed language conflicts with egress requirements. Additionally, these requirements will not allow for double hung windows and other features requested by potential home owners.

Cost Impact:

The proposed amendment offers minimal cost savings.

City's Response:

The building division disagrees with this recommendation that these sections be deleted in their entirety. The intent of these provisions is to prevent small children from falling out of open windows with sills located more than 6 feet above grade that have a sill height of less than 24 inches from the finished floor. These provisions do not prohibit double-hung windows and they do not conflict with emergency escape and rescue opening requirements.

38.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: *2009 International Residential Code*

Code Section: R903.5

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

~~R903.5 Section R903.5 Hail Exposure.~~ ~~Hail exposure, as specified in Sections 903.5.1 and R903.5.2, shall be determined using figure R903.5.~~

~~R903.5.1 Moderate Hail Exposure.~~ ~~One or more hail days with hail diameters larger than 1.5 inches (38mm) in a 20-year period.~~

~~R903.5.2 Severe Hail Exposure.~~ ~~One or more hail days with hail diameters larger than or equal to 2.0 inches (51mm) in a 20-year period."~~

Reason:

Amendment offered as these requirements are unnecessary in the St. Louis area.

 **Cost Impact:**

City's Response:

The building Division believes this recommendation is unnecessary. The map in Figure R903.5 shows this area as having no moderate or severe exposure.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R905.2.8.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R905.2.8.2 Valleys. Valley linings shall be installed in accordance with the manufacturer's installation instructions before applying shingles. Valley linings of the following types shall be permitted:

1. For open valleys (valley lining exposed) lined with metal, the valley lining shall be at least 24 inches (610 mm) wide and of any of the corrosion-resistant metals in table R905.2.8.2.
2. For open valleys, valley lining of two plies of mineral surfaced roll roofing, complying with ASTM D 3909 or ASTM D 6380 Class M, shall be permitted. The bottom layer shall be 18 inches (457 mm) and the top layer a minimum of 36 inches (914 mm) wide.
3. For closed valleys (valley covered with shingles), valley lining of ~~one~~ two ply of ~~smooth roll roofing 15 pound felt~~ complying with ~~ASTM D 6380 and at least 36 inches wide (914 mm)~~ ASTM D 226 Type I, ASTM D 4869 Type I, or ASTM D 6757 or valley lining as described in Items 1 and 2 above shall be permitted. Self adhering polymer modified bitumen underlayment complying with ASTM D 1970 shall be permitted in lieu of the lining material.

Reason:

This amendment is proposed as it maintains the existing construction practices and preserves the esthetic integrity of the roof.

Cost Impact:

Estimated cost impacts are minimal.

City's Response:

The building division disagrees with this recommendation. This section, as written, requires a heavier roofing material for the valley lining. This lining is installed under the roof shingles and will have no aesthetic impact on a roof.

40.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: R1006.1.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R1006.1.1 Factory-built fireplaces. Exterior combustion air ducts for factory-built fireplaces shall be a listed component of the fireplace or equivalent and shall be installed according to the fireplace manufacturer's instructions.

Reason:

The proposed amendment provides purchasers options but maintains that all fire place duct work is properly suited and installed.

Cost Impact:

Estimated cost impact is minimal.

 City's Response:

The building division disagrees with this recommendation. The 'listed component' requirement ensures the air duct is compatible with the fireplace. 'Or equivalent' is vague language that would be difficult to enforce.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R1006.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

R1006.2 Exterior air intake. The exterior air intake on masonry fireplaces shall be capable of supplying ~~all~~ *combustion air* from the exterior of the *dwelling* or from spaces within the *dwelling* ventilated with outside air such as non-mechanically ventilated crawl or attic spaces. The exterior air intake shall not be located within the garage or *basement* of the *dwelling* nor shall the air intake be located at an elevation higher than the firebox. The exterior air intake shall be covered with a corrosion-resistant screen of 1/4 inch (6 mm) mesh.

Reason:

The amendment was proposed to provide clarification.

Cost Impact:

No cost impact.

City's Response:

The building division disagrees with this recommendation. The intent of the code is that exterior air (for combustion) be provided for both factory-built and masonry fireplaces. See Section R1006.1.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: N1101.9

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

N1101.9 Certificate. ~~A permanent certificate shall be posted on or near in the electrical distribution panel. The certificate shall not cover or obstruct the visibility of the circuit directory label, or service disconnect label or other required labels. The certificate shall be completed by the builder or registered design professional. The certificate shall list the predominant R-values of insulation installed in or on ceiling/roof, walls, foundation (slab, basement wall, crawlspace wall and/or floor) and ducts outside conditioned spaces; U-factors for fenestration; and the solar heat gain coefficient (SHGC) of fenestration. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the types of efficiencies of heating, cooling, and service water heating equipment. Where a gas-fired unvented room heater, electric furnace and/or baseboard electric heater is installed in the residence, the certificate shall list "gas-fired unvented room heater," electric furnace" or "baseboard electric heater," as appropriate. An efficiency shall not be listed for gas-fired unvented room heaters, electric furnaces or electric baseboard heaters.~~

Reason:

Information is already available on each product installed. If not, labels can be added as appropriate. There is also a concern over the details of the permanent certificate. How is permanence defined and assured? Who certifies the structure?

Cost Impact:

Approximate cost savings by deleting this portion of the code \$200.

City's Response:

The building division disagrees with this recommendation. This section is intended to increase the consumer's awareness of the energy efficiency ratings for various building elements in their home. The buyer can quickly determine that the home complies with the

43.

energy conservation code. If this section is deleted, the same section would need to be deleted from the adopting ordinance for the 2009 IECC.

44.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: Table N1102.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows: Table 1102.1 Insulation and Fenestration Requirements by Component

Climate Zone	Fenestration U-Factor	Skylight U-Factor	Glazed Fenestration SHGC	Ceiling R-Value	Wood Frame Wall R-Value	Mass Wall R-Value	Floor R-Value	Basement Wall Value	Slab R-Value and Depth	Crawl Space Wall R-Value
1	1.2	0.75	0.35	30	13	3/4	13	0	0	0
2	0.65	0.75	0.35	30	13	4/6	13	0	0	0
3	0.5	0.65	0.35	30	13	5/8	19	5/13 0	0	5/13 0
4 except Marine	0.35-0.40	0.60	NR	38 30	13	5/10	19	10/13 0	10, 2 ft	10/13 0
5 and Marine 4	0.35	0.60	NR	38	20 or 13 + 5 ^h	13/17	30 ^f	10/13	10, 2 ft	10/13
6	0.35	0.60	NR	49	20 or 13 + 5 ^h	15/19	30 ^g	10/13	10, 4 ft	10/13
7 and 8	0.35	0.60	NR	49	21	19/21	30 ^g	10/13	10, 4 ft	10/13

- R-values are minimums. U-factors and solar heat gain coefficient (SHGC) are maximums. R-19 batts compressed into nominal 2x6 framing cavity such that the R-value is reduced by R-1 or more shall be marked with the compressed batt R-value in addition to the full thickness R-value.
- The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.
- The first R-value applies to continuous insulation, the second to framing cavity insulation; either insulation meets the requirement.
- R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.
- There are not SHGC requirements in the Marine Zone.
- Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.2 or Table N1101.2.
- Or insulation sufficient to fill the framing cavity, R-19 minimum.
- "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25% or less of the exterior, R05 sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25% of the exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.

- i. For impact-related fenestration complying with Section R301.2.1.2, the maximum U-factor shall be 0.75 in zone 2 and 0.65 in zone 3.
- j. For impact-resistant fenestration complying with Section R301.2.1.2 of the International Residential Code, the maximum SHGC shall be 0.40.
- k. The second R-value applies when more than half of the insulation is on the interior.
- l. Exception: Unfinished basements may have up to a maximum of 20% of the total basement wall area exposed above the outside finished grade/ground level as un-insulated concrete foundation walls. The foundation wall area above the outside finished grade/ground level that may be un-insulated is determined by the formula .20 times the basement wall height of all walls (including insulated exterior frame walls for walkout basements and walls common to both basement and attached garages) times the perimeter of these basement walls. In unfinished areas the basement foundation wall insulation shall extend down to the basement floor slab or to a minimum of 24 inches below outside finished grade when the grade is above the floor slab elevation.

Reason:

Requiring excessive insulation will lead to a number of health and safety issues for consumers living in the dwelling for years to come, especially when mandated, as a poorly constructed but tight thermal envelope can lead to mold and other toxins in the dwelling. The changes in this table allow for efficiency concerns to be more than adequately addressed while still allowing for the appropriate amount of ventilation in the dwelling to protect consumer health. Generally, except for two of the changes, the revised table above echoes the provisions of the 2006 IRC and adds footnote "1" that is from the current St. Louis County Building Code Ordinance (N1102.1 "Thermal Performance Criteria – Minimum R-Values").

Cost Impact:

The proposed amendments to the table would save approximately \$500 to \$1,200 per home (cost will vary with size and design of the home).

City's Response:

The building division disagrees with this recommendation. The lower Fenestration U-Factor and higher R values for ceilings, basement and crawl space walls will result in higher energy conservation and lower energy costs for residents of new homes and room additions in Creve Coeur (Climate Zone 4). The building division is unaware of any studies or other evidence substantiating the "mold and other toxins" concern. The deletion of these requirements would also have to be made to the adopting ordinance for the 2009 IECC.

46.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: N1102.2.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

N1102.2.3 Access hatches and doors. Access doors from *conditioned spaces* to unconditioned spaces (e.g., attics and crawl) spaces shall be ~~weather-stripped and~~ insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all *equipment* which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the *attic* access is opened and to provide the permanent means of maintaining the installed R-value of the loose fill insulation.

Reason:

Requiring weather access doors be weather stripped will create technical problems and impede door function. Insulation should provide adequate protection to meet regulation's intent.

 **Cost Impact:**

Approximate cost savings from proposed code change \$235.

City's Response:

The building division disagrees with this recommendation. The portion of a ceiling used for an attic access door is a weak part of the thermal envelope. Insulating and weather stripping the attic access door will prevent loss of energy through this opening. Deletion of the weather stripping would also need to be made to the adopting ordinance of the 2009 IECC.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: N1102.4.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

N1102.4.1 Building thermal envelope.—The building thermal envelope shall be durably sealed to limit infiltration. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. The following shall be caulked, gasketed, weatherstripped or otherwise sealed with an air barrier material, suitable film or solid material.

- ~~1. All joints, seams and penetrations.~~
- ~~2. Site built windows, doors and skylights.~~
- ~~3.~~ 1. Openings between window and door assemblies and their respective jambs and framing.
- ~~4.~~ 2. Utility penetrations.
- ~~5. Dropped ceilings or chases adjacent to the thermal envelope.~~
- ~~6. Knee walls.~~
- ~~7.~~ 3. Walls and ceilings separating the garage from conditioned spaces.
- ~~8.~~ 4. Behind tubs and showers on exterior walls.
- ~~9.~~ 5. Common walls between dwelling units.
- ~~10. Attic access openings.~~
- ~~11.~~ 6. Rim joists junction.
- ~~12.~~ 7. Other sources of infiltration.

Reason:

There is great concern that enforcing these requirements and results not always anticipated by the code. Results include mold and other hazardous toxins which may later cause serious health problems for the dwelling's occupants. Therefore out of concern for the health and well being of the future occupant, it is best to let the builder exceed a minimum code and build a home according to their own level of skill and expertise.

Cost Impact:

Approximate savings, as per code change recommended above, \$500 to \$1,800 varies with home size and design.

48.

City's Response:

The city sees no reason to delete the sealing of certain sources of air infiltration through the thermal envelope. It is the continuity created by sealing all the barrier penetrations that will ensure the building's thermal envelope will be properly sealed against air infiltration. The city is not aware of any studies or other evidence substantiating that health problems will be caused by sealing the thermal envelope. These deletions would also need to be made to the adopting ordinance for the 2009 IECC.

49.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: N1102.4.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

N1102.4.2 Air sealing and insulation. At the builder's discretion, Bbuilding envelope air tightness and insulation installation shall be demonstrated to comply with one of the following options given by Section N1102.4.1 or N1102.4.2.2.

Reason:

A performance path for the thermal envelope provides a better use of the thermal envelope than a prescriptive path that enforces requirements not always anticipated by the code, which may later cause serious health problems for the dwelling's occupants. There are concerns over the number of qualified professionals in Missouri to conduct such testing.

Cost Impact:

Amendment could decrease costs by \$2,000 but that would be at the builder's discretion to choose, and it does not outweigh the code requirements in Chapter 11 that will significantly increase the cost of building.

City's Response:

The building division disagrees with this recommendation. Instead of a code requirement, the proposed language makes compliance with this section voluntary. The provisions of this section are intended to reduce the energy lost to infiltration and to improve insulation installation. This section includes 2 methods for demonstrating a home has a moderate level of air control. The building division is unaware of any studies or other evidence that shows sealing the building thermal envelope "may later cause serious health problems for the dwelling's occupants". The building division is also unaware of any shortage of qualified professionals who can conduct these tests.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: N1102.4.2.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

N1102.4.2.2 Visual inspection option. The items listed in Table N1102.4.2, applicable to the method of construction, are field verified. Where required by the code official, an approved party independent from the installer of the insulation or builder representative, shall inspect the air barrier and insulation.

Reason:

This amendment is suggested as there is a serious shortage of qualified professionals to administer such test, which would lead to serious set backs in building and potential problems with unqualified personnel falsifying their training.

Cost Impact:

No estimated cost impact.

City's Response:

The building division disagrees with this recommendation. This section specifies a second option for verifying the air tightness of the building thermal envelope. The intent of this section is for a city-approved, independent, third-party to make this inspection. The building division is unaware of any shortages of qualified professionals capable of making this visual inspection.

51.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: N1102.4.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

~~**N1102.4.3 Fireplaces.** New wood burning fireplaces shall have gasketed doors and outdoor combustion air.~~

Reason:

Typically, wood burning fire places do not have doors, and builders cannot be expected to comply with a code when manufacturers do not produce a product being mandated. Also, forcing a fire box or fire place to comply with regulations that are recommended by the code but not the manufacturer would void the warranty on the product and be a serious risk to health and safety.

Cost Impact:

Removing the requirement from the code could save anywhere from \$6,000 to \$10,000 – price varies with size and style of fireplace.

City's Response:

The building division disagrees with this recommendation. Wood-burning fireplaces are a large source of air leakage when not in use. Loss of energy from fireplaces can be reduced by having gasketed doors that can be closed when not in use. Combustion air is already required by other sections of the code. If this section is deleted, the same section would need to be deleted from the city's adopting ordinance for the 2009 IECC.

52.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: N1103.2.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

N1103.2.1 Insulation. Supply ducts in attics and all other ducts shall be insulated to a minimum of R-8 R-4. ~~All other ducts shall be insulated to a minimum of R-6.~~

Reason:

Insulation to meet the requirement of a minimum R-8 and R-6 are not currently available in the St. Louis market and would require costly provisions to make those supplies available. R-4 materials are readily available, affordable for homeowners and provide adequate insulation for St. Louis' climate.

Cost Impact:

The proposed amendment will save approximately \$300 to \$500 per home.

 City's Response:

The building division sees no reason for these less restrictive requirements to be included in the city's new residential building code. In speaking with area HVAC contractors, the R-6 and R-8 duct insulation is available. The initial cost will be offset by long-term energy cost savings to the buyers.

53.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: N1103.2.2

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

N1103.2.2 Sealing. Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601.4. ~~Duct tightness shall be verified by either of the following:~~

- ~~1. Post construction test: Leakage to outdoors shall be less than or equal to 8 cfm (3.78 L/s) per 100 ft² (9.29 m²) of conditioned floor area or total leakage less than or equal to 12 cfm (5.66 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of .1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler end closure. All register boots shall be taped or otherwise sealed during the test.~~
 - ~~2. Rough-in test: total leakage shall be less than or equal to 6cfm (2.83 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w/g/ (25 Pa) across the roughed in enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm (1.89 L/s) per 100 ft² (9.29 m²) of conditioned floor area.~~
- Exception:** Duct sealing and tightness test is not required if the air handler and all most ducts are located within *conditioned space*.

Reason:

Provision is irrelevant as little residential equipment is located in the attic. But, it is a serious concern that there are few qualified individuals to conduct such tests, and these provisions will dramatically increase the cost of housing if mandated.

Cost Impact:

Estimated cost savings of amendment is \$800 per home.

City's Response:

The building division disagrees with this recommendation. If a new home has ducts or equipment located in an attic or crawl space these leakage tests will determine if conditioned air is being lost (leaked) to unconditioned spaces resulting in higher energy costs to the buyer.

54.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R1305.1.4.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

M1305.1.4.1 Ground clearance. *Equipment and appliances* supported from the ground shall be level and firmly supported on a concrete slab or other *approved* material extending not less than 3 2 inches (76 50.8 mm) above the adjoining ground. Such support shall be in accordance with the manufacture's installation instructions. *Appliances* suspended from the floor shall have a clearance of not less than 6 inches (152 mm) from the ground.

Reason:

The extra inch of ground clearance offers no life or safety benefit to the homeowner. But, it does raise the cost of air conditioning systems as current concrete lifts do not meet this provision of the code and would require stacking and other expensive manipulations to achieve 3" above grade.

Cost Impact:

Cost savings:

Extra slab of concrete \$75 per inch/per unit

Custom concrete slab \$150 to 450 per unit

City's Response:

The building division disagrees with this recommendation. The intent of the 3 inches above grade is to keep the appliance being supported well above grade and protected from prolonged exposure to moisture and soil. The 3 inch minimum also provides some protection against settling of the slab.

55.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: R1411.6

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

M1411.6 Locking access port caps. Refrigerant circuit access ports located outdoors shall be fitted with non-locking-type tamper-resistant caps.

Reason:

Locking type tamper-resistant caps are not currently available through manufacturers. Requiring this provision will not only increase the costs more than just the cost of the specific cap as it will require additional tools and training for installation and use.

Cost Impact:

If amended, then cost would decrease approximately \$100 per device – cap, installation, new equipment and training.

City's Response:

The building division disagrees with this recommendation. The locking cap requirement is intended to address a new type of substance abuse where people intentionally inhale refrigerant gases for the intoxicating effect. In some cases, this inhalant abuse has resulted in the death of an individual. The locking-type caps are designed such that wrenches, pliers and fingers cannot be used to remove the caps without a special tool/key.

56.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: M1503.4

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

M 1503.4 Make up air required. Exhaust hood systems capable of exhausting in excess of 400 600 cubic feet per minute ($0.19\text{m}^3/\text{s}$) shall be provided with makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Reason:

This new regulation increasing the requirement for make-up air would lower the threshold to the point that almost all kitchens would require make-up air. All of the provisions associated with installing such a system – connections to exhaust systems, electrical interlocking, fan requirements and a conditioner – would dramatically increase the cost of construction with little to no health or safety benefit for the homeowner.

 Cost Impact:

City's Response:

Research has shown that kitchen exhaust systems with an exhaust flow rate in excess of 400 cfm for an individual dwelling unit are greatly oversized. The industry recommendation is a minimum of 40 cfm exhaust rate per linear foot of cooktop. A 48 inch wide cooktop can be adequately served by an exhaust system that has an exhaust rate of 160 cfm. The continued operation of a kitchen exhaust system with an exhaust flow rate in excess of 400 cfm can "depressurize" an air-tight home to the point that "backdrafting" of carbon monoxide gases from gas-fired appliances and woodburning fireplaces can occur. This code requirement is recommended by several mechanical contractors who have stated that the 400 cfm threshold is reasonable and that any exhaust system greater than 400 cfm resembles a commercial-type range hood that is required to be provided with make-up air.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: Table M1601.1.1(2)

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

Duct Size	Minimum Thickness Inches and (mm)	Equivalent Galvanized Sheet No.	Minimum Thickness (in.)
Round Ducts and enclosed rectangular ducts			
14 inches or less	0.0157 (0.3950 mm)	28	0.0175
16 and 18 inches	0.0187 (0.4712 mm)	26	0.018
20 inches and over	0.0236 (0.6010 mm)	24	0.023
Exposed rectangular ducts			
14 inches or	0.0157 (0.3950 mm)	28	0.0175
Over 14 inches	0.0187 (0.4712 mm)	26	0.018

Type of Duct	Size (inches)	Minimum Thickness (inch)	Equivalent Galvanized Sheet Gauge	Approximate Aluminum B & S Gauge
<u>Round ducts and enclosed rectangular ducts</u>				
	<u>14 or less</u>	<u>0.013</u>	<u>30</u>	<u>26</u>
	<u>Over 14</u>	<u>0.016</u>	<u>28</u>	<u>24</u>
<u>Exposed rectangular ducts</u>				
	<u>14 or less</u>	<u>0.016</u>	<u>28</u>	<u>24</u>
	<u>Over 14</u>	<u>0.019</u>	<u>26</u>	<u>22</u>

Reason:

New provisions listed would require pipe manufacturers to change their complete manufacturing systems and when combined with additional labor it would be an extremely expensive change with little to no health or safety benefit. Proposed table is from the 2006 IRC.

Cost Impact:

If amended, there would be an approximate decrease of \$300 to \$400 in material and labor

58.

City's Response:

The building division disagrees with this recommendation. The 2009 IRC has increased the minimum thicknesses for all round ducts. The minimum thicknesses indicated are the low end of the tolerance range according to SMACNA HVAC Duct Construction Standards.

59

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: M1601.4.1

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

M1601.4.1 Joints and seams. Joints of *duct systems* shall be made substantially airtight in an unconditioned area by means of tapes, mastics, liquid sealants, gasketing or other *approved* closure systems. Closure systems used with rigid fibrous glass ducts shall comply with UL181A and shall be marked 101A-P for pressure-sensitive tape, 181 A-M for mastic or 181 A0H for heat-sensitive tape. Closure systems used with flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked 181B-FX for pressure-sensitive tape or 181B-M for mastic. Duct connections to flanges of air distribution system *equipment* or sheet metal fittings shall be mechanically fastened. Mechanical fasteners for use with flexible nonmetallic air ducts shall comply with UL181B and shall be marked 181B-C. Crimp joints for round metal ducts shall have a contact lap of at least 1½ means of at least three sheet-metal screws or rivets equally spaced around the joint. Closure systems used to seal metal ductwork shall be installed in accordance with the manufacturer's installation instructions.

Reason:

Efficiency mandated in language without new additional language is not a health or safety issue for the dwelling's occupants. These type of mandates should be a choice and lifestyle chosen by the consumer so that they have the desire and energy to fully understand how system changes, such as these, will effect their life in their home.

Cost Impact:

If amended, there would be an approximate decrease of \$500 to \$2,000 depending on the size of the home.



City's response:

The building division disagrees with this recommendation. The intent of the building code is to seal all joints and seams in all duct systems. The EPA estimates that 20 percent of the energy efficiency of heating and cooling systems can be lost due to duct air leaks located in basements, stud cavities, crawl spaces, attics, etc.

60.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: 2009 *International Residential Code*

Code Section: G2408.4

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

G2408.4 (350.7) Clearances from grade. Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending not less than ~~3~~ 2 inches (~~76~~ 50.8 mm) above adjoining grade or shall be suspended not less than 6 inches (152 mm) above adjoining grade. Such supports shall be installed in accordance with the manufacturer's installation instructions.

Reason:

The extra inch of ground clearance offers no life or safety benefit to the homeowner. But, it does raise the cost of air conditioning systems as current concrete lifts do not meet this requirement.

Cost Impact:

Cost savings range from \$225 to \$525:

Extra slab of concrete \$75 per inch/per unit

Custom concrete slab \$150 to 450 per unit

 **City's Response:**

See city's response to M1305.1.4.1

61.

Creve Coeur
Building Code Review

Code Change Proposal Form

Code: 2009 International Residential Code

Code Section: P 2503.6

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

P2503.6 Shower liner test. ~~Where shower floors and receptors are made water tight by the application of materials required by Section 2709.2, the completed liner installation shall be tested. The pipe from the shower drain shall be plugged water tight for the test. The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Where a threshold of at least 2 inches high does not exist, a temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2 inches deep measured at the threshold. The water shall be retained for a test period of not less than 15 minutes and there shall be no evidence of leakage.~~

Reason:

Leaks are not known at the time of the liner test as these are typically not evident until the tile and insulation are installed.

Cost Impact:

Approximately \$50 cost savings



City's Response: The city has adopted the same plumbing code as St. Louis County. The city contracts with the county to issue the city's plumbing permits and make the city's plumbing inspections.

62.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: *2009 International Residential Code*

Code Section: P 2706.3

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

P2706.3 Prohibited waste receptors. Plumbing fixtures that are used for washing or bathing shall not be used to receive the discharge of indirect waste piping.

Exceptions:

1. A kitchen sink trap is acceptable for use as a receptor for a dishwasher.
2. A laundry tray is acceptable for use as a receptor for a clothes washing machine.
3. A condensate drain for use as a receptor from mechanical equipment.

Reason:

Condensate lines running from mechanical equipment to receptors can be the most efficient and effective method for discharge.

Cost Impact:

City's Response: The city has adopted the same plumbing code as St. Louis County. The city contracts with the county to issue the city's plumbing permits and make the city's plumbing inspections.

63.

**Creve Coeur
Building Code Review**

Code Change Proposal Form

Code: *2009 International Residential Code*

Code Section: P 2903.5

Proponent: Home Builders Association of St. Louis and Eastern Missouri

Revise as follows:

P 2903.5 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor shall be installed where quick-closing valves are used. Water-hammer arrestors shall be installed in accordance with the manufacturer's installation instructions. Water hammer arrestors shall conform to ASSE 1010.

Reason:

This amendment is offered because the quick shut off arrestor is preferred as air pockets form on quick close fixtures, not arrestors, and this practice is better for the health and safety of the occupant.

Cost Impact:

Estimates show a minimal cost decrease



City's Response: The city has adopted the same plumbing code as St. Louis County. The city contracts with the county to issue the city's plumbing permits and make the city's plumbing inspections.

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EXHIBIT D

March 8, 2013

Mr Steve Unser, Chief Building Official
City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur MO 63141

Re: Comments on Proposed IRC 2009 Residential Building Code

Dear Mr. Unser,

The following comments are offered for consideration.

R102.8 Matters Not Provided For

This item, carried over from the existing ordinance, differs from customary building code enforcement practice, which authorizes enforcement of code provisions that are explicitly stated. The proposed section expands enforcement to additional provisions that are deemed "essential" in the opinion of the building official. In effect, this section authorizes creation of ex post facto regulation, makes the City building official a code-writer and subjects design professionals and contractors to unanticipated Code requirements that may delay completion and increase project costs. All of which is inappropriate for code enforcement.

Recommendation: Delete section.

Building Division's Response:

This section has been in the city's building code since 1976. The city attorney has reviewed this section and found it not to be contrary with any state laws. Evolving technology inevitably results in a situation or circumstance in which the code is silent on hazards since identified. The reasonable application of the code to such hazardous, unforeseen conditions is provided for in this section. The purpose of this section is not to impair requirements that may be preferred when the code provides for alternative methods or is not silent on the circumstances. Also, per Section R112.1, any decision of the building official may be appealed to the Building Code Board of Appeals.

R104.12 Rule-making Authority

This section derives its authority from Missouri statutes regarding rule-making, which limit rules to procedures for implementing existing regulations and which requires

adherence to a statutory rule-making procedure that involves publication, notice, and hearings. Application has not followed the statutory limitations.

Recommendation: Delete section or revise the first sentence as follows, “The building official shall have authority *in accordance with Missouri statutes regarding rule-making*, as necessary ...”

Building Division's Response:

This section has been in the city's building code since 1976. The city attorney has reviewed this section and found it not to be contrary with any state laws. The intent of this section is to give the building official the administrative authority to promulgate rules and regulations that serve to interpret or supplement the provisions of the code, as long as such rules conform to the intent of the code. These rules are not intended to set aside or waive any code provisions, but are intended to implement code compliance. These rules are not to conflict with accepted engineering practice or reduce the level of life safety prescribed by the code. The most frequent use of this authority is the promulgation of the administrative rules and procedures for the division's efficient and effective operation. An example of the content of administrative rules is the type of work that is required to be inspected per Sections R109.1 through R109.3.14.

R302.14 Fire protection of floors

This item from IRC 2012 accelerates the customary code adoption cycle by three years. It is therefore not coordinated with the 2009 code and pushes the limits of building materials technology. It requires installation of drywall basement ceilings unless dimensional (typical 2x12) lumber is used. It effectively prohibits use of composite trusses commonly referred to as “I-joists, “TJ’s” or truss-joists, which have been common practice for 35 years. No instances of issues in Creve Coeur were offered as justification.

The justification is based on physical fire tests and a Finite Element Method computer simulation conducted by Underwriters Laboratory, a private testing service. The UL fire test case used 14' long, 11-7/8" deep joists spaced 24" on center, exposed to a gas-fired furnace capable of producing temperatures of 1200-1400F. Two 300 pound weights were placed mid-span. The test ran for 6 minutes at which point the floor collapsed.

The test is not representative of typical Creve Coeur residential construction because it uses wide 24" joist spacing, immediately applies high furnace temperatures and disregards the benefit of smoke/fire detectors, which will initiate occupant evacuation and hasten fire department response. Under actual fire conditions the detectors would alarm a fire condition well before the test temperatures are reached, initiating FD response and evacuation.

TJ's have become common because they produce an economical main floor deck that is stiff, solid and flat. The web (vertical element of the joist) is made of oriented strand board, a pressed and temperature cured composite of wood and resin. The proposed amendment produces a choice that no homeowner will want: dimensional lumber or inaccessible plumbing, wiring and HVAC ductwork. Dimensional lumber is costly to

purchase and install, prone to warping, twisting and checking, and functionally undesirable due to resultant bouncy, squeaking floors when the lumber dries out and deforms. Because TJ's are manufactured from flaked wood rather than solid lumber, they earn LEED credits for resource reutilization. Installing a drywall basement ceiling greatly extends the construction schedule by requiring all utilities to be finally connected and tested before the ceiling can be closed. It also makes future remodeling much more difficult and costly because portions of the drywall will have to be removed and replaced.

In response to the forthcoming 2012 code cycle, Weyerhaeuser has developed and tested a new TJ that has a 1-hour fire resistance rating. It is not yet widely available but is planned for national release late in 2013. It uses an intumescent paint that expands in the presence of heat, insulating the underlying wood substrate from the fire heat.

Alternative measures will produce improved fire safety integrity:

1. limit maximum joist spacing to 18" and the maximum unsupported span to 14' between steel support beams.
2. require wired fire/smoke detection
3. except areas protected by fire-rated lay-in suspended ceilings, which easily produces a 30-minute rating while allowing finished family rooms to have fewer columns without compromising accessibility or fire-safety

Recommendation: Defer consideration until the 2012 code cycle, which gives joist manufacturers time to distribute fire-rated joists and time for code-writers to develop alternative equivalent designs, if still necessary.

Building Division's Response:

For reasons previously stated on the building division's page of the city's website, the building division believes that this proposed amendment is necessary. This proposed amendment is already required in the 2012 IRC which was published over a year ago. There is no doubt that engineered wood products such as I-joists, when installed per the manufacturer's recommendations, meet all structural code requirements. A deficiency they have is how they perform during a fire event. When unprotected, they burn faster than dimensional lumber, which raises the concern regarding firefighter safety during fire rescue operations. There are documented cases of firefighters being injured and even killed because of the rapid failure of these type of joists during fire events. The building division believes the additional 15-20 minutes of fire protection afforded by this ½" membrane outweighs the cost and possible inconvenience of installing it.

M1503.1 General (Kitchen range hoods)

This section has internal conflicts between hoods which exhaust to the outside and those recirculation hoods which have no connecting ductwork. For example, "either type of system shall be a listed exhaust system" requires exhaust ductwork on a recirculation system that has no ductwork. Customarily this section defines the requirements for systems that exhaust to outside and then excepts recirculation systems.

Recommendation: Limit section to vented hoods followed by an exception for recirculation systems

Building Division's Response:

The building division agrees with this comment. The original code language is less confusing and has an exception for ductless range hoods/recirculation systems.

M1503.4 Makeup air required

This section requires tempered makeup air for kitchen range hoods that exceed 400 cfm. The justification for the 400 cfm cutoff is that larger systems are “greatly oversized” and may cause back drafting products of combustion from gas-fired appliances such as furnaces and water heaters. The “oversized” statement is not supported by the International Mechanical Code (IMC 1346.6010 Appx C) which recommends a minimum of 450 CFM for a 9 sq ft kitchen exhaust hood against a wall and 675 CFM for an island installation. Larger hoods over larger ranges have minimum capacities up to 800 cfm. The 400 cfm cutoff disregards range manufacturer recommendations and effectively eliminates most of the available range hoods supplied by Broan, GE and other hood suppliers, where 500-1200 cfm hoods are common. The 400 cfm cutoff also ignores the ASHRAE standard 62.2 recommended maximum of 15 cfm/100 sq ft finished living area. Under the ASHRAE standard, a 3500 sq ft house would be allowed a maximum 525 cfm without makeup air.

Building Division's Response:

Section 1346.6010 Appendix C is not part of the 2003 or 2009 IMC. It is also not part of St. Louis County's Mechanical Code. Section 505.2 of the 2009 IMC has the same 400 cfm threshold as M1503.4 of the 2009 IRC.

The ASHRAE 62.2 standard is not referenced by the 2009 IMC, the 2009 IRC or St. Louis County's Mechanical Code. Neither the city or St. Louis County has a copy of this standard and cannot comment on the prescribed criteria.

The HVI (Home Ventilating Institute) recommends a minimum exhaust rate of 40 cfm per linear foot of range and a maximum of 100 cfm per linear foot of range for wall-mounted hoods and a minimum of 50 cfm/ft and a maximum of 150 cfm/ft for island installations. These are the exhaust rates they say will satisfactorily capture and remove moisture, airborne contaminants and odors created during cooking. Using these prescribed minimums, a cooktop 4 feet in length could be adequately served by a 160 cfm wall-mounted exhaust hood and an island cooktop 4 feet in length could be adequately served by a 200 cfm range hood hung over the island.

The fundamental intent of this requirement is avoidance of carbon monoxide poisoning, which could result from back drafting the flue vent from a gas-fired appliance equipped with an old-style “gravity” draft hood such as a furnace or water heater. New gas-fired appliances do not have draft hoods; they are provided with sealed combustion chambers which are unaffected by “depressurization” and should therefore be exempt. Houses with air or ground source heat pumps do not have gas-fired furnaces and should be exempt. Modern instantaneous water heaters are electric or have sealed power-burners. Gas-fired fireplaces are direct-vent or non-vented. Wood fueled fireplaces are provided with outside combustion air and gasketed doors. The whole issue is greatly mitigated by requiring installation of a carbon monoxide alarm in the living area.

The fundamental intent of this requirement is to prevent carbon monoxide poisoning resulting from depressurization and backdrafting of CO fumes from gas-fired appliances served by flue vents/chimneys. However, the code is also concerned about other adverse effects that can be caused by depressurization. Indoor air quality issues can arise as a result of air being drawn from garages, mechanical rooms and storage rooms.

Finally, the requirement for electric resistance heat to temper makeup air runs completely contrary to energy efficiency as it consumes 40,000 Btuh, which is about half the energy requirement of the furnace that heats the whole house. Such a tempered makeup air system will cost over \$2000 installed. Heating outside air so it can be immediately exhausted is contrary to energy conservation. Where needed, Broan offers a hood system with an interlocked makeup air duct and damper that supplies untempered air to the hood to replace air that is being exhausted.

Various design guidelines recommend that in order to maintain occupant comfort, makeup air temperature should be a minimum of 50 degrees F or within 10 degrees F of the preferred room temperature. I've seen a Broan hood system with an interlocked makeup air duct and damper that supplies untempered outside air to the kitchen but not directly to the hood itself. In speaking with HVAC contractors they recommend that makeup air should be provided outside of the hood so that the exhaust system will function properly. It would seem drawing untempered outside air into the kitchen would not be cost effective.

Recommendation: Incorporate the following modifications:

1. Amend the 400 cfm limit to allow the larger of 400 cfm or 15 cfm/100 sq ft finished floor area, per ASHRAE 62.2-2010.
2. Eliminate the requirement for tempered makeup air.
3. Except houses without gas-fired appliances and those with appliances that have sealed combustion systems.
4. Except houses equipped with an engineered thermal recovery ventilator that admits and tempers makeup air through the ventilator.
5. Except houses with a wired carbon monoxide sensor alarm on the main floor.

Please see the reasons stated above.

Thank you for this opportunity to provide commentary. Please contact me if there are questions.

Sincerely,

EXHIBIT E

**Fire Performance of
Engineered
Lightweight Lumber**

Rich Walke
UL Regulatory Services



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December 6, 2012

December 6, 2012.

Partners With the DHS Funded Research



Underwriters Laboratories (UL)



Chicago Fire Department (CFD)



International Association of Fire Chiefs (IAFC)



Michigan State University (MSU)



3

TEST SUMMARY

Test	Assembly	Type	Ceiling	Protective Membrane Breach (min : sec)	Flame Through (min : sec)	Fire Fighter Breach (min : sec)
→ 2	Wood I-Joist Floor	Modern	None	0:00	6:00	6:03
→ 1	2x10 Joist Floor	Legacy	None	0:00	18:30	18:45
→ 3	2x10 Joist Floor	Legacy	Regular Gypsum Board	23:30	44:15	44:45
8	2x10 Joist Floor	Legacy	Lath and Plaster	74:00 ¹	79:45*	79:45
→ 4	Wood I-Joist Floor	Modern	Regular Gypsum Board	17:45	26:45*	26:45
5	Metal Gusset Truss Floor	Modern	Regular Gypsum Board	16:30	28:40	29:15
6	Finger Joint Truss Floor	Modern	Regular Gypsum Board	16:00	26:00	26:45
7	2x6 Joist & Rafter Roof	Legacy	Regular Gypsum Board	15:45	38:00 ²	40:00 ²
9	Metal Gusset Truss Roof	Modern	Regular Gypsum Board	13:45	23:00*	23:15

* - Denotes approximate time

1 - Denotes total failure of ceiling - plaster & lath had deflected down to & was supported by TC's prior to event

2 - Flaming through roof vents occurred at 26:00



NFPA Journal Cover Story: Lightweight Construction

Alan R. Earls, NFPA Journal - Monday, March 18, 2013

Early in the afternoon of August 13, 2006, the fire department in Green Bay, Wisconsin, responded to a suspected residential basement fire. An engine company focused on the flames while a ladder company worked on ventilation. The department also had a report that someone was in the building and prepared to make an entry.

Firefighters Arnie Wolff and Jo Brinkley-Chaudoir arrived on the scene four minutes after the fire was reported. Approximately seven minutes later, at the request of the incident commander, they began a search of the home's first floor. They took the precaution of crawling in and sounding the floor to ensure it could support them. The floor, made of concrete for a radiant heating system, seemed solid. Satisfied it would hold, the firefighters inched their way into the structure on their hands and knees as the fire roared beneath them in the basement.

Within moments, they heard a loud cracking sound. The floor gave way, plunging them into the fiery basement. Despite a fractured hip and ribs and first-degree burns on her back and upper arms, Brinkley-Chaudoir managed to escape by crawling through a basement window. Wolff fell into another part of the basement, separated from Brinkley-Chaudoir by a partial wall and blocked by floor debris. Wolff, a 17-year veteran of the department, perished in the fire, and his body was recovered the next day. Medical examiners determined that he had died of smoke inhalation and burns.

An after-report of the incident by the National Institute for Occupational Safety and Health found that the concrete first floor had concealed the severity of the fire in the basement. The report highlighted the extreme speed with which lightweight wood I-joists, such as those used in the house that burned, can reach their failure point when exposed to fire.

The findings have become all too familiar for firefighters. In January 2007, Hamilton County, Tennessee, lost a "firefighter of the year" in another sudden structural collapse blamed on lightweight construction that failed in a fire. In April of that year, the failure of lightweight construction in a fire contributed to the death of a rookie firefighter in Prince William County, Maryland.

Such incidents have fueled a growing concern for the fire service and pose a significant challenge to the code community. In recent decades, an expanding range of construction methods and building products, particularly wooden truss roofing systems and wood I-joists that together are often termed "lightweight construction," have been widely embraced by residential builders for their ability to deliver economy and functionality. Lightweight residential structures began to appear widely about 25 years ago, according to APA-The Engineered Wood Products Association (formerly the American Plywood Association), and have become increasingly popular ever since. From an engineering perspective, lightweight materials and construction techniques often outperform traditional dimensional lumber and assembly methods. Many recently built communities across the country are composed entirely of lightweight structures.

In separate studies by Underwriters Laboratories (UL) and the National Research Council of Canada (NRC), however, findings confirmed what firefighters have long suspected about what happens to lightweight construction when it is exposed to fire. In repeated tests by both groups, under carefully controlled conditions, lightweight structures were found to burn faster and lose their structural integrity quicker—in some cases much quicker—than those built with dimensional lumber, with obvious ramifications for the fire service and for anyone who lives in a residence constructed with lightweight materials.

For the fire service, the issues around fire and lightweight residential construction are immediate and often visceral. In Green Bay, Assistant Fire Chief Robert Goplin says the increased potential for sudden and catastrophic structural failure presented by lightweight construction is forcing his department to rethink many of its fire and rescue practices. "We are trying to drive home to the troops that this stuff

Alan R. Earls is a writer based in Franklin, Massachusetts. He specializes in technical and safety topics.

SIDEBAR

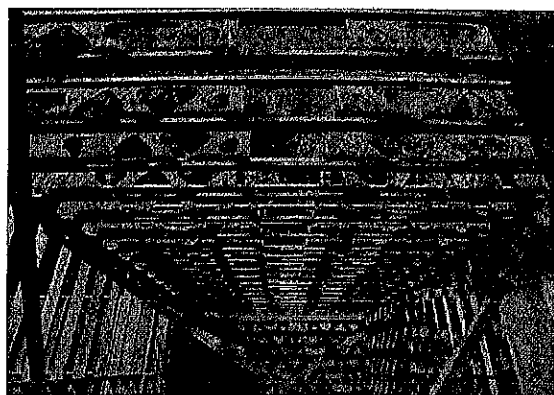
Danger for Firefighters

According to NFPA Fire Analysis and Research Department statistics, 250 firefighters died of injuries suffered at structure fires from 1997 to 2006. Of those, 44 were killed inside buildings as a result of structural collapses, and another nine were outside and struck when walls collapsed. Of the 44 killed inside, 24 were killed in roof collapses in 14 fires, 17 in floor collapses in 13 fires, two in a wall collapse in a fire, and one in a ceiling collapse.

Full details on construction are not available for many of the collapse incidents, but trusses were involved in the collapse in seven incidents. These seven incidents claimed 12 lives. Five firefighters died in two roof collapses where wood trusses, described as pre-engineered wood and lightweight wood, were involved. Three firefighters were killed in two collapses involving lightweight wood floor trusses. And another was killed in a floor collapse involving open manufactured wood I-beams.

The National Institute of Occupational Safety and Health (NIOSH) points out that carpet, ceramic tile, lightweight concrete, and similar floor coverings may increase the danger to firefighters because they add weight to the floor system and because the insulation these materials provide may cause the floor to not feel warm, despite the fire beneath it.

NIOSH also stresses that engineered wood I-joists represent a rising technology in the building sector, since it offers certain advantages over traditional construction methods. Changes in the building construction industry, driven by technological advancements and societal needs, suggest that the use of engineered wood products will continue to grow, according to NIOSH.



Even lightweight materials – Georgia Pacific XJ-85

Cost Impact: The code change proposal will increase the cost of construction.

ICCFILENAME: DECRANE-RB-1-R501.3

Public Hearing Results

Committee Action:

Disapproved

Committee Reason: Based on the proponent's request and the committee's previous action on RB85-09/10.

Assembly Action:

None

Individual Consideration Agenda

This item is on the agenda for individual consideration because public comments were submitted.

Public Comment 1:

Sean DeCrane, Cleveland, OH, Fire Department, representing the International Association of Fire Fighters; Azarang (Ozzie) Mirkhah, Las Vegas, NV, Fire & Rescue, representing Fire & Life Safety Section of the International Association of Fire Chiefs); Steven Orłowski, National Association of Home Builders, Dennis Pitts American Wood Council, American Forest & Paper Association, requests Approval as Modified by this Public Comment.

Replace proposal as follows:

R501.3 Fire protection of floors. Floor assemblies, not required elsewhere in this code to be fire resistance rated, shall be provided with a ½ inch gypsum wallboard membrane, 5/8 inch wood structural panel membrane, or equivalent on the underside of the floor framing member.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA13D, or other approved equivalent sprinkler system.
2. Floor assemblies located directly over a crawl space not intended for storage or fuel-fired appliances.
3. Portions of floor assemblies can be unprotected when complying with the following:
 - 3.1 The aggregate area of the unprotected portions shall not exceed 80 square feet per story
 - 3.2 Fire blocking in accordance with Section R302.11.1 shall be installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.

Commenter's Reason: This public comment was developed in response to the IRC Code Development Committee's comments regarding RB31, RB85, RB86, RB87 and RB88.

subjected to the same fire-test conditions, unprotected wood I-joist floors typically fail in four to eight minutes, depending on flange size and web thickness. The few minutes of difference in endurance times among the different types of joists is of no practical use to the firefighter for predicting the safety of the floor. It makes sense, therefore, that when there is a serious fire beneath a floor, there is no "safe" amount of time that anyone can remain on that floor. Any floor system protected or not, can fail unpredictably when exposed to a substantial fire beneath.

4. Gypsum Wallboard Provides Additional Floor Protection

Millions of homes have been built and are still being built with exposed wood floor joists - typically over some type of habitable basement area. The lack of a code-mandated fire-resistance requirement, such as a requirement for a one-hour fire-rated floor, means that the floor framing may not be protected on the underside.

A simple, inexpensive yet significant increase in fire resistance can be achieved in any type of joist or truss system by simply adding a single layer of gypsum wallboard to the underside of the floor joists. The use of 1/2-inch thick ordinary, unrated gypsum wallboard will very likely more than double the fire-endurance time for all commonly used wood floor joist systems, including sawn-lumber, open web wood trusses and I-joists.

Based on this, APA recommends the use of a single layer of 1/2-inch thick gypsum on the underside of all I-joists used in floor/ceiling assemblies over habitable spaces.

5. Summary

It is important for everyone, (home owner, building official, firefighter and others) to remain aware that no amount of additional protection will make any floor "safe" for any predictable minimum length of time when the underside of that floor is exposed to an intense fire. All floor/ceiling assemblies, however, will endure a severe fire longer if protected by gypsum wallboard, regardless of the type of floor framing.

Thus, firefighter and occupant safety can be addressed by early evacuation of occupants through the use of smoke detectors, by adding passive or active fire suppression such as by the use of gypsum wall board and equally important by firefighter education and pre-planning. The wood industry has been actively involved with the USFA in providing educational materials for the fire service and this effort is continuing.

Technical Services Division

DISCLAIMER

The information contained herein is based on APA - The Engineered Wood Association's continuing programs of laboratory testing, product research, and comprehensive field experience. Neither APA nor its members make any warranty, expressed or implied, or assume any legal liability or responsibility for the use, application of, and/or reference to opinions, findings, conclusions, or recommendations included in this publication. Consult your local jurisdiction or design professional to assure compliance with code, construction, and performance requirements. Because APA has no control over quality of workmanship or the conditions under which engineered wood products are used, it cannot accept responsibility of product performance or designs as actually constructed.



Creve Coeur FIRE PROTECTION DISTRICT

Administrative Center • 11221 Olive Boulevard • St. Louis, Missouri 63141-7652
Office (314) 432-5570 • Fax (314) 432-2367

April 16, 2013

Mr. Steve Unser
Building Division Manager
City of Creve Coeur

EXHIBIT I

RECEIVED
APR 16 2013
BUILDING DEPT.

Re: R501.3 Fire Protection of Floors

Dear Steve:

The Creve Coeur Fire Protection District is in full support of your amendment to the 2009 International Residential Code as follows:

R501.3 Fire protection of floors. Floor assemblies, not required elsewhere in this code to be fire-resistance rated, shall be provided with ½-inch gypsum wallboard membrane, 5/8-inch wood structural panel membrane, or equivalent on the underside of the floor framing member.

Exceptions:

1 through 4 - No changes made.

The following statistics were taken from an article written by Alan R. Earls, published in March 18, 2013 in the National Fire Protection Agency (NFPA) Journal:

According to NFPA Fire Analysis and Research Department statistics, 250 firefighters died of injuries suffered at structure fires from 1997 to 2006. Of those, 44 were killed inside buildings as a result of structural collapses, and another nine were outside and struck when walls collapsed. Of the 44 killed inside, 24 were killed in roof collapses in 14 fires, 17 in floor collapses in 13 fires, two in a wall collapse in a fire, and one in a ceiling collapse.

Full details on construction are not available for many of the collapse incidents, but trusses were involved in the collapse in seven incidents. These seven incidents claimed 12 lives. Five firefighters died in two roof collapses where wood trusses, described as pre-engineered wood and lightweight wood were involved. Three firefighters were killed in two collapses involving lightweight wood floor trusses. And another was killed in a floor collapse involving open manufactured wood I-beams.

I have attached a copy of the March 18, 2013 article with some highlighted segments.

Also, an important thing to know is that the change that is proposed has been written into the 2012 version of the IRC and the City would just be adopting this change in the 2009 version.

The ultimate goal of the Creve Coeur Fire Protection District is to provide safety for both the homeowners and the firefighters. It is our belief of that the adoption of the 2009 IRC, with this modification, will give the occupants more time to exit the structure and give firefighters the additional time to make entry to suppress a fire.

I have attached a copy of the March 18, 2013 article with some highlighted segments and a NIOSH report from the CDC describing the dangers to firefighters due to truss failures.

The Creve Coeur Fire Protection District truly appreciates your adding this amendment to your IRC adoption and appreciates the City Council's consideration in this matter.

Yours in Fire Safety:

A handwritten signature in black ink, appearing to read 'Arthur K. Oestereich', written in a cursive style.

Arthur K. Oestereich
Fire Marshal
Creve Coeur Fire Protection District



MONARCH FIRE PROTECTION DISTRICT

13725 Olive Blvd., Chesterfield, MO 63017-2640

Phone: 314.514.0900 Fax: 314.514.0696

www.monarchfpd.org

May 3, 2013

Steve Unser
Building Code Official
City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

RECEIVED
MAY 03 2013
BUILDING DEPT.

EXHIBIT J

Dear Mr. Unser:

This letter is to confirm my support of the proposed language requiring protection of engineered lightweight floors in the City of Creve Coeur adoption of the 2009 Codes.

The intent of the Code clearly states, in part, that it is "...to provide safety to fire fighters and emergency responders during emergency operations." (Section 101.3).

This requirement is vital to occupant and emergency responder safety, as the time for escape and rescue in fire conditions is drastically shortened with the use of engineered lightweight lumber and modern furnishings.

Unlike those built with traditional sawn lumber, floors built with unprotected engineered lightweight lumber collapse suddenly and without warning when exposed to fire from the underside. This has been proven through tests by Underwriters Laboratories. In the tests, the engineered lightweight floors showed no significant heat signature when viewed with a thermal imaging camera until collapse was imminent. And the time from fire ignition to collapse was a mere 6 minutes after fire ignition – less than the time it takes for fire department arrival.

However, the application of ½-inch gypsum board on the bottom of the engineered lightweight floor system in the tests increased the time to collapse by 20 minutes. This would give emergency responders considerably more time for search and rescue.

The sponsors of the Code change that inserted this requirement into the 2012 International Residential Code included the National Association of Home Builders, as well as the American Wood Council which represents the industry that manufactures engineered wood products. The vote by membership of the International Code Council overwhelmingly approved this change because those sponsoring the Code change, and the voting membership, all agreed that the facts supporting the change undeniably outweighed the opposing arguments. Unprotected engineered lightweight construction involved with fire collapses much faster, and without much warning (if any at all); however the added protection gives time for occupant escape and search and rescue by emergency responders.

For the reasons stated above, I believe it is imperative that this proposed amendment be included in the City of Creve Coeur adoption of the 2009 Codes.

If you have any questions, please call me at 314-514-0900 ext. 313, or email me at herin.r@monarchfpd.org.

Yours in Firesafety,

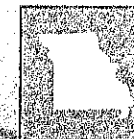
A handwritten signature in cursive script that reads "Roger N. Herin".

Roger N. Herin, MCP
Fire Marshal

COMPARISON TABLE
BETWEEN
PRESENT ENERGY CONSERVATION CODE REQUIREMENTS
AND
2009 INTERNATIONAL ENERGY CONSERVATION CODE REQUIREMENTS.

NOTE: The Building Division will recommend that the 2009 International Energy Conservation Code and Chapter 11- Energy Efficiency- of the 2009 International Residential Code be adopted as written.

Building Element	Current Requirement	2009 IRC, Chapter 11 Or 2009 IECC, Chapter 4	What St. Louis County Did
Roof R Value	30	38	30
Wall R Value	13	13	13
Floor R Value	19	19	19
Crawl Space R Value	5	10	5
Exposed Duct R Value	5	8	4
Fenestration U- Factor	0.40	0.35	0.40
Programmable Thermostats	Not Required	Required	Required
High Efficiency Light Bulbs	Not Required	Required for 50% of permanent light fixtures	Required for 50% of permanent light fixtures
Thermal Envelope Sealing/Testing	Not Required	Required	Amended 'sealing' Deleted 'testing'
Permanent Energy Conservation Certificate Posted	Not Required	Required	Deleted
Duct Sealing / Testing	Sealing Required Testing Not Required	Sealing and Testing Required	Sealing Required Testing Deleted
Wood-Burning Fireplaces	Can be open to a room.	Must have gasketed doors and outside air	Deleted
Thermal Cover for Heated Swimming Pools	Not Required	Required	Required
Insulating & Weatherstripping Attic Access Panels	Not Required	Required	Insulating Required Weatherstripping Deleted



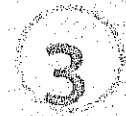
FOR NEW HOMES IN
MISSOURI
CLIMATE ZONE 4

TRUE COST OF THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE

Homes are the biggest investment we make—and everyone deserves a home that meets national minimum energy efficiency standards. While it's true that homeowners can always improve the efficiency of their homes, it is far more cost-effective to upgrade building components during construction, putting in better windows or swapping out one grade of insulation for a better one. Here's what buyers get with the 2009 IECC:



Payback Period
14 months



3-year Profit
\$476.75

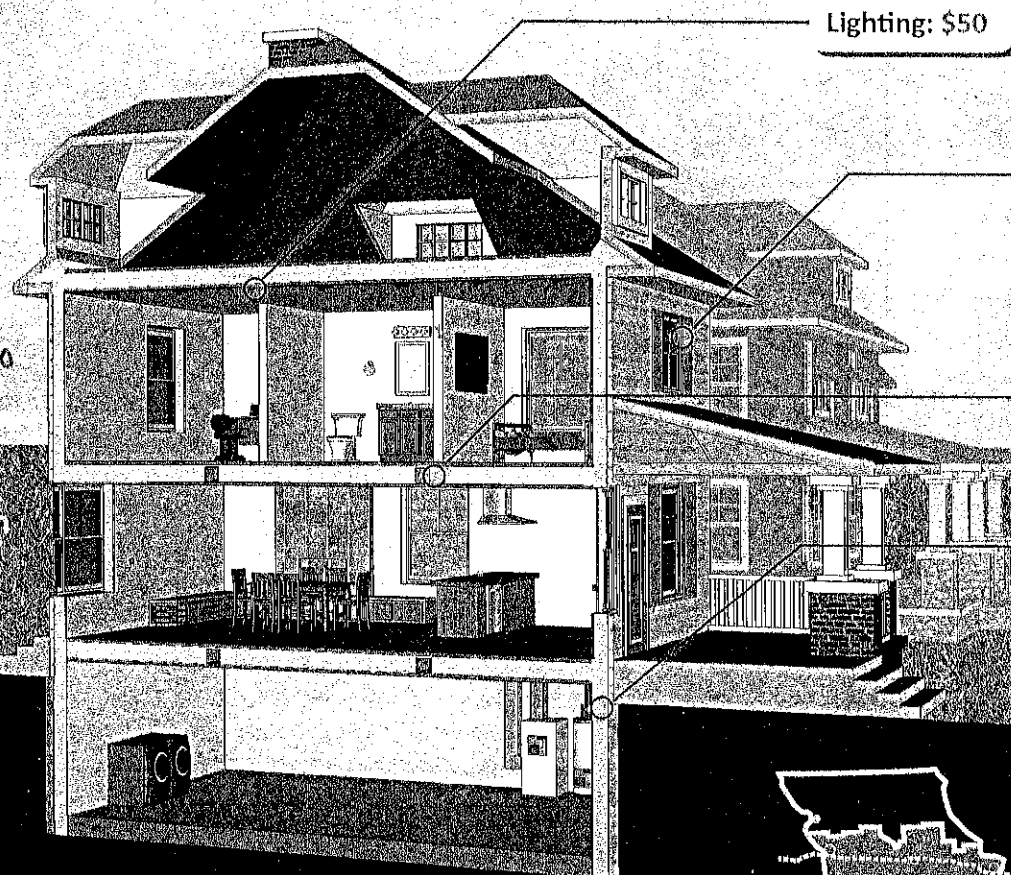


Annual Energy Reduction
18%



5-year Profit
\$992.69

18%



Climate Zone 4

u-factor: .5 $\Rightarrow$.35

r-value: 30 $\Rightarrow$ 38

□□□□□□
WINDOW
INSULATION
CEILING



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES



For the full Incremental Cost Analysis study, please visit bcap-ocean.org

TRUE COST OF THE



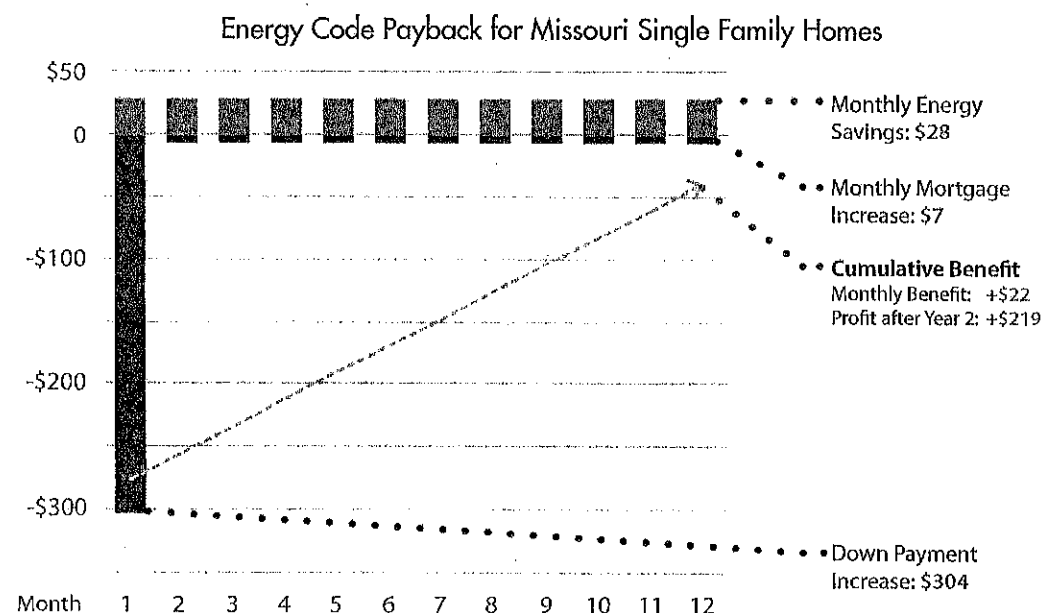
FOR NEW HOMES IN
MISSOURI
CLIMATE ZONE 4

2009 INTERNATIONAL ENERGY CONSERVATION CODE

One of the major barriers to energy code adoption across the country is the concern that new codes will add to the purchase price and potential buyers will not be able to afford the homes they want. In Missouri, upgrading homes to the 2009 International Energy Conservation Code will actually reduce out-of-pocket expenses for homeowners – paying off their initial investment in a matter of months.

For the average new home built in IECC climate zone 4*, BCAP estimates the costs of the new code will add no more than a total of \$1,519 in construction costs—an increase of only 0.6%. When this amount is rolled into the average mortgage, real costs to homebuyers will mean a down payment increase of \$303.72 and \$6.56 extra on monthly mortgage bills.

These added mortgage costs will be offset, however, by monthly energy savings of \$28.06, helping homebuyers pay off their initial investment in only fourteen months. After breaking even in month fourteen, the home will return buyers a profit of \$22 per month—for a total return of \$258 every year. This return on investment is graphed below and presented as a balance sheet at right.



Month	Mortgage Increase	Monthly Energy Savings	Cumulative Cost/Benefit
1	\$303.72	\$28.06	-\$275.66
2	\$6.56	\$28.06	-\$254.17
3	\$6.56	\$28.06	-\$232.67
4	\$6.56	\$28.06	-\$211.17
5	\$6.56	\$28.06	-\$189.67
6	\$6.56	\$28.06	-\$168.18
7	\$6.56	\$28.06	-\$146.68
8	\$6.56	\$28.06	-\$125.18
9	\$6.56	\$28.06	-\$103.68
10	\$6.56	\$28.06	-\$82.19
11	\$6.56	\$28.06	-\$60.69
12	\$6.56	\$28.06	-\$39.19
13	\$6.56	\$28.06	-\$17.69
14	\$6.56	\$28.06	\$3.81 Break Even
15	\$6.56	\$28.06	\$25.30 \$22 profit every month
16	\$6.56	\$28.06	\$46.80
17	\$6.56	\$28.06	\$68.30
18	\$6.56	\$28.06	\$89.80

This model assumes an average sale price of \$267,451 for a 2,400 square foot home. The mortgage is conservatively set at 30 years, with 20% down and the current average nationwide interest rate of 5.05%. With a lower down payment—such as 10% down—consumers will break even on their investment even sooner.

* Missouri's climate zone 4 covers the lower three-fourths of the state, and represents 93% of the state's population

RECEIVED

APR 19 2013

BUILDING DEPT.

EXHIBIT M

April 17, 2013

The Honorable Barry Glantz and
Honorable Members of the Creve Coeur City Council
300 N. New Ballas Road
Creve Coeur, MO 63141

Dear Mayor Glantz and Creve Coeur City Council Members:

The Homes Builders Association of St. Louis and Eastern Missouri (HBA) and its 600 business members are greatly concerned with the integrity of home construction. Therefore, every code cycle the HBA writes and proposes code amendments with the intent to achieve the delicate but necessary balance of maintaining superb health and safety standards while still allowing home owners to have the flexibility needed to make their residence a home that meets their families' needs and lifestyle choices.

To this end, the HBA conducts a thorough review every code cycle of the International Code Council's code products that are relevant for home construction. The review of the *2009 International Residential Code* included a varied group of industry experts including, but not limited to, builders, engineers, architects, fire service representatives, utility representatives, and various associate sub-contractor groups (electricians, plumbers, HVAC specialists, truss and window supply companies, and other various disciplines within the industry). These amendments were submitted to the City and discussed with City Staff during the public comment period of the code adoption process.

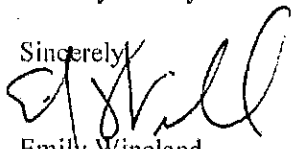
To date, none of the HBA comments were approved by City Staff for incorporation into the adopting ordinance of the City of Creve Coeur. While the HBA appreciates the consideration of staff, the dismissal of HBA's industry expertise and knowledge of the needs of consumers is disappointing. If the current version of the City's code ordinance is adopted, the City of Creve Coeur will face a significant market disadvantage when compared to its surrounding communities – Ladue, Frontenac, Olivette, Chesterfield, etc. – as those municipal codes allow greater flexibility for families to work with builders to customize a home that better fit their families' needs and choices for their own homes.

It is common for municipalities and counties to work with the home building industry to customize a code – from these international models – that is appropriate for their jurisdiction and the needs of its current and future constituents. And, the HBA would appreciate the opportunity to work with you to explain these technical issues and the recommended HBA amendments.

I am happy to facilitate such discussions at any time, please do not hesitate to contact me if you are interested.

Thank you for your time and consideration on this important issue.

Sincerely,



Emily Wineland
Staff Vice President for Public Policy
314-817-5625

CC: Mark Perkins, City Administrator, Creve Coeur
Steve Unser, Chief Building Official, Creve Coeur
HBA Codes Advisory Committee
HBA St. Louis County Board of Trustees
Patrick S. Sullivan, Executive Vice President

HOME
BUILDERS
ASSOCIATION
OF ST. LOUIS
& EASTERN
MISSOURI

10104
OLD OLIVE
STREET ROAD

ST. LOUIS,
MISSOURI
63141-5908

314 994 7700

FAX
314 432 7185

WEBSITE
WWW.STLHBA.COM



AN ORDINANCE AMENDING SECTION 240.020 OF THE CREVE COEUR CODE OF ORDINANCES PERTAINING TO ICE RENTAL FEES.

WHEREAS, increasing operating costs require the City to review fees on a regular basis, and

WHEREAS, the City staff has reviewed and compared its fees to those in neighboring municipalities and private ice arenas and found certain fee increases to be appropriate, and

WHEREAS, the Parks and Recreation committee reviewed the proposed fee increases and recommended approval at its meeting on May 23, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CREVE COEUR, AS FOLLOWS:

SECTION 1. Section 240.020 of the Creve Coeur Code of Ordinances is amended as follows effective September 1, 2013:

Ice rental, per hour (0 – 8 hours per contract):	\$205.00
(8.25 – 24.0 hours per contract):	\$200.00
(24.25+ hours per contract)	\$195.00

SECTION 2. Ice rental resident rate of \$190.00, discount rate (1,000 hours users) of \$180.00 and city figure skating club rate of \$170.00 are hereby deleted effective September 1, 2013. Except as expressly revised in this ordinance all other provision of Section 240.020 remain in effect.

SECTION 3: Contracts entered into and fully executed prior to the effective date of this ordinance shall be honored at the fees and rates specified in the contracts regardless of fee and rate adjustments in this ordinance.

SECTION 4. This Ordinance shall become effective September 1, 2013, pursuant to the provisions of 3.11(g) of the Charter.

Adopted this _____ day of _____, 2013.

Approved this _____ day of _____, 2013

Scott Saunders, Council President

Barry Glantz, Mayor

ATTEST:

Deborah Ryan, City Clerk



INTEROFFICE MEMORANDUM

Date: May 21, 2013

To: Mark Perkins, City Administrator
From: Kirsten Barnes, Director of Recreation
Subject: Ice Rental Fees

The City has periodically raised fees for recreational services in order to offset rising operating costs while also appropriately pricing its services within the regional market. As part of this review, staff recently compiled a survey of ice rental fees in other St. Louis area cities and at private ice rinks throughout the market to determine viability of increasing ice rental fees at Dielmann Recreation Complex.

- **Municipal Indoor Rinks**
 - o Queeny Park: \$180 per Hour (only available mid-September – March)
 - o Brentwood: \$185 per Hour (rates up for review in 2014)
 - o Webster Groves: \$190 per Hour
 - o Kirkwood: \$200 per Hour (increased from \$190 on 4/1/13 and up for review again in 2014)
 - o St. Peters Rec-Plex: \$250 per Hour (seats up to 1500 with full-service grill and three sheets of ice attached to full-service recreation facility)
- **Private Indoor Rinks**
 - o Nine (9) metropolitan area rinks with “prime time” rates (typically 3 – 11 p) between \$230 and \$275 (average \$247)
 - o Seating capacities range from 250 to 2200 and are suitable for league play
- **Current Creve Coeur Rate: \$190 per Hour** and last increased in March 2010
 - o Due to extensive use, very limited ice availability during the hockey season including three (3) teams that are on a waiting list for open ice and another group that is negotiating weekly late-night ice for a men’s hockey league.
 - o Rink is not well-suited to high school hockey games because of limited spectator seating.
 - o Rink benefits include large locker rooms, spacious lobby, concessions with beer service and central location.

Based on the information above, staff finds it prudent to increase rates as follows:

- Contracts for 0 – 8 hours of Ice \$205 per Hour
- Contracts for 8.25 – 24.0 hours of Ice \$200 per Hour
- Contracts for 24.25+ hours of Ice \$195 per Hour

This graduated scale gives a volume discount to our largest users but is still competitive for users who rent only a few hours of ice. It also encourages groups to commit to long-term agreements and thus reduces administrative costs.

NOTE: Contracts do include a clause that there are no refunds for unused ice. This insures that a group does not contract for 25 hours to get a lower rate and then cancels ice at the last minute. As a general practice and a service to our users, if a group needs to release ice, the Director works with them to find an alternate group to use the ice when possible.

It is recommended that these rates go into effect on September 1, 2013, to coincide with the start of the new hockey season, and that rates be reviewed again prior to the 2014 fall season.

RESOLUTION NO. 1058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CREVE COEUR, MISSOURI AUTHORIZING THE EXECUTION OF A CONTRACT WITH GEORGE BUTLER ASSOCIATES, INC., FOR PROFESSIONAL ENGINEERING DESIGN SERVICES RELATED TO THE RECONSTRUCTION OF CHASSELLE LANE FOR THE AMOUNT OF \$35,500.00.

WHEREAS, the City provides safe public rights of way for its commercial and residential communities;

WHEREAS, the qualifications of firms offering professional design services have been competitively vetted per the requirements outlined in the Municipal Code of the City of Creve Coeur;

WHEREAS, George Butler Associates, Inc., was determined by City staff to be the best qualified firm to complete the design services;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CREVE COEUR, AS FOLLOWS:

Section 1. The Professional Services Agreement between George Butler Associates, Inc., and the City regarding the Chasselle Lane Reconstruction Project, attached hereto as "Exhibit A," with a **contract sum of \$ 35,500.00**, is hereby approved, and the City Administrator is hereby authorized and directed to enter into and execute that Agreement. The Agreement as executed shall be in substantially the form of "Exhibit A," with such changes therein as shall be approved by the officers of the City executing same, consistent with the provisions and intent of this Resolution. The City Administrator and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient, or proper in order to carry out the intent of this Resolution, the matters herein authorized, and the rights and duties of the City under the Agreement.

Adopted this 28th day of May, 2013.

Barry Glantz
Mayor

Attest:

Deborah Ryan
City Clerk

EXHIBIT A

PROFESSIONAL SERVICES AGREEMENT

BETWEEN

CITY OF CREVE COEUR, MISSOURI

AND

GEORGE BUTLER ASSOCIATES, INC.

ARTICLES OF AGREEMENT

This Agreement is between the City of Creve Coeur, Missouri, as CLIENT and George Butler Associates, Inc., as ENGINEER

WITNESSETH:

Whereas the CLIENT is authorized and empowered to contract with the ENGINEER to provide professional services as hereinafter described; and

Whereas the ENGINEER, a Kansas Corporation with offices at 9801 Renner Boulevard, Lenexa, Kansas and 225 South Main, Suite 200, O'Fallon, Missouri, is registered in accordance with the laws of the State of Missouri and is qualified to provide the professional services desired by the CLIENT; in consideration of the promises and covenants made herein, the parties agree as follows:

IT IS AGREED THAT:

SECTION I - PROJECT

The CLIENT has determined to the satisfaction of its Governing Body that:

The CLIENT has selected and hereby employs the ENGINEER to perform professional engineering services for the Chasselle Lane Reconstruction, hereinafter referred to as the Project.

SECTION II - SCOPE OF SERVICES

A. BASIC SERVICES

TASK 1 – Detailed Design

Professional services for this contract will consist of the preparation of contract documents and specifications for approximately 2,600 linear feet of pavement reconstruction of Chasselle Lane between Ladue Road and North Mason Road for the City of Creve Coeur, Missouri. The construction documents will be contained within a cover bound, 8-1/2"x11" book, with necessary plan sheets contained on 11"x17" exhibits. The following are services that GBA

Page 1

proposes to complete for this project:

1. Initial Project Coordination Meeting to discuss project goals, set timelines, schedules, obtain existing information or data relevant to the project, and coordinate with the CLIENT'S staff to assist with field review meetings.
2. Perform field investigation with designated CLIENT representative. The investigation will include the following:
 - Areas of drainage concerns
 - Street typical section width
 - Pavement type
 - Pavement markings and signage
 - Location of speed humps
 - Deficient driveway approachesMeet with designated CLIENT representative in the field to confirm rehabilitation measures.
3. Obtain CLIENT GIS Mapping. The CLIENT mapping will include street centerline, and property lines. Right-of-Way boundaries will be shown in approximate location only. Base mapping will only show information provided by St. Louis County Aerial Photography. Base mapping will not include ties to any coordinate system, or will not include vertical coordinates.
4. Supplemental topographic survey will be completed to enhance features in areas where drainage, driveways, landscaping, utilities, etc., are not adequately shown by aerial imagery.
5. Prepare proposed typical sections for asphalt replacement. Typical sections will show existing (if known) and proposed pavement structure. Proposed asphalt reconstruction will and typical section will be approved by the CLIENT prior to proceeding with the preparation of preliminary plans. Existing curb and gutter will be used in place.
6. Prepare plan sheet(s) that depict the general location of the selected segments for rehabilitation to reach the project budget established by the CLIENT. Plan sheets will be prepared on 11"x17" sheets, at various scales to show the limits of construction. Plan sheets will include title sheet, typical sections, plan view of proposed improvements, construction limits, general construction notes, construction details, construction staging and traffic control, summary of estimated quantities, north arrow, and street identification.
7. Prepare Project Contract Documents and Technical Specifications. Technical specifications will follow St. Louis County Department of Highways and Traffic. The CLIENT will provide the "front end" or "boiler plate" contract language to be used for the project. ENGINEER will supplement by adding the plan sheets prepared above.
8. Prepare an Engineer's Estimate of Probable Construction Costs.
9. Meet with the CLIENT and submit up to five (5) sets of Project Contract Documents and Specifications Provide the CLIENT with an electronic file of the contract Documents in PDF format for reproduction by the CLIENT.

ASSUMPTIONS OR EXCLUSIONS

The CLIENT reserves the right to request additional work, and changed or unforeseen conditions may require changes and work beyond the scope of this contract. In this event, a supplement to this agreement shall be executed and submitted for the approval of the CLIENT prior to performing the additional or changed work or incurring any additional cost thereof. Any change in compensation will be covered in the supplement.

1. Full, detailed topographic survey will not be completed for the project design, and will not be included as part of this scope of services.
2. Right-of-Way survey will not be completed as part of this project. It is anticipated that all rehabilitation work will be within existing City Right-of-Way.
3. Environmental permitting will not be included.
4. Coordination with MSD will not be included as part of this project.
5. Services resulting from significant changes in the general scope of the Project or its design including but not limited to changes in size, complexity, CLIENT'S schedule, or character of construction; and revising studies, reports, design documents, or contract documents previously approved by, including preparation of change orders during the construction phase of the Project will be considered additional services.
6. ENGINEER will not be responsible for obtaining title reports, if necessary.

SECTION III - RESPONSIBILITIES OF CLIENT

The CLIENT shall provide information and assistance as follows:

A. CLIENT REPRESENTATIVE

1. The CLIENT shall designate a representative authorized to act on the CLIENT'S behalf with respect to the Project. The CLIENT or such authorized representative shall render decisions in a timely manner pertaining to documents submitted by the ENGINEER in order to avoid delay in the orderly and sequential progress of the ENGINEER'S services.

B. AUTHORIZATION

1. The CLIENT shall furnish approval, consents, and letters of authority as may be necessary for performing the services required under this Agreement in a timely manner.
2. Furnish to the ENGINEER a certified copy of the legislation, ordinance or resolution authorizing signing of this Agreement.

C. INFORMATION

1. The CLIENT shall provide to the ENGINEER all available reports, plans, specifications, background information, and other data pertinent to the services required under this Agreement.
2. The ENGINEER shall be entitled to rely on the accuracy and completeness of the information so furnished. The ENGINEER shall take reasonable steps to verify or substantiate the information provided by the CLIENT and shall not knowingly use incorrect information.

D. ACCESS TO SITE (FACILITY)

1. The CLIENT shall arrange for access to and make all provisions for ENGINEER to enter upon public and private property subject to CLIENT'S easements as required by ENGINEER to perform services covered by this Agreement.

E. EASEMENTS AND RIGHT-OF-WAY

The CLIENT shall be responsible for obtaining of all necessary easements and right-of-way for proposed improvements.

F. CLIENT/OWNER/CITY KNOWLEDGE OR CIRCUMSTANCES

1. The CLIENT shall give prompt written notice to the ENGINEER whenever the CLIENT observes or otherwise becomes aware of any fault or defect in the project or nonconformance with the Contract Documents.
2. The CLIENT shall give prompt written notice to ENGINEER whenever CLIENT observes or otherwise becomes aware of any development that affects the scope of timing of ENGINEER services.
3. The ENGINEER shall not be responsible for delays in the Project, or in the services hereunder, when delays are caused by the CLIENT, its agents, employees or contractors, or other causes beyond the reasonable control of ENGINEER.

G. MISCELLANEOUS

1. If requested by the ENGINEER, the CLIENT shall furnish evidence that financial arrangements have been made to fulfill the CLIENT'S obligations under this Agreement.
2. The CLIENT shall provide and pay for the cost of any mutually agreed upon subconsultants, testing, or laboratory services identified in the Scope of Services, Section II.

4. The CLIENT shall obtain bids or proposals from Contractor(s).
5. The CLIENT shall pay for all filing fees, application fees and permits from all governmental authorities having jurisdiction over the Project, and from others as may be necessary for completion of the Project.
6. The ENGINEER shall have no obligation to CLIENT to execute any agreement or document subsequent to the signing of this agreement, (whether lender consent, certification or otherwise), which in the sole judgment of the ENGINEER may increase risk, modify its obligation under this agreement, require performance by the ENGINEER to any person or entity not a party to this agreement or adversely affect the availability or costs of its professional or general liability insurance.

SECTION IV - COMPENSATION

A. COMPENSATION

1. The CLIENT shall compensate the ENGINEER for services rendered and expenses incurred as described in this Agreement a maximum of **\$35,500**.

The maximum compensation shall not be exceeded without further authorization by Supplemental Agreement as approved by the CLIENT.

Compensation to the ENGINEER by the CLIENT shall be based on actual hours worked plus direct expenses in accordance with the Standard Hourly Chargeout Rates schedule as shown in attached Exhibit "A".

It is hereby agreed that said Exhibit "A" is subject to adjustment on January 1st of each year by the ENGINEER to reflect increase in salaries and overhead costs.

B. BASIS OF PAYMENT

Payments to the ENGINEER shall be made monthly upon receipt of an invoice to be submitted to the CLIENT. Invoices shall be accompanied by an appropriate breakdown consistent with Paragraph A - Compensation. The CLIENT shall make payment to the ENGINEER within 30 days following the date of each invoice.

C. ADDITIONAL SERVICES

Additional Services rendered shall be provided as stipulated in the Supplemental Agreement for such additional services.

SECTION V - TERMINATION

- A. The CLIENT may terminate this Agreement at any time with or without cause upon giving the ENGINEER 14 calendar days prior written notice. The ENGINEER may terminate this Agreement upon giving the CLIENT 14 calendar days prior written notice for any of the following reasons:
1. Breach by the CLIENT of any material term of this Agreement, including, but not limited to, payment terms.
 2. Transfer of ownership of the Project by the CLIENT to any other persons or entities not a party to this Agreement without the prior written agreement of the ENGINEER.
 3. Material changes in the conditions under which this Agreement was entered into, coupled with the failure of the parties hereto to reach accord on the fees and charges for any Additional Services required because of such changes.
- B. The CLIENT shall within 30 calendar days of termination pay the ENGINEER for all services rendered and all costs incurred up to the date of termination, in accordance with the compensation provisions of this Agreement. Upon payment to the ENGINEER, a suitable and useable copy of all project documents, both digital and paper, and fully or partially completed, shall be transferred to the CLIENT.

SECTION VI - MISCELLANEOUS

And, finally, it is agreed that:

- A. The CLIENT acknowledges the ENGINEER'S construction documents as instruments of professional service. All reports, plans, specifications, field data and notes and other documents, including all documents on electronic media, prepared by the ENGINEER as instruments of service shall remain the property of the ENGINEER who retains the copyrights. The CLIENT shall not reuse or make any modification to these instruments of service without the prior written authorization of the ENGINEER. The CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold the ENGINEER harmless from any claim, liability or cost (including reasonable attorneys' fees and defense costs) arising or allegedly arising out of any unauthorized reuse or modification of the construction documents by the CLIENT or any person or entity that acquires or obtains the instruments of service from or through the CLIENT without the written authorization of the ENGINEER.
- B. The ENGINEER agrees to keep confidential and not to disclose to any person or entity, other than the ENGINEER'S employees, subconsultants, the general contractor, subcontractors, or any permit authorities, if appropriate, any data and information not previously known to and generated by the ENGINEER or furnished to the ENGINEER

and marked CONFIDENTIAL by the CLIENT. These provisions shall not apply to information in whatever form that comes into the public domain, nor shall it restrict the ENGINEER from giving notices required by law or complying with an order to provide information or data when such order is issued by a court, administrative agency or other authority with proper jurisdiction, or if it is reasonably necessary for the ENGINEER in the defense of any suit or claim.

- C. The ENGINEER agrees, to the fullest extent permitted by law, to indemnify and hold the CLIENT harmless from any loss, damage, or cost (including reasonable attorneys' fees) to the extent caused by the ENGINEER'S negligent acts, errors or omissions in the performance of professional services under this Agreement and those of the subconsultants or employees of the ENGINEER.

The ENGINEER is not obligated to indemnify the CLIENT in any manner whatsoever for the CLIENT'S own negligence, nor that of the CLIENT'S contractors, subcontractors, consultants or employees.

- D. The following limitations of responsibility shall apply to the ENGINEER for services provided:

1. The ENGINEER shall not be held responsible for the contractor's construction means, methods, techniques, sequences, procedures, safety precautions, or any programs incidental thereto, which shall remain the sole responsibility of the contractor.
2. The ENGINEER shall not be responsible for the contractor's failure to perform the work in accordance with the contract documents.
3. The ENGINEER shall not be held responsible for acts or omissions of the contractor, any subcontractor or their agents or their employees or any other persons performing any of the construction work.

The contractor is the person, firm, or corporation with whom the CLIENT has entered into an Agreement to construct this Project.

- E. In an effort to resolve any disputes that arise during the design or construction of the Project or following the completion of the Project, the CLIENT and the ENGINEER agree in good faith to attempt to resolve amicably, without litigation, any dispute arising out of or relating to this agreement. In the event that any dispute cannot be resolved through direct discussions, the parties agree to endeavor to settle the dispute by mediation. Either party may make a written demand for mediation, which demand shall specify in detail the facts of the dispute. The matter shall be submitted to a Mediator who shall hear the matter and provide an informal opinion and advice. Said informal opinion and advice shall be nonbinding on the parties but shall be intended to help resolve the dispute. The Mediator and the location where the mediation is held will be mutually agreeable between the parties. The Mediator's fees shall be shared equally by the parties.

The CLIENT and the ENGINEER further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the Project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with subcontractors, subconsultants, suppliers or fabricators so retained, thereby providing for mediation as the primary method for dispute resolution between the parties to those agreements.

- F. Except as provided herein, services hereunder shall be carried to completion without undue interruption. Subject to acquisition of essential data from the CLIENT, the services hereunder shall be scheduled with subsequent authorizations and commissions from other clients of the ENGINEER.
- G. This Agreement shall be governed and construed in accordance with the laws of the State of Missouri.
- H. Since the ENGINEER has no control over the cost of labor, material or equipment, or over contractor's methods of determining prices, or over competitive bidding or market conditions, the opinions of probable construction cost provided for herein are to be made on the basis of ENGINEER'S experience and qualifications and represent ENGINEER'S best judgment as a design professional familiar with the construction industry, but ENGINEER cannot and does not guarantee that the bids or the project construction costs will not vary from the cost estimates prepared by the ENGINEER. If CLIENT desires more accurate information on Project cost, it shall retain the services of a construction estimator.
- I. ENGINEER shall perform its services in accordance with the standard of care and skill ordinarily exercised under the same or similar circumstances by members of the ENGINEER'S profession.

IN WITNESS WHEREOF, the CITY OF CREVE COEUR, MISSOURI and GEORGE BUTLER ASSOCIATES, INC., by their authorized representatives, have hereunto subscribed their names this _____ day of _____, 2013. Executed in duplicate with copies to the CLIENT and ENGINEER.

CLIENT
CITY OF CREVE COEUR, MISSOURI

ENGINEER
GEORGE BUTLER ASSOCIATES, INC.

Name
Title

Name
Title

ATTEST:

ATTEST:

Name
Title

Name
Title

I certify that sufficient funds of the City treasury have been appropriated and are otherwise unencumbered to meet the City/s financial obligation under this Agreement.

Name
Title: City Treasurer

ATTACHMENT A

Chasselle Lane Fee Estimate

Task	Associate	Engineer 1	Engineer 2	Admin. 2	Expenses
	\$ 170.00	\$ 112.00	\$ 100.00	\$ 55.00	
TASK 1 - Detailed Design					
Kick Off Meeting	4	4			\$ 25.00
Field Recon.	2	4			\$ 50.00
Obtain GIS Mapping		2			
Supplemental Topo		16	18		\$ 100.00
Base Mapping		24			
Prelim.					
Title Sheet		4			
Typical Sections		4			
Engineers Estimate		40			
Staging		16			
Utility Coordination		4			\$ 100.00
Submittal	2	4			\$ 100.00
Revisions	2	8			
Final					
Title Sheet		1			
Typical Sections		1			
Plan View		40			
Traffic Control/Staging		16			
Striping/Signage		8			
Storm Water Prevention Plan		16			
Utility Coordination		4			
General Notes		4			
Construction Details		4			
Engineers Estimate		4			
Spec Book	2	24			
Submittal	2	4			\$ 100.00
Revisions	2	8			
Final Submittal		4		3	\$ 324.00
SUBTOTAL HOURS (Task 1):	16	268	18	3	
SUBTOTAL FEE BY CLASS (Task 1):	\$ 2,720.00	\$ 30,016.00	\$ 1,800.00	\$ 165.00	\$ 799.00
SUBTOTAL FEE (Task 1):					\$ 35,500.00



DEPARTMENT OF PUBLIC WORKS STAFF MEMORANDUM

DATE: May 21, 2013

TO: Mark Perkins, City Administrator

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Consultant Recommendation
Chasselle Lane Reconstruction Project Design and Construction Oversight

City staff recommends that the City retain the engineering services of George Butler Associates, Inc. (GBA), for the development of construction plans and specifications that will be necessary to release the Chasselle Lane Reconstruction Project for bids. City staff further recommends that the City retain the services of GBA to perform the construction inspection for the project.

Project Summary

Chasselle Lane runs between Ladue Road and Mason Road and serves as the sole access point and the primary roadway for the Belle Coeur subdivision. This street is approximately one half mile in length and twenty feet wide, and it is composed of asphalt pavement with concrete curbs and gutters on each side.

City staff has been aware of the poor condition of Chasselle Lane for some time. Pavement thickness samples were taken as part of the investigation into the options for how to repair or improve the pavement. These samples found that the street pavement is as thin as two inches and that much of the street was constructed without an aggregate base. In short, the pavement of Chasselle Lane was found to be of substandard thickness, and the combination of thin pavement and little or no base material eliminated resurfacing or pavement reclamation as options for rehabilitating the pavement.

Based upon these findings, staff has recommended the reconstruction of Chasselle Lane. A portion of this work has already begun, as approximately one third of the curbing along the street was replaced over the past six months. The work that remains is to remove the existing asphalt pavement and to install a new roadway with suitable base rock and pavement thickness.

The reconstruction project will require the partial closure of Chasselle Lane that will be carefully limited so to maintain access to each home to the greatest practical extent during the work. Chasselle Lane is simply not wide enough to accommodate traffic during construction. Because Chasselle Lane serves as the only entry points for the subdivision, the planned closure will require the implementation of varying detour routes. These issues require careful planning, and that is why staff has solicited a proposal from GBA.

Qualifications Review

A request for qualifications was issued for the Graeser Road Resurfacing Project in December 2012, and a total of twelve (12) letters of interest were received. The respondents to the request for qualifications were (in alphabetical order):

- | | |
|---|---------------------------------------|
| 1. Access Engineering, LLC | 7. Glasper Professional Services |
| 2. Bax Engineering | 8. Grove Design Group, LLC |
| 3. CDG Engineers, Architects Planners, Inc. | 9. Horner & Shifrin, Inc. |
| 4. Civil & Environmental Consultants, Inc. | 10. Kuhlmann design Group, Inc. |
| 5. EDM Incorporated | 11. Terra Engineering, LTD |
| 6. George Butler Associates (GBA) | 12. Thouvenot, Wade, & Moerchen, Inc. |

Staff believes that the Graeser Road qualifications review provided City with an opportunity to use the advertising resource of the MoDOT website and the notoriety of a federally funded grant project to its advantage for the solicitation of qualified firms. In addition, staff believes that the same firms were likely to have responded to independent qualifications requests for the Graeser and Chasselle projects, and that the responses would have been nearly identical to both. Independent requests appeared to be redundant and an unnecessary burden on both staff and the engineering firms submitting packages. Therefore, City staff chose to use the Graeser Road request for qualifications as a means to identify a qualified firm to perform the engineering consulting services necessary for the Chasselle Lane project.

Public Works staff evaluated the submissions independently and ranked them based upon the criteria established in the qualifications request, those being:

- Experience and technical competence
- Capacity and capability
- Past record of performance

While Public Works staff found that a different firm was the most qualified firm for the Graeser Road project, staff also determined that GBA was the most qualified among the respondents for the Chasselle Lane project.

George Butler Associates profile. GBA is a multi-discipline engineering firm with surveying, design, and construction management as some of its specialties. Their local office is located in O'Fallon, Missouri. From this office, GBA has performed design services for several highway and residential roadway widening and reconstruction projects in the St. Louis area.

GBA has a good relationship with the City. The City uses pavement management software originally developed by GBA, and GBA routinely provides on-call traffic engineering reviews for the Department of Community Development. The GBA staff has typically been eagerly responsive to the City's requests in the recent past.

Contract Negotiation

Staff from GBA and the City met in early February to discuss and refine a scope of services that will be suitable for the design of the Chasselle Lane project and the observation and inspection of its construction. This scope of work generally includes two phases: 1.) design, and 2.) construction. The scope of the design phase includes a limited site survey; development of plans, specifications, and cost estimate for bidding purposes; and coordination with area utilities, St. Louis County, and MoDOT. The scope for the construction phase includes on-site construction observation, inspection, and materials testing services. GBA has proposed a not-to-exceed fee for these services, which is outlined below:

Design-Phase Services	\$ 35,500.00
Construction-Phase Services.....	\$ 29,925.00
Total	\$ 65,425.00

Fee Discussion. The asphalt reconstruction portion of the Chasselle Lane project is expected to cost approximately \$310,000.00. The total fee proposal represents 21.5% of this estimated cost. Design and construction inspection services each typically cost approximately 10% of the construction cost of the project. The construction-phase services appear to be equal to this expected cost, but the design-phase services equal about 11.5% of the anticipated construction cost. City staff understands this to be due, in part, to the additional plan sheets required to illustrate the staging of the project needed to maintain access for the residents on Chasselle and for the three different traffic control plans that will need to be developed to account for the various areas of street closure.

City staff feels that GBA has provided a fair fee proposal for the design-phase and construction-phase services for the Chasselle Lane reconstruction project.

Construction Inspection. City staff typically performs construction inspection services for the City's roadway projects. City staff is recommending the use of GBA for construction inspection services on Chasselle Lane due to the number of projects that will likely be active at the time that the Chasselle Lane project will be completed. Staff anticipates that the Chasselle Lane project will begin in late summer, and that concurrent projects will include one or both of the asphalt resurfacing projects, the annual concrete replacement project, and the Chilton Lane culvert replacement project. Staff is concerned that errors could be made as the number of projects would limit the amount of staff attention to each.

Funding for Design

Funding for the design phase of the Chasselle Lane reconstruction project was included in the 2013 fiscal year Capital Improvement Plan under budget number 02-61-71-13601.

Funding for the construction inspection services will be sought separately if required and will be drawn from the appropriate 2014 fiscal year capital account. At the time of this recommendation, staff anticipates seeking approval for retaining the services of GBA for the construction phase of this project.

Recommendation

George Butler Associates has provided quality services to the City in the recent past and has demonstrated its qualifications to perform the required design and inspection services for Chasselle Lane. City staff expects that this level of service and quality will continue with the design and inspection of the Chasselle Lane Rehabilitation Project. Based upon the qualifications review process and an evaluation of the fee proposed for the design, George Butler Associates is the best qualified firm to perform the design and will do so at a fair price.

For this reason, City staff recommends the execution of a contract with the firm listed below for engineering design services related to the Chasselle Lane Reconstruction Project, for the not-to-exceed fee of \$35,500.00:

George Butler Associates, Inc.
225 South Main Street, Suite 200
O'Fallon, MO 63366
(636) 240-2444