

BILL NO. 1972

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

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE III SECTION 6-65 OF THE CUBA CITY CODE RELATING TO THE INTERNATIONAL FUEL GAS CODE ADOPTION**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI, TO-WIT:

SECTION 1. That Chapter Six Article III Section 6-65 of the Municipal Code of the City of Cuba is hereby amended and the 2018 International Fuel Gas Code is adopted with a new sub-section is hereby established 6-65(E) and the following is added thereof:

**SECTION 6-65 (E): INTERNATIONAL FUEL GAS CODE ADOPTION**

An ordinance of the City of Cuba adopting the 2018 International Fuel Gas Code.

1. The City of Cuba, by and through its Board of Aldermen, had determined that the Fuel Gas Codes of the City of Cuba need to be updated so as to promote the health, safety and welfare of the citizens of Cuba, Missouri, and

2. Section 67.280, RSMo., allows cities to incorporate by reference to certain technical codes.

**SECTION 6-65 (E)(a): CERTAIN DOCUMENTS**

Three (3) copies of the 2018 International Fuel Gas Code are on file with the City Clerk of the City of Cuba, Missouri, at City Hall, 210 West Washington, Cuba, Missouri 63080 and are hereby adopted by reference and made a part of the Code of Ordinances as fully as if set forth in its entirety.

**SECTION 6-65 (E)(b): AMENDMENTS**

The code adopted by this Article is hereby amended by substituting the following Sections or portions of Sections for and in lieu of those Sections or portions of Sections with corresponding numbers in the 2018 International Fuel Gas Code or where there is no corresponding Section in the code, the following Sections shall be enacted as additions to the code.

*101.1 Title.* These regulations shall be known as the Fuel Gas Code of the City of Cuba, hereinafter referred to as Athis code@.

*106.5.3 Expiration.* Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or is suspended or abandoned at any time after the work is commenced for a period of 90 days. Before such work recommences, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided that changes have not been and will not be made in the original construction documents for such work, and further that such suspension or abandonment has not exceeded one year.

*106.5.4 Extensions.* A permittee holding an unexpired permit shall have the right to apply for an

extension of the time within which he or she will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 90 days if there is reasonable cause. A permit shall not be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.

~~106.6.2 Fee schedule. The fees for work shall be as indicated in the following schedule. Reference Section 160.130 Building Code Fee Schedule~~

~~106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows.~~

~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~

~~2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid where work has not been done under a permit issued in accordance with this code.~~

~~3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.~~

*108.4 Violation penalties.* Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 dollars or by imprisonment not exceeding 10, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*108.5 Stop work orders.* Upon notice from the code official that work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's authorized agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than \$25.00 dollars or more than \$500.00 dollars.

## **SECTION 109 MEANS OF APPEAL**

*109.1 Application for appeal.* A person shall have the right to appeal a decision of the code official to the Board of Adjustment. 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 equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

~~109.2 Membership of board.~~ The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.

~~109.2.1 Qualifications.~~ The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:

~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years= experience, 5 of which shall have been in responsible charge of work.~~

~~2. Registered design professional with structural engineering or architectural experience.~~

~~3. Registered design professional with fuel gas and plumbing engineering experience; or a fuel gas contractor with not less than 10 years= experience, 5 of which shall have been in responsible charge of work.~~

~~4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years= experience,~~

~~5. of which shall have been in responsible charge of work.~~

~~6. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years= experience, 5 of which shall have been in responsible charge of work.~~

~~109.2.2 Alternate members.~~ The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.

~~109.2.3 Chairman.~~ The board shall annually select one of its members to serve as chairman.

~~109.2.4 Disqualification of member.~~ A member shall not hear an appeal in which that member has a personal, professional or financial interest.

~~109.2.5 Secretary.~~ The chief administrative officer 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 chief administrative officer.

~~109.2.6 Compensation of members.~~ Compensation of members shall be determined by law.

Chapter 2 Definitions

Chapter 3 General Regulations

Chapter 4 Gas Piping Installations

~~401.5 Identification.~~ For other than steel pipe, Exposed piping shall be identified by a yellow label marked AGas@ in black letters. The marking shall be spaced at intervals not

exceeding 5 feet (1524 mm). ~~The marking shall not be required on pipe located in the same room as the appliance served.~~

*404.17.3 Tracer.* A yellow insulated copper tracer wire or other approved conductor shall be installed adjacent to underground nonmetallic piping. Access shall be provided to the tracer wire or the tracer wire shall terminate above ground at each end of the nonmetallic piping. The tracer wire size shall not be less than 12 AWG and the insulation type shall be suitable for direct burial.

*409.5 Appliance shutoff valve.*

~~*409.5.3 Located at manifold.* Where the appliance shutoff valve is installed at a manifold, such shutoff valve shall be located within 50 feet (15 240 mm) of the appliance served and shall be readily accessible and permanently identified. The piping from the manifold to within 6 feet (1829 mm) of the appliance shall be designed, sized and installed in accordance with Sections 401 through 408.~~

#### Chapter 5 Chimneys and Vents

*503.10.2.2 Vent connectors located in unconditioned areas.* Where the vent connector used for an appliance having a draft hood or a Category I appliance is located in or passes through attics, crawl spaces or other unconditioned spaces, that portion of the vent connector shall be listed Type B, Type L or listed vent material having equivalent insulation properties.

~~Exception: Single wall metal pipe located within the exterior walls of the building in areas having a local 99 percent winter design temperature of 5°F (-15°C) or higher shall be permitted to be used in unconditioned spaces other than attics and crawl spaces.~~

#### Chapter 6 Specific Appliances

#### Chapter 7 Gaseous Hydrogen Systems

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_<sup>TH</sup> DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
CODY LEATHERS, MAYOR

Attest:

\_\_\_\_\_  
CHRISTINE NASH, CITY CLERK

(City Seal)

Approved as to the form.  
WILLIAMS, ROBINSON, RIGLER & BUSCHJOST, P.C.

By: \_\_\_\_\_  
Lance B. Thurman, 51214  
901 North Pine Street, Fourth Floor  
Post Office Box 47  
Rolla, Missouri 65402  
(573) 341-2266

ATTORNEYS FOR THE CITY OF CUBA, MISSOURI

Alderman	Vote on First Reading On _____, 2020	Vote on Second Reading On _____, 2020
Kevin Copling		
Sam Black		
Debbie Martin		
Warren Graddy		
Curtis Holt		
Jeff Bouse		