

BILL 10737

ORDINANCE 10580

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE, WITH MODIFICATIONS, AS THE PRIVATE SEWAGE DISPOSAL CODE OF THE CITY OF KIRKWOOD, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF INDIVIDUAL SEWAGE SYSTEMS IN THE CITY OF KIRKWOOD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES.

WHEREAS, the ISO has recommended the City update its Building Codes, and

WHEREAS, the Building Commissioner's Office reviewed the Building Codes and recommends adoption of the 2015 International Private Sewage Disposal Code with modification, and

WHEREAS, the Chief Administrative Officer has approved the recommendation of the Public Services Department to adopt the Private Sewage Disposal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, as follows.

SECTION 1. That Kirkwood Code of Ordinances is hereby amended by inserting Section 5-6(a) as follows:

“Section 5-6(a) Private Sewage Disposal Code: The provisions of the “2015 International Private Sewage Disposal Code” as modified, is hereby adopted as the City of Kirkwood Private Sewage Disposal Code See separate publication and adopting modification ordinance on file in the office of the City Clerk.

SECTION 2 That a certain document, which is on file in the office of the City Clerk, being marked and designated as the “2015 International Private Sewage Disposal Code”, as published by the International Code Council, Inc., be and is hereby adopted as the Private Sewage Disposal Code of the City of Kirkwood, Missouri, and all of the regulations, provisions, penalties, conditions, and terms of the “2015 International Private Sewage Disposal Code”, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, prescribed in this ordinance.

SECTION 3. That throughout the “2015 International Private Sewage Disposal Code”, wherever the term “jurisdiction” is used, it is deemed to mean City of Kirkwood, and wherever the expression “Code Official” is used, it is deemed to mean the Building Commissioner.

SECTION 4. That the “2015 International Private Sewage Disposal Code” is amended by additions, deletions and changes including of articles, chapters, sections, subsections, and subsection titles and the addition of new sections and subsections so that such amended and added articles, sections and subsections shall read as follows:

Each section, subsection or clause of the Code that numerically corresponds to one of the following numbered provisions is hereby deleted, or amended, 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.

Chapter 1 Scope and Administration

Section 101.1 – Amended to read as follows; Title These regulations shall be known as the Private Sewage Disposal Code of the City of Kirkwood, hereinafter referred to the “this Code”.

Section 101.3 Amended to read as follows, Public Sewer Connection. A public sewer system shall be considered available to a structure or building when a public sewer main is located within 300 feet of the property line of the building or structure

Section 101.3.1 Added to read as follows; Individual Sewage Disposal System Prohibited. Individual sewage disposal systems shall be prohibited except for single family residences which are located on lots greater than one acre in area and such lot is greater than 300 feet from a public sewer

Section 101.3.2 Added to read as follows, Individual Sewage Disposal System Permitted. Individual sewage disposal systems shall be permitted only under the following condition:

- 1 Single family dwellings on lots one acre or larger and,
- 2 Property is not within 300 feet of a public sanitary sewer and,
- 3 The plans and construction documents for the individual disposal system shall be sealed by a professional engineer and,
- 4 The soil absorption system shall be at least 10 feet from all property lines and,
- 5 The system satisfies the requirements of the 2015 International Private Sewage Disposal Code.

Delete in its entirety 106.1 1 Annual Permits and 106 1 2 Annual permit records

Section 106.1.1 is added to read as follows; License required. Permits to be issued only to licensed plumbers and drain layers who have been licensed in accordance with section 111 of this code.

Section 106.1.2 is added to read as follows; Integrated permits. A private sewage disposal system permit shall not be part of an integrated permit. The issuance of this permit shall specifically for the system only on a single permit application.

Section 106.1.3 is added to read as follows; Applicant responsibility The integrated permit applicant shall be responsible for the return to the code official of the plumbing, electrical and/or mechanical permit form with the name, signature and license number of the appropriate subcontractor. Any change in the identity of the named subcontractor after issuance of the permit, must by special application and shall result in the assessment of a transfer fee as specified.

Section 106.4 Amended to read as follows; Fee Schedule Fees shall be established as prescribed in Chapter 5, Article VI of the Code of Ordinances of the City of Kirkwood.

Delete in its entirety 106.4 2 and 106 4 3

Section 108.4 – Amend to read as follows, Violation Penalties. Any person, firm or corporation who shall violate any provision of this ordinance, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of the ordinance, or shall start any work requiring a permit without first obtaining a permit therefore, or who shall continue any work in or about a structure after having been served s stop work order, except for such work which that person, firm or corporation has been directed to perform to remove a violation or unsafe condition, or any owner or tenant of a building or premises or any other person who commits, takes part or assists in any violation of this Code or who maintains any building or premises in which such violation shall exist, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinances of the City of Kirkwood.

Section 108.5 - Amend last sentence of Stop Work Orders to read “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as prescribed in Section 1.8 of the Code of Ordinance of the City of Kirkwood”.

Section 109.1 is amended to read as follows Appeals. The owner of a building or structure or any other person having interest in said building or structure may appeal from a decision of the code official to the Board of Appeals appointed under the provisions of the Kirkwood Building Code , Chapter 1- Scope and Administration, Section 113- Board of Appeals.

Application for appeal may be made when it is claimed that the true content of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of installation or construction can be used

Sections 109.2 – through – **Section 109.7** - Delete in their entirety

Section 111 –added to read as follows; LICENSING OF PLUMBING CONTRACTORS

Section 111.1 – added to read as follows; St. Louis City or County Plumbing or Drain laying License Required: Any person or contractor wishing to enter into the plumbing or drain laying contracting business within the City of Kirkwood, Missouri, shall first be

duly examined and successfully licensed as a plumber or drain layer in St. Louis City or County, Missouri.

Section 111.2 – added to read as follows; City of Kirkwood Contractor’s License Required: All Contractors shall obtain a license under the provisions of Chapter 13, Division 2 of the Kirkwood Code of Ordinances.

Exception: The owner of a one or two family residence who resides in the dwelling unit can apply and secure a plumbing permit to perform installation and repairs outlined in this plumbing code.

Section 111.3 – added to read as follows, Any firm or corporation in the business of plumbing or drain laying work shall employ a duly licensed supervisor, under the provisions of this Code, who shall be responsible for installations made by said firm or corporation.

Section 111.4 – added to read as follows, No persons having obtained a license under the provision of this Code shall allow his/her name to be used by another person either for the purpose of obtaining permits, or for doing business or work under the license. Every person licensed shall notify the office of plumbing inspection of the address of his/her place of business and the name under which such business is carried on, and shall give immediate notice to the office of plumbing inspection of any change in either.

Section 111.5 – added to read as follows, A license or registration issued under this ordinance is assigned to the person named in said license. No license or registration certification or the rights, duties and privileges attendant thereto, shall be assigned or transferred to another person, company or partnership. When the duties and privileges of a license are to be exercised within a company or partnership, all of the principals or partners of that company or partnership must be registered with the Board thirty (30) days prior to exercising the rights and privileges of the license.

Chapter 5 Materials

Section 501.3 – added to read as follows, Minimum size building sewer: The gravity building sewer shall not be less than 6 inches (153 mm) in size.

Section 501.4 – is amended to read as follows; Freezing Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperatures unless adequate provision is to protect such pipes from freezing by insulation or heat or both as approved by the code official

Sewer depth. Building sewers shall be installed not less than 30 inches (762 mm) below finished grade.

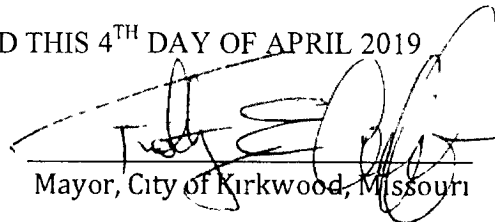
Section 505.10.2 –is amended to read as follows. Solvent cementing Joint surfaces shall be clean and free from moisture. Clear primer that conforms to ASTM F 656 shall be applied to joints above grade (earth) Purple primer that conforms to ASTM F 656 shall be applied to joints below grade (earth) Solvent cement clear in color and conforming to ASTM D 2564, CSA B137 3, CSA B181.2, or CSA B182 1 shall be applied to all joint surfaces The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855 Solvent-cemented joints shall be permitted above or below ground

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

SECTION 6 If any section, subsection, provision, sentence, clause or phrase of this ordinance or of the 2015 International Private Sewage Disposal Code 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 Kirkwood hereby declares that it would have passed the same, even though such portion so held to be unconstitutional had not been included therein, and to this end the provisions of this ordinance declared to be severable.

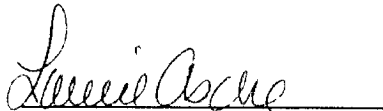
SECTION 7 This ordinance shall be in full force and effect after its passage and approval, as provided by law

PASSED AND APPROVED THIS 4TH DAY OF APRIL 2019



Mayor, City of Kirkwood, Missouri

ATTEST:



City Clerk

City Clerk

1st Reading: March 21, 2019

2nd Reading: April 4, 2019